

California High-Speed Rail Authority

# *San Jose to Merced Project Section*

*Preferred Alternative Outreach  
Summary Report*

September 2019





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## 1 INTRODUCTION

The development of the four alternatives being evaluated in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the San Jose to Central Valley Wye Project Extent of the San Jose to Merced Project Section has relied heavily on a wide range of public and stakeholder input. In identifying the preferred alternative for the project section, the California High-Speed Rail Authority (Authority) sought feedback on the staff recommendation to identify Alternative 4 as the Preferred Alternative via in-meeting polls, online and paper feedback forms, and comments at meetings, open houses, and outreach events. The feedback includes a mix of enthusiastic support, geographic-specific concerns, and questions about various elements of the alignment alternative.

The objective of this document is to summarize the feedback gathered from a diverse audience of local elected officials, community leaders, business organizations, human service providers, advocacy groups, and members of the public residing in and around the cities adjacent to the proposed high-speed rail alignment.

This document provides a thematic review of comments, questions, and suggestions received following the public release of the Staff-Recommended Preferred Alternative in July 2019. While the report's focus is on the opinions about the differentiating elements among the four alternatives in the San Jose to Merced Project Section, general highlights regarding support or concern about the investment, design, or features of proposed high-speed rail alignments are also presented.

### 1.1 Context for Outreach Effort

The outreach effort was designed to be responsive to stakeholder needs and to allow for a two-way information exchange.

Prior to 2018, Alternatives 1, 2, and 3 represented the set of options being considered in the San Jose to Merced Project Section. With the 2018 Business Plan, the Authority introduced a new alternative, Alternative 4. The new alternative was shared by the Authority project team through a series of outreach activities beginning in 2018. This included substantial engagement with communities with high percentages of environmental justice populations, including minority, lower-income, and limited-English-proficiency (LEP) households.

These outreach activities included presentations at public and stakeholder group meetings, neighborhood canvasses, briefings for community service providers, interviews with local stakeholders, and informational tabling at various types of community events. Several meetings included in-language material and interpretation services at the request of community members or service providers (e.g., healthcare providers, affordable housing developers, and volunteer organizations). The Authority conducted additional outreach in communities at the request of elected officials, community members, or service providers and enlisted the support of community groups in outreach efforts geared toward low-income and minority populations.

Beginning in July 2019, the Authority initiated outreach for the Preferred Alternative. Staff developed fact sheets and other informational materials to ensure stakeholders and members of the public could gain a clear understanding of the following:

- History of the development of alignment alternatives in the project section
- Preferred Alternative evaluation methodology
- Tradeoffs of one alternative versus another based on consideration of (1) community factors, (2) environmental factors, and (3) system performance, operations, and cost factors

- Illustrations of station area designs, engineering drawings, and tools to illustrate temporary construction and permanent right-of-way impacts on specific properties

With this information, stakeholders, and other members of the public could gain a solid understanding of the rationale for the staff recommendation for the Preferred Alternative. Well informed stakeholders offered meaningful feedback that reflects an understanding of the impacts of the alternatives. Their feedback was collected in facilitated discussions, via written feedback tools, and in question-and-answer sessions about the information presented.

Ultimately, outcomes from public engagement on the staff-recommended Preferred Alternative offer the Authority Board of Directors and the broader public an understanding of community attitudes around issues related to high-speed rail service, investment, and development. Feedback reflects the pulse of the community but does not necessarily represent the full range of questions, suggestions, and preferences of all residents along the corridor.

## 1.2 Report Contents and Structure

This chapter provides an introduction to the report. The remaining elements of this report are as follows:

- Chapter 2 provides context regarding the engagement that was conducted to solicit input on the staff recommendation, including the various avenues through which feedback was gathered. This includes descriptions of working groups, agendas, materials shared, and means of soliciting feedback.
- Chapter 3 summarizes the full range of feedback received, identifying areas of support for the staff recommendation as well as questions and comments reflecting differing opinions.
- Chapter 4 offers an overall summary of the key issues that were identified in the outreach process.

Meeting summaries from Community Working Groups are included in Appendix A. Appendix B provides a summary of the open houses.

This report summarizes the feedback received through August 22, 2019. Correspondence received from through August 30, 2019 is included in Appendix C. Any additional correspondence directed to the Board of Directors received after August 30, 2019 will be part of the materials distributed to the Board of Directors during the September 17, 2019 meeting.

## 2 OUTREACH EVENTS

A series of outreach events provided opportunities to engage stakeholder groups and members of the public to gather feedback on the staff recommendation.

### 2.1 Outreach Approach

In order to collect feedback on the staff-recommended Preferred Alternative, Authority staff held open houses and Community Working Group (CWG) meetings. In addition, staff presented to a technical working group (TWGs), the Local Policy Maker Group, and to various city and county governments. Presentations to stakeholders were specifically focused on the differentiating factors between alternatives, and the information was provided using simulations, aerial overviews, fact sheets, information tables, and PowerPoint presentations.

More than 250 community members, stakeholders, technical experts, elected representatives, and agency officials attended briefings and meetings related to the staff-recommended Preferred Alternative. Approximately 100 other individuals participated in educational outreach events in July and August, where staff provided information about high-speed rail at tables and kiosks at community markets, a music festival, and neighborhood fairs, but did not solicit input on the Preferred Alternative.

#### 2.1.1 Outreach Objectives

The outreach conducted in July and August had three primary objectives:

- To share the staff-recommended Preferred Alternative and its identification process.
- To provide an opportunity to discuss the staff recommended Preferred Alternative.
- To collect feedback on the staff-recommended Preferred Alternative.

These objectives were shared at all of the meetings led by Authority staff.

### 2.2 Outreach to Stakeholder and Policy Groups

Authority staff and partners scheduled and made presentations regarding the staff-recommended Preferred Alternative at a variety of meetings and forums, including the following:

- City and County Governments and Other Policy Bodies
  - Authority staff offered presentations to City Councils and Boards of Supervisors, and other policy boards during July and August to solicit feedback on the staff-recommended Preferred Alternative.
- City/County Staff Coordinating Group (CSCG)
  - The CSCG is a group created by and facilitated by Caltrain. It is comprised of representatives from all cities and counties between San Francisco and Gilroy along the Caltrain right-of-way. This group convenes every third Wednesday and the Authority has a standing agenda item during these monthly meetings. The July meeting of this group focused on the staff-recommended Preferred Alternative for both Northern California project sections.
- Local Policy Makers Group (LPMG)
  - The LPMG is a group created by and facilitated by Caltrain and is the elected counterpart to the CSCG. The LPMG is comprised of one elected representative

from most cities and counties between San Francisco and Gilroy along the Caltrain right-of-way. This group is convened every fourth Thursday and the Authority has a standing agenda item during these monthly meetings. The July meeting of this group focused on the staff-recommended Preferred Alternative for both Northern California project sections.

- Community Working Groups (CWGs)
  - A CWG is a voluntary group of individuals tasked with sharing information and opinions that reflect their community's interests in planning for high-speed rail service. CWG members represent neighborhood and community organizations, businesses, transit advocacy groups, environmental justice (EJ) populations, and more. There are currently two CWGs in the San Jose to Merced Project Section and both of these CWGs convened during the month of July. The purpose of the July CWGs was to enable information exchange between community members, Authority staff, and the engineering, environmental and planning team. CWG meetings were conducted in a small-group meeting format (approximately 15–20 members) to enable members to discuss ideas and share opinions. These meetings are open to the public. Members of the public are invited to observe and given an opportunity for public comment.
- Environmental Stakeholders
  - The Authority has consulted and collaborated with the Coyote Valley and Pacheco Pass conservation community, consisting of local and regional agencies and non-governmental organizations. The conservation community has provided extensive scientific data on wildlife and habitat, and perspectives on impact analyses and preliminary design that are informed by decades of conservation planning and actions.
  - Continuing the consultation that began with selection of the Pacheco Pass as the network corridor connecting the Bay Area and Central Valley high-speed rail lines, the Authority has consulted and collaborated with local, state, and federal agencies and non-governmental stakeholders in the Grasslands Ecological Area. The broad range of engagement has included data sharing, preliminary design refinements, conservation lands suitability analysis, and analyses of potential high-speed rail impacts upon irrigation and wastewater conveyance, waterfowl and shorebirds, wetland and riparian habitat, private duck clubs, and state hunting revenues.
- Technical Working Groups (TWGs)
  - The TWGs include staff from various jurisdictions, public agencies, and school districts and provides technical direction to Authority staff that reflects the priorities of the organizations they represent. There are currently two TWGs in the San Jose to Merced project section and both of these groups met in July 2019. The purpose of the July TWGs was to provide feedback on the staff-recommended Preferred Alternative. The TWG meetings were conducted in a small-group format (approximately 10-20 members) with representatives both on site and via webinar.

### 2.2.1 Format of Stakeholder and Policy Group Meetings

In sharing the staff recommendation for the Preferred Alternative with the stakeholder and policy groups, staff presented a brief overview of how stakeholder engagement and feedback has shaped the alternatives over the last decade, local subsection features of interest (relative to the specific audience), results of the technical evaluation and analysis, and the staff recommendation for the Preferred Alternative.

At all meetings, Authority staff considered questions from the members and invited comments on the staff recommendations.

In some meetings, additional tools were used to gather feedback. For example, in the TWG meetings, participants were asked to use an instant polling platform to provide an initial reaction to the basis for the staff's recommendations and then take part in a moderated discussion to share their responses. In the CWG meetings, once working group members had the opportunity to ask clarifying questions, they were invited to provide a reaction by completing questions on a worksheet and then take part in a moderated discussion to share their responses. This allowed the facilitator to work with the group to review key feedback and gauge areas of agreement and concern concerns in real time.

### 2.2.2 Meetings by Organization, Date, and Location

Table 2-1 provides a summary of the meetings conducted to gather feedback on the staff recommendation. Many of these meetings also included a facilitated discussion regarding individuals' preferences among the alternatives and whether they concurred with the staff recommendation that Alternative 4 should be identified as the Preferred Alternative.

**Table 2-1 Scheduled Meetings and Presentations by Authority Staff with Stakeholder and Policy Groups**

Date	Meeting	Location
July 8, 2019	San Jose – Morgan Hill TWG	Alfred E. Alquist Building, San Jose
July 8, 2019	Gilroy - Los Banos TWG	Chamber of Commerce, Gilroy
July 10, 2019	Morgan Hill – Gilroy CWG	Community and Cultural Center, Morgan Hill
July 10, 2019	Coyote Valley and Pacheco Pass stakeholders	WSP, San Francisco
July 15, 2019	Grasslands Ecological Area stakeholders	Webinar
July 16, 2019	San Jose CWG	Leininger Center, San Jose
July 17, 2019	Morgan Hill City Council	City Hall, Morgan Hill
July 17, 2019	City/County Staff Coordinating Group Meeting	Caltrain, San Carlos
July 25, 2019	Local Policy Maker Group Meeting	Caltrain, San Carlos
August 19, 2019	Gilroy City Council	City Hall, Gilroy
August 20, 2019	San Jose City Council	City Hall, San Jose
August 22, 2019	Monterey Corridor Working Group	The Plant, San Jose
September 4, 2019	Santa Clara City Council	City Hall, Santa Clara
September 10, 2019	Santa Clara County Board of Supervisors	Santa Clara County Building, San Jose

### 2.3 Broader Public Engagement

In addition to being invited to attend select stakeholder and policy group meetings listed in Table 2-1, members of the public were also invited to a series of open houses across the region. Authority staff conducted three open houses in the San Jose to Merced Project Section in August 2019.

### 2.3.1 Open House Notification

The Authority led a robust outreach effort to notify members of the public about the open houses. The effort included open house flyers and posters listing all Northern California open houses which were distributed by email to all individuals on the Authority's Northern California mailing list and translated into Spanish, Vietnamese, Chinese, and Tagalog. Notices were also posted on the Authority website and distributed to all TWG, CSCG, and CWG members by email, with staff making follow-up phone calls to members to extend a personal invitation. Members were also asked to share the flyer with their networks

Flyers were sent to community centers, neighborhood associations, and libraries along the alignments for posting on community bulletin boards. Authority staff also coordinated with transit agencies to notify their riders of the open houses. Flyers were also distributed to community leaders who participated in environmental justice outreach events, with follow-up calls to personally invite them to participate in the open houses and encourage them to advertise the events to their community members.

Open houses were publicized via social media, digital paid ads, and print media. Authority staff posted notifications via Facebook and Twitter, which featured video advertisements. In-language ads were placed in the following print media outlets:

- *El Observador* (Spanish)
- *Sing Tao Daily* (Chinese)
- *Vietnam Daily News* (Vietnamese)

Newspaper ads were also placed in *San Francisco Bay View*, an English language newspaper with a largely African American audience.

In addition, several newspaper articles and community message boards (e.g., Next Door) featured postings about the open houses.

### 2.3.2 Format of the Open House Meetings

Open houses were designed to allow members of the public to get their questions answered, talk directly with staff about their primary interests, and share their opinions about the high-speed rail program and the staff recommendations for the Preferred Alternative. Open houses included a number of information stations and a formal presentation.

The presentations included the following elements:

- An update on the statewide program and its status
- An overview of collaboration with partner agencies, stakeholders, and the public, including key issues identified during outreach
- The various steps in identifying the Preferred Alternative
- An overview of the range of alternatives, including common and differentiating features
- The criteria used to evaluate the alternatives
- Results of the evaluation of the alternatives
- The rationale for the staff recommendation

At the open houses, members of the public were invited to circulate around the room to learn more about their specific areas of interest by visiting each of the information stations. The largest of the stations focused on providing information regarding the range of alternatives and the staff-recommended Preferred Alternative. Information stations included the following:

- Station 1: Welcome and registration

- Orientation, agenda, feedback form and answers to general questions
- Station 2: What is the status of High-Speed Rail in California?
  - Statewide project overview and updates
- Station 3: What is the staff-recommended Preferred Alternative?
  - Project section overview, range of alternatives, detailed engineering drawings (i.e., roll plots) and staff recommendation
- Station 4: What are the benefits of High-Speed Rail?
  - Discover how high-speed rail will transform mobility across California
- Station 5: What happens next?
  - Learn about next steps after environmental review, including the right-of-way process and construction impacts (with laptops available to search by address)
- Station 6: How can I get involved?
  - Share feedback at this event and/or in upcoming meetings and reports, and participate in interactive exercises

Open house visitors were encouraged to write their comments on feedback forms and were informed that their written and oral comments would be summarized as part of this Outreach Summary Report to the Authority Board of Directors. A summary of the feedback received at the open houses is included in Appendix B.

### 2.3.3 Open House Meeting Dates and Locations

Table 2-2 provides a summary of the open house meeting dates and locations.

**Table 2-2 Scheduled Community Open Houses**

Date	SAN JOSE – MERCED Project Section Open House	Location
August 15, 2019	San Jose	City Hall, San Jose
August 21, 2019	Los Banos	Community Center, Los Banos
August 22, 2019	Gilroy	IFDES Lodge Portuguese Hall, Gilroy



### 3 KEY FEEDBACK

This chapter highlights comments received from the various audiences that participated in outreach efforts, as well as information included on feedback forms, in phone messages, and via other written correspondence (emails, letters, etc.). While outreach in July and August was focused on the staff-recommended Preferred Alternative and the differentiating factors between the alternatives along system performance, environmental, and community factors, the feedback received was broad, addressing a wide array of interests, concerns, and topics. These comments are organized below into four categories: System Design and Operations; Feedback on the Preferred Alternative; Process; and Other Feedback Received.

#### 3.1 System Design and Operations

##### 3.1.1 Blended Service

While a blended system is viewed as being strategic and efficient, there are concerns about coordinating operations when service levels increase in the future. Caltrain expressed support and concurrence with Alternative 4 as the Preferred Alternative but noted that there are significant and complicated agreements that need to be reached for moving forward with blended operations from CP Coast in Santa Clara through Diridon Station and south to Gilroy. Some CWG members, some Gilroy Open House participants, and various communities between San Jose and Gilroy expressed support for Alternative 4 on the basis that it is the only alternative that helps expand the electrified Caltrain service south of Tamien Station to Gilroy.

At the same time, some stakeholders said they were more interested in alternatives that allowed for a dedicated alignment for high-speed trains. These individuals emphasized that travel times would be improved in a dedicated corridor.

##### 3.1.2 Valley-to-Valley Service

At all of the open houses, a number of individuals shared their support for the link between Silicon Valley and the Central Valley. They talked about opportunities to visit family members in the Central Valley or on the Peninsula, to access jobs that would otherwise require long commutes by car, and to find affordable housing options. One open house participant talked about a desire for high-speed access to medical appointments.

While Gilroy, Morgan Hill and San Martin stakeholders gained a better understanding of their future local high-speed rail station in Gilroy, several Los Banos open house participants lamented the lack of a planned station in their city. According to members of the public and elected officials, Los Banos would benefit from a high-speed rail station particularly because of the increasing number of commuters who travel to and from Silicon Valley or elsewhere in the Bay Area on a daily basis. One participant indicated that access to the planned Merced station would be very difficult under the current bus and train schedules. Adding a station in Los Banos was one of the most-discussed topics at that open house and participants were interested in the background of why Proposition 1A prohibits the Authority from building a station between Gilroy and Merced.

##### 3.1.3 Gilroy Station

A number of stakeholders said they would like to better understand how Gilroy station would be developed. CSCG members said they sought more information about potential changes to Gilroy's Caltrain Station under Alternative 4, but City of Gilroy Councilmembers and staff were mostly satisfied with Alternative 4's minimal design modifications to the existing Gilroy Caltrain Station. They offered some suggestions about station maintenance (specifically, in regard to cleanliness and graffiti) and asked who you be responsible for it. They expressed interest in pursuing a station area planning grant to fund new station design efforts.

Members of the Gilroy City Council and City staff also expressed concern regarding Alternative 4's impacts on the parking supply in downtown Gilroy. They said State funding for additional studies on potential impacts and mitigations would be appreciated.

The Transportation Agency for Monterey County (TAMC) expressed support for the Preferred Alternative and specifically the station in downtown Gilroy, which would facilitate connections with regional and local transit services going to coastal communities.

### **3.1.4 Travel Time**

Participants at all of the open houses, as well as many CWG and TWG members, talked about their preference for faster travel times. In interactive open house exercises where individuals identified the characteristics of the Preferred Alternative evaluation that were most important to them, travel time was consistently among the most highly ranked. Several train advocates suggested that travel time should trump most other considerations and that the high-speed rail system should be planned to allow for operations at the highest possible speeds.

In San Jose, some stakeholders proposed investing in a viaduct in the Monterey Corridor to allow for potential dedicated operations in the future which would afford greater speeds for high-speed rail trains and allow Caltrain to operate along the current alignment. Likewise, Los Banos open house participants described a dedicated alignment as preferable because it would reduce travel times from the Central Valley to the Bay Area.

## **3.2 Feedback on the Preferred Alternative**

### **3.2.1 Grade Separations**

One of the issues most often raised by stakeholders in response to Alternative 4 is that it does not include grade separations between San Jose and Gilroy. Many of the stakeholders that participated in the outreach effort said that grade separations are essential to address concerns regarding pedestrian and vehicular traffic, to allow one to safely cross the tracks, and to ensure community connectivity. For many people, grade separations represent the solution to their safety and congestion concerns about the existing rail corridor and the addition of high-speed rail service to it, and they were disappointed to see that the blended system design in Alternative 4 improves the grade crossings but does not separate them. The Morgan Hill City Council indicated support for adding grade separations to Alternative 4, and the San Jose City Council noted that their support for Alternative 4 is contingent, in part, on the Authority undertaking full grade separations at key San Jose locations, including Auzerais Avenue, West Virginia Street, Branham Lane, Skyway Drive, and Chynoweth Avenue.

In San Jose, some CWG members and members of the public indicated either strong support for a tunnel option or a viaduct in place of the at-grade alignment through Gardner and Willow Glen included in Alternative 4. At the CSCG meeting, participants suggested that some of the reaction to Alternative 4 in San Jose might be addressed by adding grade separations, a sentiment supported by several San Jose open house participants who indicated they would be more inclined to support Alternative 4 if it included grade separations, especially through the Monterey Corridor, and even further south at Palm Avenue.

There were proposals at both CWG meetings to use the cost difference between Alternative 4 and other alternatives to pay for grade separations in San Jose, Morgan Hill and Gilroy.

At the same time, some Morgan Hill City Councilmembers and Gilroy open house participants who were initially interested in grade separations became less enthusiastic about them once they were shown the property impacts associated with a fully grade-separated alignment. The larger footprint would result in greater residential and commercial displacement as demonstrated in Alternative 2 (see Section 3.2.2, Displacement).

### 3.2.2 Displacement

Across the corridor there was considerable interest in learning more about the exact locations of proposed residential and commercial displacements, especially those displacements associated with Alternative 4. There was strong interest in reducing the number of displacements and this was commonly cited as one of the main advantages of Alternative 4 compared to the other alternatives.

Some stakeholders in San Jose, including open house participants from Coyote Valley and downtown businesses, preferred Alternative 4 because they believe it will have a more limited impact on existing land uses and/or future development potential than the alternatives that feature viaducts. At the same time, some San Jose CWG members and open house participants still expressed concerns regarding potential displacement, even with Alternative 4, especially in the Greater Gardner neighborhood.

The Morgan Hill City Council emphasized their appreciation that Alternative 4 would limit commercial displacements in comparison with the other alternatives.

The City of Gilroy had previously expressed concern regarding impacts to the Gilroy Wastewater Treatment Facility. While interest remains in exactly which properties will be impacted, Gilroy City Council members and City staff have generally responded favorably to Alternative 4's relatively modest displacements, which avoid impacts to the Gilroy Wastewater Treatment Facility and wastewater disposal ponds. In fact, the Gilroy City Council Staff Report recommends Alternative 4 as the most viable alternative because of its lower impacts to property and businesses and limited disruption during construction. At the same time, they are keen to know the timeline for identifying impacted private properties and conducting outreach to affected property owners.

Gilroy Unified School District was also supportive of Alternative 4 because unlike some of the other alignments it avoids displacing school properties. This favorable response was echoed by many Gilroy open house participants who voiced their support for Alternative 4 because they were primarily concerned about displacements resulting from alignments that would not use the existing rail corridor. However, some people raised concerns regarding impacts to tribal resources, historic buildings and downtown businesses, and many people asked questions about the anticipated timeline for property acquisitions.

San Martin residents discussed their concerns about both residential and commercial displacements. Some Los Banos open house participants indicated that renters on their property might be displaced and asked if the Authority would reimburse them for their projected income loss.

### 3.2.3 Impacts to Development and Construction Disruptions

Downtown Gilroy residents and businesses shared their apprehensions about potential business disruptions during construction. Representatives from the City of San Jose also described potential effects of alternatives on future development around Diridon Station.

### 3.2.4 Noise

Questions and concerns regarding noise and vibration were voiced throughout the San Jose to Merced Project Section from residents in the Greater Gardner neighborhood, along the Monterey Corridor, residents and business owners in Morgan Hill, residents in San Martin, and business owners and residents of downtown Gilroy and east Gilroy. Staff received several questions regarding the options available for mitigating noise impacts and how they are integrated into the alternatives assessment and upcoming Draft EIR/EIS. Implementing quiet zones as a potential additional strategy to reduce horn noise was also a frequent topic of interest at each City Council meeting, at CWG meetings, and at open houses.

The San Jose City Council and many San Jose open house participants shared their concerns about noise and vibration impacts in general and related to specific geographies: along the Monterey Corridor and in several neighborhoods including Gardner, Gregory Plaza, Hannah-

Gregory, Palm Haven, and Willow Glen. Several individuals engaged the Authority's engineers and environmental specialists in discussions about different types of mitigation measures. Residents from the Garden Alameda neighborhood expressed support for Alternative 4 because it minimizes noise impacts to their community.

Morgan Hill City Councilmembers expressed concern about an increase in noise due to train horns sounding at at-grade crossings through downtown under Alternative 4. While they noted that this increase in noise from trains is a likely tradeoff for minimizing residential and commercial displacements, some Councilmembers said they were interested in discussing potential mitigation options such as sound walls.

Many Gilroy open house participants also discussed their apprehensions about noise impacts and asked about what the potential mitigation measures might be. Gilroy City Council members and City staff indicated they have an aversion to sound walls because they act as barriers that physically divide the community and also become a potential target for graffiti. The Gilroy City Council recognizes the need for trains to blow their horn at each at-grade crossing but hopes to establish quiet zones.

### 3.2.5 Traffic

Many people shared their experience of sitting in traffic and waiting for a train to cross an at-grade intersection. Concerns regarding an increase in traffic due to high-speed rail construction and/or operations were heard all along the project section.

San Jose, Morgan Hill, and Gilroy CWG members and members of the public said they were concerned about the impact of gate down times on east-west traffic and suggested that an at-grade alignment might worsen existing traffic congestion. Santa Clara open house participants and TWG members in San Jose also expressed concern about potential impacts to traffic circulation traveling across the corridor.

Residents in North Willow Glen/Gardner said they prefer Alternatives 1, 2, and 3 because Alternative 4 passes through the neighborhoods and may lead to more traffic at the at-grade crossings. Similarly, some San Jose open house participants indicated a preference for a viaduct along the Monterey Corridor to avoid increased traffic congestion from construction, lane reductions, and at-grade crossing down times.

TWG members in southern Santa Clara County, while acknowledging their appreciation that high-speed rail service would increase connectivity in the region, shared their concerns about traffic from construction impacts and both temporary and permanent road closures. Several of them said they wanted to have a better understanding of the exact locations where road closures are proposed. Gilroy City Council members and some City staff also weighed in with their concerns about Alternative 4's proposed closure of 7<sup>th</sup> Street and interest in a traffic analysis to evaluate the impact. The Gilroy Council Staff Report recommended that the Authority conduct a comprehensive traffic study to evaluate citywide traffic impacts.

### 3.2.6 Safety

Although Authority staff emphasized that all of the alternatives meet all applicable safety regulations, community members throughout the San Jose to Merced Project Section said they questioned the safety of at-grade crossings. Some San Jose open house participants cited concerns about pedestrian crossings in the Monterey Corridor as their rationale for support of a viaduct or other rail corridor design instead of Alternative 4.

The League of Women Voters of San Jose/Santa Clara noted that many vehicular, pedestrian, and bike accidents occur where at-grade crossings currently exist in the Caltrain corridor. They expressed particular concern regarding crossings in Gardner and advocated for an alignment with no at-grade crossings in San Jose.

TWG members and an open house participant in Gilroy suggested that constructing a pedestrian crossing at the IOOF Avenue intersection would improve safety for young people in their

community because many children have to cross the tracks to access schools. Likewise, the Gilroy Unified School District offered conditional support for the staff-recommended Preferred Alternative, but shared concerns about safety, especially for students at the intersection of IOOF Avenue and Monterey Road. They advocated for a pedestrian bridge at this intersection and requested that the Authority study other traffic mitigation measures. The Gilroy City Council requested appropriate improvements for safe pedestrian, bicycle, and vehicle crossings.

Safety also figured into some concerns about homeless populations. Human service providers in San Jose and several open house participants in both San Jose and Gilroy expressed concern about unsheltered individuals in proximity to the train corridor.

Concerns about safety related to health hazards were raised by participants at the San Jose open house. Individuals discussed perceived impacts of noise and dust from construction on the health and safety of residents in close proximity to the rail alignment.

A Los Banos open house participant expressed concern that piling dirt to support the rail line would not be stable and recommended shifting the alignment west of Highway 33 and building a viaduct.

### 3.2.7 Emergency Vehicle Response Times

Authority staff received numerous questions regarding the finding (and associated methodology) that Alternative 4 will require more mitigation to address effects on emergency vehicle response times than the other alternatives. Questions and concerns regarding how an at-grade alignment might impact emergency vehicle response times were raised at all of the CWG and TWG meetings in the San Jose to Merced Project Section.

At the San Jose CWG meeting, there was concern regarding Gregory Plaza residents' ability to access emergency services, as well as suggestions that grade separations might improve response times under Alternative 4. Similarly, some San Jose open house participants and other stakeholders from Gardner, Hannah-Gregory, Palm Haven, and Willow Glen expressed concern that Alternative 4 might delay the emergency service response in these neighborhoods.

Several stakeholders sought more information about the potential impacts on emergency vehicle response times. One CWG member from Morgan Hill wrote a letter to the Board estimating cumulative gate down times associated with Alternative 4's blended service operations and advocating that further studies be conducted given the potential negative impacts on emergency response times. Morgan Hill-Gilroy CWG members questioned whether there are sufficient resources to expand emergency services. They expressed an interest in learning more about how emergency response times are calculated.

Some stakeholders were trying to find answers to how their communities could fund additional emergency services. Gilroy City Councilmembers identified Alternative 4's potential degradation of emergency vehicle response times as a concern because their fire station is located on the east side of the rail corridor. They expressed an interest in State funding for additional studies on potential impacts and mitigations.

CalFire said they were interested in seeing the analysis in the Draft EIR/EIS for their future service planning efforts in south Santa Clara County.

### 3.2.8 Community Cohesion

Many people indicated that their limited support for high-speed trains stems from concerns about reduced connectivity and cohesion within their community or city.

At the northern end of the project section, residents of Newhall in Santa Clara said they were interested in maintaining a cohesive community.

San Jose Councilmembers expressed concern about potential community cohesion effects in the Gardner, Gregory Plaza and Willow Glen neighborhoods and an interest in exploring mitigation measures. Community representatives from these neighborhoods requested a full analysis of the

I-280/SR 87 viaduct alignment based on gate down time related impacts to key roadways, and potential effect on Fuller Park. Representatives of Gardner and North Willow Glen were wary of the volume of rail traffic (high-speed rail, Caltrain, and others) that might in the future use an at-grade alignment through and adjacent to their communities.

Further to the south, some San Martin residents said an alignment along or east of US 101 that avoids the center of San Martin would help to preserve the quality of life in the community. This was also shared by some members of the Morgan Hill City Council. Likewise, some Gilroy open house participants said that Alternative 4 will contribute to the isolation of east Gilroy from the rest of Gilroy. However, most Gilroy participants said they did not object to the closure of 7th Street and indicated that a pedestrian bridge would be a good mitigation measure there.

### 3.2.9 Aesthetics and Tunneling

Public comments related to visual impacts (or aesthetics) tended to be supportive of Alternative 4, the staff recommendation, and less optimistic about the other alternatives, especially in San Jose. The San Jose Downtown Association and some San Jose CWG members indicated a preference for Alternative 4 instead of the other alternatives due largely to the at-grade design's low profile. Residents and other stakeholders in the Monterey Corridor shared apprehensions about visual impacts of a viaduct, an element of Alternatives 1 and 3.

Similarly, in Morgan Hill, community members and City representatives said they preferred the alignment through downtown Morgan Hill in Alternative 4 compared to the embankment in Alternative 2 because of its better visual qualities.

San Martin residents, as well as downtown and east Gilroy residents, expressed concern about visual impacts. Some individuals went to the Gilroy open house specifically to discuss potential future mitigation measures to address visual impacts, and local Councilmembers added their concerns about graffiti abatement.

Some Monterey Corridor residents said they prefer a trench option (not a current alternative) to avoid visual impacts. Several downtown San Jose stakeholders advocated for a tunnel which they argued would reduce business and residential displacements resulting from a viaduct. They also said that tunneling has advantages with regard to noise, displacements, and other impacts of an at-grade alignment.

### 3.2.10 Biological Resources

The Grassland Water District and Grassland Resource Conservation District shared concerns that all alternatives follow the same route through the Grasslands Ecological Area (GEA). As part of continuing Authority collaboration on impact analyses and approaches to avoid, minimize, or mitigate for potential wildlife or habitat impacts, the GEA stakeholder group asked the Authority to consider a tubular enclosure of the guideway and overhead contact system as a mitigation for potential noise and visual impacts in the GEA. Similarly, the United States Fish and Wildlife Service sent a letter emphasizing the importance of protected GEA wildlife and ecosystems and asserting the high-speed rail project should follow a route that does not bisect the GEA. The Grassland Water District sent a letter expressing concern that all of the alternatives follow the same route through the GEA and called on the Authority to develop a feasible alternative (e.g., a below-grade or above-grade enclosed shield design), or to include language stipulating that any identified Preferred Alternative through this region should be subject to further refinement.

Potential impacts upon biological resources in the Morgan Hill and Gilroy subsection highlight the different right-of-way and construction requirements of the four alternatives. The Coyote Valley and Pacheco Pass wildlife stakeholder group was generally supportive of Alternative 4, because of predominant reuse of the existing, narrow railroad right-of-way and minimal alignment outside of the existing Monterey Road transportation corridor. Consistent with support for regional transit improvements and ongoing collaboration with the Authority, this group asked for more information about Caltrain's plans for future service in south Santa Clara Valley and high-speed rail technical analyses on compensatory mitigation.

The San Jose CWG acknowledged that biological resources are an important consideration and should be appropriately addressed by the high-speed rail program.

The California Department of Fish and Wildlife (CDFW) identified concerns about impacts to wildlife habitat linkages, lands owned and managed by CDFW, and hunting and public use. In addition, CDFW highlighted impacts to special-status species and recommended that all rail segments not using existing rail line be elevated to reduce impacts on animal movement.

### **3.2.11 Historic Resources**

Participants at the Morgan Hill-Gilroy CWG meeting raised concerns about impacts to historic resources and said they wanted to see detailed information about which resources would be impacted because they said there are potential impacts in both Gilroy and Morgan Hill. For example, representatives from the Morgan Hill Historical Society shared their concern (at the Gilroy open house and by letter) that high-speed rail would operate in close proximity to historic Villa Mira Monte. Likewise, members of the Gilroy City Council questioned Alternative 4's impacts to historical buildings, particularly those on the west side of the rail corridor.

### **3.2.12 Agricultural Land**

At various open house meetings, members of the public shared questions about agricultural lands. Individuals from throughout Santa Clara County, east Gilroy, and Los Banos voiced concerns regarding impacts to agricultural lands and operations.

The Merced County Farm Bureau expressed concern for growers and landowners who are unsure how to properly plan for the future while the project moves through the EIR process.

## **3.3 Process**

### **3.3.1 Coordination with External Agencies**

Questions about how the Authority will coordinate its plans with other external agencies and planning efforts were heard across the corridor.

In San Jose, comments were focused on the interface with the Diridon Integrated Station Concept (DISC) Plan and Caltrain's future operations. For example, San Jose City Council members indicated that their support for Alternative 4 is contingent, in part, on the Authority's willingness to integrate DISC planning into a supplemental EIR/EIS, and the Authority's continued engagement in the DISC process and subsequent Rail Corridor Plan work. They indicated that there is a need for continued coordination with other agencies including VTA, Caltrain, the Monterey Corridor Working Group, Diridon Station stakeholders, City and County Parks and Recreation, and Capitol Corridor to provide high quality transit alternatives.

VTA indicated that they look forward to continued collaboration and coordination.

Caltrain expressed support for Alternative 4 but noted the need to expand the collaborative framework and set of agreements between the agencies to cover more of the rail corridor and to address ongoing negotiations and coordination with Union Pacific.

The Gilroy City Council indicated that they hope their staff will continue to be engaged in the process.

### **3.3.2 Preferred Alternative Identification Process**

At meetings along the project section, a number of people asked whether elements of the different alternatives could be reorganized to create a single new alignment option from different pieces of each alternative. Although grade separations were a key consideration in this request, they were not the only feature people sought to modify. For example, one member of the public advocated for the adoption of the staff-recommended Preferred Alternative for the project subsections south and east of Bernal Way, but preferred Alternative 1 north and west of Bernal

Way in order to reduce traffic and noise impacts to the Gardner and North Willow Glen neighborhoods.

Questions and concerns were raised regarding various evaluation and public outreach methodologies. For example, some San Jose CWG members expressed frustration that community-generated options (e.g., the “Monterey Corridor Trench”) were not being considered in the range of alternatives. They suggested that the identification of a Preferred Alternative should be a more localized decision: a decision made within a project subsection or neighborhood.

Members of the Morgan Hill-Gilroy CWG also questioned the methodology for estimating impacts on residential units and how multifamily and single-family residential properties were counted in the number of displacements under each alternative. Some members wanted to see the Draft EIR/EIS before weighing in on a Preferred Alternative.

Some residents in Los Banos said they believed turnout at the open house was lower than it should have been because notifications had not been sent to residents via US Mail. There was also some criticism about the lack of a public comment period at the open houses. For example, the Merced County Farm Bureau suggested that providing an opportunity for public comment is a critical way for participants to learn from their peers. At the same time, many participants said they appreciated the one-on-one format of the open houses to increase interaction with Authority staff.

### **3.4 Other Feedback Received**

#### **3.4.1 Workforce Development**

Some Los Banos open house participants, including City staff, expressed interest in the workforce opportunities provided during construction and operation of the high-speed rail system. Similarly, some Gilroy open house participants sought more information on job opportunities afforded by the South and East Gilroy Maintenance-of-Way Facilities.

## 4 CONCLUSION

A diversity of engagement tools—feedback forms; facilitated working group discussions; public comment; phone messages; letters and emails; interactive displays; and informal discussion with engineers, environmental specialists, and planners—allowed Authority staff to gather and respond to opinions and questions about the high-speed rail program, and to collect feedback specific to the staff-recommended Preferred Alternatives and the differentiators among the four alternatives evaluated in the San Jose to Merced Project Section.

Feedback for the Authority included a mix of support for high-speed service, many community-specific concerns, and interest in maximizing the value of the investment. Few individuals in the San Jose to Merced Project Section voiced strong opposition to the development of high-speed rail service altogether. However several stakeholder groups, policy bodies, local representatives, and members of the general public disagreed with various elements of the plan and provided feedback in support of changes to the staff-recommended Preferred Alternative.

### 4.1 Support for Alternative 4 and the Project Overall

Comments and feedback forms generally pointed to support for the staff-recommendation, but with numerous caveats:

- **Outreach participants generally said they support a blended system as the Preferred Alternative but some opposition exists.** The blended at-grade system proposed under Alternative 4 is viewed as being strategic and efficient, results in fewer displacements, has generally better aesthetic qualities, and is the only alternative that would allow for expedited Caltrain service south of Tamien to Gilroy. The Morgan Hill City Council noted that Alternative 4 reduces commercial displacements compared to the other alternatives, and the Gilroy City Council expressed appreciation that it lessens impacts to utility infrastructure and schools and requires only minimal design modifications to the existing Gilroy Caltrain Station. Various San Jose stakeholders indicated a preference for Alternative 4 due to the better aesthetic impacts of an at-grade design relative to a viaduct. Some support for Alternative 4 was contingent on continued work toward grade separations at key intersections and the Authority laying out proposed mitigations for impacts in the Draft EIR/EIS.

There were some participants who either opposed the high-speed rail program altogether, preferred one of the other alternatives, or preferred alternatives that are not under consideration in the Draft EIR/EIS.

- **Many stakeholders in the project section would like to see high-speed train service implemented.** At all of the CWG and TWG meetings, members indicated support for the project as long as impacts are mitigated. Participants at the open houses in San Jose, Gilroy, and Los Banos shared enthusiasm about the improved mobility that will be offered by high-speed rail, as well as associated economic and sustainability benefits.
- **Valley-to-valley service is deemed an essential connection.** Stakeholders and members of the public questioned the value of service operating in only select project sections. They emphasized the importance of connectivity across the state. Outreach participants emphasized that being able to travel between the Bay Area and the Central Valley (and beyond) is the primary reason they support high-speed rail.

### 4.2 Areas of Concern

Support for the Preferred Alternative is tempered by several areas of concern including the following:

- **Train operations in a blended, at-grade alignment may impact adjacent communities.** Residents living in communities abutting the proposed high-speed rail alignment identified train noise as a serious concern, inclusive of train operations, horns, and crossing signals. There was interest across the project section in potential mitigations, questions about quiet zones, and some aversion to sound walls.

Safety was also an important topic in many forums, with a general perception that an at-grade alignment with at-grade crossings is not as safe as an alignment with grade separations. Some of the most vulnerable populations for which safety is a concern are youth, homeless individuals, people with disabilities, and older adults. Individuals indicated at-grade crossings may increase delay when an emergency vehicle is required.

Longer gate-down times also raised concerns regarding increased traffic congestion and impacts on community cohesion.

- **Questions exist about impacts to biological resources.** While the Santa Clara Valley and Pacheco Pass Wildlife Stakeholders working group was generally supportive of Alternative 4 due to its compactness and minimization of environmental impacts outside of the existing rail corridor, other agencies and working groups noted concerns that were not unique to any specific alternative. For example, the Grassland Water District, Grassland Resource Conservation District and United States Fish and Wildlife Service all called on the Authority to develop a feasible alternative that does not bisect the Grasslands Ecological Area or to find ways to mitigate impacts. Similarly, the California Department of Fish and Wildlife expressed concern about impacts to special-status species and recommended that all rail segments not using existing rails line be elevated to reduce impacts on animal movement.

### 4.3 Opportunities

Opportunities exist for the Authority to further engage the public, to facilitate consensus around investments and garner support:

- **Grade separations are viewed as a desirable project element.** Authority staff received feedback from San Jose to Gilroy that grade separations are desired to mitigate the perceived potential negative impacts—increased traffic congestion, impacts to community cohesion, potentially slower emergency vehicle response times, and safety at grade crossings—of a blended, at-grade system. For some residents, stakeholders, and government officials, Alternative 4 is viewed as not being viable without grade separations. The Morgan Hill City Council indicated an interest in further study of grade separations on the Alternative 4 alignment and the San Jose City Council noted that their support for Alternative 4 is contingent, in part, on the Authority undertaking full grade separations at key San Jose locations. Community leaders and neighborhood representatives suggested grade separations might be the remedy for any discontent with Alternative 4 in San Jose.
- **Ongoing collaboration between the Authority, local jurisdictions, and public agencies will result in a better set of solutions.** Many stakeholders were pleased by the Authority staff's efforts to coordinate the environmental review and planning effort with other agencies. A collaborative approach is valuable for the ongoing development of high-speed train service with regard to transit system connectivity, funding, local mitigations, construction phasing, etc. Concerns about how the Authority will coordinate and collaborate with various jurisdictions and external agencies and planning efforts were heard across the corridor.

Specific opportunities for collaboration were noted by stakeholder groups and policy board members and their staff:

- The San Jose City Council indicated interest in ongoing collaboration with the Authority through the DISC process, by developing a San Jose Rail Corridor plan, and to address concerns about grade crossings throughout the City.
- Caltrain noted the need to build on the collaborative relationship between the two agencies to continue to develop the blended system and look to expand that concept to Gilroy.
- The GEA Working Group expressed interest in further collaboration to develop strategies that would help protect wildlife habitats.
- The Morgan Hill and Gilroy City Councils, and Gilroy Unified School District expressed interest in working with the Authority to implement mitigation strategies.

Authority staff will continue to collaborate with stakeholders and local jurisdictions, as well as with community organizations and neighborhood representatives along the alignment. Staff will seek additional opportunities to present information and gather feedback in presentations, events, and via written comment. Furthermore, the release of the Draft EIR/EIS will provide an opportunity to share the details of the environmental analysis and initiate discussions with the public and Authority partners about possible refinements as well as mitigation tools and opportunities for improvements to the project in the San Jose to Merced Project Section.



## **APPENDICES**

- A. *Community Working Group Meeting Summaries*
- B. *Summary of Open Houses*
- C. *Correspondence*



**APPENDIX A**  
**COMMUNITY WORKING GROUP MEETING SUMMARIES**





## MORGAN HILL – GILROY COMMUNITY WORKING GROUP MEETING SUMMARY JULY 10, 2019

### SUMMARY

#### Introductions, Agenda Review, and Prior Meeting Summary Review

Joey Goldman, facilitator, welcomed the Community Working Group (CWG) members, presented the meeting objectives, and reviewed the agenda. He asked members whether they had comments on the April 22, 2019 Morgan Hill-Gilroy CWG Meeting Summary.

The following comments and responses were recorded following the introduction and agenda review:

- A member commented that members had discussed an alternate method of conveying comments to the California High-Speed Rail Authority (Authority) Board of Directors at the April 22 CWG meeting. The member expressed concerns over staff summarizing and amalgamating comments and requested that the group have time during the meeting to discuss exact text to be conveyed to the Authority Board.
  - Authority staff replied that the meeting summary will be distributed to members for their review prior to submission to the Authority Board in September.
- A member asked staff to change summary procedures so that members can convey the view of the group directly to the Board.
  - Authority staff replied that the meeting summaries are intended to capture different viewpoints accurately and reminded members that the purpose of the CWG is not to come to consensus.
- A member asked how much time members will have to review and coordinate responses in advance of the September Board meeting. Another member asked if notes could be returned to the members within the next week.
  - Authority staff replied that they will examine the timeline and notify the working group about the schedule for feedback.
- A member commented that it is not clear when Caltrain service will take place. At the April 22 CWG meeting, a Caltrain representative had indicated that it could take up to 20 years for Caltrain to occupy the tracks. Another member asked for clarity on whether Caltrain would be committed to run if the tracks are built.
  - Authority staff replied that Caltrain staff were likely referring to the Caltrain Business Plan, which uses a 20-year time horizon. Caltrain is planning out to 2040, but that does not necessarily mean that service will not start until 2040.
- A member asked about a previous request for more accurate drawings or diagrams of the rail corridor.
  - Authority staff replied that no new visualizations were ready for the group yet, but additional visuals will be available when the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) is released at the end of 2019.

Boris Lipkin, Northern California Regional Director, provided opening remarks and outlined the process and timeline for including community feedback in the staff presentation to the Authority Board in September.

The following questions, comments, and responses were recorded following Lipkin's remarks:

- A member asked for clarification on when the State's Preferred Alternative will be approved or adopted.
  - Authority staff replied that the State's Preferred Alternative identifies where the State is inclined to proceed in heading into the Draft EIR/EIS. All alternatives will then be studied equally in the Draft EIR/EIS and the final decision on adopting the project comes when the Final EIR/EIS is published and presented to the Board.
- A member asked if the environmental document will be one combined NEPA and CEQA document, or if there will be two different documents.
  - Authority staff replied that the EIR/EIS will be a joint document and they plan to fulfill state and federal requirements in one round.
- A member asked about the intent behind combining NEPA and CEQA documents.
  - Authority staff replied that the EIR/EIS is a joint document because there are two lead agencies – the Authority and the Federal Railroad Administration.
- A member asked if other project sections also have a combined NEPA/CEQA document.
  - Authority staff replied yes, this is the State's approach across the entire system.

#### **Refining the Alternatives: Collaboration with Partner Agencies, Stakeholders, and Members of the Public**

Dave Shpak, Acting Project Manager, presented a summary of collaboration with partner agencies, stakeholders, and members of the public that helped shape the range of alternatives.

The following comment was recorded following the presentation:

- A member commented that community members have not all been in support of the project. They expressed concern that the number of meetings with the community may be misinterpreted as community approval of the outcomes.
  - Authority staff replied that the purpose of the presentation was to show the amount of time that the community has worked with the State to develop the four best alternatives possible. There may not be uniform agreement about the outcomes, but the number of meetings is intended to demonstrate that the Authority is the beneficiary of the community's time.

#### **Characteristics of Alternatives**

Shpak presented a summary of the characteristics of the four alternatives in the project extent.

The following questions, comments, and responses were recorded following the presentation:

- A member indicated that he would like to have a better idea of how the embankments will look. They asked when design-level detail of the embankments will be available.
  - Authority staff replied that details will be published with the Draft EIR/EIS but indicated that CWG members are welcome to schedule an appointment with staff to review the detailed plan drawings now. Public Open Houses will also have stations with large-scale printouts and GIS tools for community members to identify their properties and view detailed design drawings.
- A member asked which alternative contained at-grade crossings.
  - Authority staff replied Alternative 4.
- A member asked for clarification on the difference between Alternative 2 and Alternative 4.

- Authority staff replied Alternative 2 would be a dedicated, fully grade separated infrastructure and that Alternative 4 would be a blended system with at-grade crossings. Having both alternatives helps show the tradeoffs associated with these different project features.
- A member asked if Alternative 4 could be modified to allow for grade separations.
  - Authority staff replied it is not possible at this point. The approach for the Draft EIR/EIS is to evaluate four distinct alternatives. Authority staff added that the Authority is required to grade separate based on operating speed. Adding grade separations to the corridor with Alternative 4 can be done in partnerships with local communities when communities seek to develop grade separations, but Alternative 4 does not require grade separations to run high-speed trains at speeds up to 110 mph.
- A member asked if there is an estimated number of trains that would use the tracks, including high-speed rail, Amtrak, UPRR, and Caltrain.
  - Authority staff replied that they would follow-up with members to share that information.
- A member asked to clarify the meaning of “right-of-way”.
  - Authority staff replied that the typical 60-foot right-of-way is able to accommodate a tight layout for two electrified passenger trains and one freight track. In some cases, additional right-of-way needs to be purchased to accommodate broad high-speed rail curves. Where the 60-foot right-of-way does contain all HSR features, the extent of additional right-of-way will be identified and displacements will be analyzed.
- A member asked if Union Pacific Railroad (UPRR) trains run in the middle of the existing right-of-way or if they run along the edges.
  - Authority staff replied that the location of UPRR rails within the existing right-of-way varies based on location. In Alternative 4 UPRR will run generally on the east side of the corridor except where they may cross over to customers on the west side of the corridor.
- A member asked if the Gilroy Caltrain station will be retained.
  - Authority staff replied yes. The platforms will be moved, but the station will be kept whole.

### **Identifying a State’s Preferred Alternative**

Shpak presented the conclusions of this technical analysis that led staff to recommend Alternative 4 as the State’s Preferred Alternative.

The following questions, comments, and responses were recorded following the presentation:

#### *UPRR Negotiations*

- A member asked to clarify if the cost of the lease agreement with UPRR is included in the cost comparison and asked if these results assume that UPRR will agree to a lease. They also indicated that the community will likely oppose a plan that does not include grade separations.
  - Authority staff replied that the results include the cost of getting access to the UPRR right-of-way and noted that negotiations with UPRR are ongoing.
- A member asked if negotiations with UPRR will be completed before the alternatives are evaluated. They expressed concern that the negotiations will not be complete before the Draft EIR/S is published.
  - Authority staff replied the California State Transportation Agency (CalSTA), the Authority, and Union Pacific Railroad (UPRR) have been in productive negotiations since 2017 for a shared rail corridor between San Jose and Gilroy. The design under study through the Authority’s environmental process as Alternative 4 (that includes a shared rail corridor largely within the

UPRR ROW between San Jose and Gilroy) is consistent with those negotiations. The design meets all passenger and freight rail requirements for both systems to operate efficiently. As such, the Authority staff has enough confidence in the successful completion of those negotiations to recommend Alternative 4 as the State's Preferred Alternative for the San Jose to Merced Project Section of the California High-Speed Rail program.

- A member commented that the CWG members were told UPRR negotiations would be finished by August and asked if this was no longer the case.
  - Authority staff replied that there is not a firm date for when negotiations will be completed, but the goal is still to finish by August or as soon as possible.

#### *Methodology*

- A member commented on displacement impacts of the different alternatives and asked for clarification on how raising the rail has such a large footprint when they are not impacting the streets.
  - Authority staff replied that embankments for the dedicated guideway take up space for the raised tracks and for roadway grade separations. The blended at-grade is compact. Locating viaducts along the center of a street, such as Monterey Road, could displace the center median of a street or use existing lanes where there is not median. In order to maintain current capacity, lanes would need to be pushed out. This is how displacement numbers are calculated. Lowered roads disrupt driveways, so grade separations also impact communities. The displacement impact number is much higher for Alternative 2 because it takes up a lot of space from properties that front the roads on approaches to rail line undercrossings.
- A member asked what assumptions are made to calculate displacement impacts for condos versus single family homes. They expressed concern that this method of calculation may underestimate the impacts.
  - Authority staff replied that displacement is calculated per housing unit. If a condo has twenty units, then twenty units are displaced. If it is a single-family home, it is considered one unit.
- The member followed up and asked if this same method is used for businesses.
  - Authority staff replied that displacement for businesses is calculated by square footage and by business unit.
- A member expressed concern that the noise, safety, and accessibility impacts of trains passing at-grade in Alternative 4 have not been accurately captured in the analysis.
  - Authority staff replied that the technical analysis uses the same estimated number of trains using the corridor as a baseline for all four alternatives. These numbers will be included in the Draft EIR/EIS but are not included in today's discussion because they are not differentiating factors between the four alternatives. Noise is a differentiator between the alternatives and is a result of the system design, operating speed, train horn and other audible warnings for at-grade road crossings and Caltrain station platforms. Staff noted that all alternatives are designed to comply with all applicable safety requirements.
- A member asked if this means that the noise impact scores would be zero across the board without any high-speed trains present.
  - Authority staff replied yes, this is correct. Noise modeling is based upon ambient sound levels and considers the impact of new high-speed rail noise introduced to the sound environment.
- A member asked for clarification on the term "vehicle detection equipment" with regard to emergency vehicle access and response time.
  - Authority staff replied that vehicle detection equipment can be to traffic controls, which would give signal priority to allow emergency vehicles to move through intersections.

- A member asked how many trains would cross per hour and expressed her concern that Gilroy would not be able to provide emergency fire services.
  - Authority staff replied that all analysis is conducted as a “worst case,” which incorporates estimates for the maximum train capacity in 2040. For purposes of analyzing the emergency response times and needed mitigations, the worst case that’s assumed is that cars cannot get across the rail corridor without using one of the existing over/underpasses. From that analysis, various mitigations are proposed to ensure that response times are maintained.

*Other*

- A member commented that having multiple modes of transportation sharing a space increases risk and that Alternatives 1, 2, and 3 have been in discussion for years. They indicated that they do not support the State’s Preferred Alternative because it is inconvenient and risky.
- A member asked about the cost of the tunnel.
  - Authority staff responded that the estimated cost of the Gilroy to Carlucci Road section that includes the tunnels is approximately \$10 billion, which is included in the estimated capital costs of each alternative. The specific details will be in the Draft EIR/EIS, but right now all of the costs shown are in aggregate for the entire project section for purposes of analysis.
- A member asked if safety and noise impacts can be improved with modernized crossings.
  - Authority staff replied yes, local governments can petition to have horns ceased (i.e. quiet zones) if they meet certain federal regulatory requirements to modernize signals, gates, and hazard mitigation. The modernized crossings would improve safety compared to what’s out there today and would meet most, if not all, crossing requirements for quiet zone applications.
- A member asked how safe crossings and quiet zones are funded.
  - Authority staff replied that elements of the project that are needed for high-speed rail operations are costs being carried by the Authority. This would also allow cities to apply for quiet zones but that’s a decision the local jurisdiction has to make and not one that a railroad (like the Authority) can either apply for or oppose.

**Outreach Updates**

Morgan Galli, Northern California Regional Stakeholder Manager, presented a timeline and next steps for collecting community feedback on the staff-recommended State’s Preferred Alternative and sharing feedback with the Authority Board.

**Discussion of the Staff-Recommended State’s Preferred Alternative**

Goldman asked the CWG members to complete a worksheet with a series of questions about the staff-recommended State’s Preferred Alternative. A summary of CWG member feedback collected in the worksheets is presented in Appendix A.

The following questions, comments, and responses were recorded following the worksheet exercise:

- A member stated that he does not feel prepared to evaluate the alternatives or the impact of train activity on emergency vehicle access and response time. They expressed concern over not having enough background information on the assumptions included in the technical analysis.
  - Authority staff replied that for emergency vehicle response times each alternative was assessed based on the level of mitigation required to maintain response times. The volume of trains does not impact this “worst case scenario” analysis, wherein emergency responders are assumed to

not be able to cross the tracks. This set of criteria compares the time it takes for a first responder to find another path around the tracks and the mitigation measures necessary to facilitate that or provide emergency response from the other side of the tracks.

- A member expressed concern over making a choice between the alternatives without having enough information about the assumptions made for the technical analysis. They also expressed concern that the question asks members to support one of the presented alternatives, without an option to select “none of the above”.
- A member asked why the community factor regarding land use and development only evaluates consistency with the Gilroy General Plan, but not the general plans of Morgan Hill or San Martin. They also commented that there is no option to not have a high-speed rail system.
  - Authority staff replied that the Gilroy General Plan is the only one that is a differentiator for the analysis because there are two high-speed rail station options in Gilroy that would interact differently with surrounding land uses. Land use impacts to other neighboring locales are incorporated into other factors such as displacement. The purpose of the preferred alternative evaluation is not to determine whether there should be a high-speed rail system, but to solicit feedback on the alternatives under study and how well they balance tradeoffs between different factors.
- A member asked who would be responsible for funding for capital costs and operations and maintenance of safety mitigations, such as a new fire station.
  - Authority staff replied that the Draft EIR/EIS would describe high-speed rail capital and operations costs, which would be the responsibility of the Authority. Maintenance of safety mitigations that are owned by someone other than the Authority, such as a new fire station, would be the responsibility of the owner. Funding for maintenance of safety improvements owned by another entity than the Authority would be subject to agreement between the Authority and the other owner.
- A member asked for clarification on the term “State’s Preferred Alternative” because the four alternatives are based on the staff’s approach [not CWG member suggestions]. The member was also concerned that the analysis that led to recommending Alternative 4 was not objective due to staff weighing criteria differently than members would have.
  - Authority staff replied that all four alternatives will be presented in the Draft EIR/EIS. The “Least Environmentally Damaging Practicable Alternative” (LEDPA) of the four alternatives will also be identified in the Draft EIR/EIS. The preferred alternative for construction will be approved at the end of the environmental process.
- A member read a letter from an absent member (see Appendix B) that expressed concern over the impact of the volume of trains on east-west traffic and safety. They commented that it is important to know all of the impacts on safety prior to providing a recommendation.
- A member expressed concern over the at-grade crossings and the potential impact on historic structures. Their organization supports the State’s Preferred Alternative with reservations because they would like to see grade separations incorporated.
- A member expressed support for Alternative 4 with reservations. They indicated that they were also concerned that the alternatives were developed by staff and not with the members. They also asked for displacement impact numbers specific to the area relevant to their organization. A member asked staff to respond to CWG member comments and questions in the report to the Board Authority. They asked why the Board could not select different options for different sections of the project.

- Authority staff replied that they understand the feedback about grade separations and the desire to combine features between the different alternatives. Staff clarified that there are four end-to-end alternatives under study for the Draft EIR/EIS and that if there is some form of hybridization that would happen it would likely come between the draft and final EIR/EIS.
- A member expressed qualified support for the State's Preferred Alternative. They also expressed concern that the community has not been adequately consulted to develop the alternatives that have been presented. They would like more information on the number of trains that would be passing through the city, and how many minutes a crossing would be closed for each train.
- A member asked if a new EIR process would be required for the Board to decide on changes to Alternative 4.
  - Authority staff replied that the same level of design detail would be required for any changes to Alternative 4. With each alternative, there is a different approach to evaluating effects. A new environmental review process would be required if the State decides to change features in such a way that it changes the project footprint or generates new, significant impacts.
- A member expressed concern over not having data on the number of trains that would be passing through per hour because of the potential impacts on noise, traffic, and safety.
- A member commented that while the State's Preferred Alternative minimizes cost, it maximizes costs to the community and does not sufficiently incorporate CWG suggestions.
- A member commented that more data is needed on the number of trains passing per hour and the total time the crossing gates would be down.
  - Authority staff replied that baseline assumptions for maximum level of service, which have not changed for the last one and a half years, can be shared with the group. More detail about specific impacts and mitigations will be included in the draft environmental document. The focus of the next three months is to evaluate the differences between the alternatives but that the volume of trains is the same between all alternatives.
- A member commented that the High-Speed Rail Project seems to be focused on mitigating adverse impacts, rather than benefitting local communities and helping them solve existing problems.
- A member thanked the staff for taking the time to review the alternatives.

## **PUBLIC COMMENT**

- A member of the public asked if the displacement numbers are for the entire route or just the segment from San Joaquin to San Jose. They asked if the streets where displacements and road closures would occur could be shared with the public. They do not support the High-Speed Rail Project.
- A member of the public asked to clarify if the Gilroy viaduct was still a possibility if it is not part of the State's Preferred Alternative. They support the viaduct and grade separation because his family frequently walks and bikes across the tracks. They also asked how the analysis includes trains from other rail agencies such as Caltrain.
- A member of the public commented that they had heard seven trains would be running in each direction per hour at full build out. They asked for clarification and expressed concern over traffic that could build up with trains crossing at-grade.
- A member of the public commented that if high-speed rail would not operate at speeds over 125 mph, then another agency could take the lead on the project and build high-speed rail infrastructure and negotiate with UPRR instead of the Authority.

- A member of the public expressed concern over traffic, safety, and the current level of noise from trains. They support grade separation for Morgan Hill and asked how much grade separation would cost.

## ATTENDANCE

### Working Group Members

Affiliation	Name	Present
Bicycle and Pedestrian Commission	Eldon Chappell	No
Casa de Fruta	Gene Zanger	No
Committee for Green Foothills	Julie Hutcheson	Yes
Economic Blueprint Thought Leader	Ed Tewes	Yes
Economic Development Corporation	Greg Sellers	No
General Plan Advisory Committee	Dick Oliver	No
Gilroy Chamber of Commerce	Mark Turner	No
Gilroy Downtown Business Association	Steve Ashford	No
Gilroy Downtown Business Association	Nancy Maciel	No
Gilroy Historic Heritage Committee	Steve Seebart	Yes
Gilroy Historical Society, Gilroy Growing Smarter	Connie Rogers	No
Gilroy Planning Commission	Amanda Rudeen	Yes
Greenbelt Alliance	Kiyomi Yamamoto	No
Morgan Hill Chamber of Commerce	John Horner	Yes
Morgan Hill Downtown Association	Rosy Bergin	No
Morgan Hill Downtown Property Owner/Developer, Weston Miles Architects	Lesley Miles	Yes
Morgan Hill Economic Blueprint Thought Leader	Karl Bjarke	Yes
Morgan Hill Planning Commission	Wayne Tanda	No
Morgan Hill Property Owner	John Kent	No
Morgan Hill Rotary Club	Randy Toch	No
Planning Commission & Tourism Alliance/Morgan Hill Downtown Association	John McKay	No
San Benito County Farm Bureau	Richard Bianchi	No
San Martin Neighborhood Alliance	Stephen McHenry	Yes
San Martin Neighborhood Alliance	John Sanders	Yes
Santa Clara County Farm Bureau	Jess Brown	No
Santa Clara Valley Water District	John Varela	No
Visit Gilroy	Jane Howard	Yes

**Authority staff:** Boris Lipkin, Dave Shpak, Morgan Galli, Joey Goldman, Mary Beth Day, Sharon Hu

**City staff:** Stan Ketchum (City of Gilroy)

**Elected Officials:** Yvonne Martinez Beltran (Councilwoman, City of Morgan Hill), Office of Assemblymember Robert Rivas, Office of Congresswoman Zoe Lofgren

## **ACTION ITEMS AND NEXT STEPS**

- A meeting summary will be developed and distributed to CWG members for their review by August 9.
  - CWG members should send comments on the July Meeting Summary to staff by August 16 for inclusion in the version that will be appended to the Board Memo.
- CWG members who did not already fill out a Discussion Worksheet can share a completed worksheet with Authority staff by August 22.
- CWG members interested in scheduling time for staff to review detailed maps with them should reach out to Authority staff.
- Authority staff will distribute an updated April 2019 CWG Meeting Summary that includes a clarification on one member's question to Caltrain staff.
- Authority staff will share assumptions of train service used for the Monterey Road travel time analysis for Alternative 4.
  - Response: Staff assumed a maximum of 12 total passenger trains per peak hour per direction, consisting of eight high-speed rail and four Caltrain trains. This assumption supports analysis of a worst-case scenario of roadway traffic consequences, yet does not imply any proposal by the Authority to increase Caltrain service. The high-speed rail proposal would maintain current Caltrain level of service, which will require six daily trains northbound and southbound.

## APPENDIX A

CWG members were asked how they felt about Alternative 4, the staff-recommended State’s Preferred Alternative.

Responses	Number of CWG Members
Support Alternative 4 but have some concerns	3
Prefer a different alternative <ul style="list-style-type: none"> <li>• CWG members supported either Alternative 1 or 2</li> <li>• No CWG members supported Alternative 3</li> </ul>	2
Write-in responses <ul style="list-style-type: none"> <li>• Felt they did not have enough information to form an opinion</li> <li>• Did not support any of the alternatives</li> </ul>	4

CWG members were asked how well they thought the staff-recommended State’s Preferred Alternative balances tradeoffs between (1) system performance, operations, and costs, (2) community, and (3) environmental factors.

Responses	Number of CWG Members
Very poorly	2
Somewhat poorly	1
Moderately/no opinion	4
Somewhat well	2

CWG members were asked to identify the five differentiating factors that are most important to their community.

Differentiating Factor	Number of CWG Members
Residential displacements	7
Noise impacts	7
Commercial displacements	5
Emergency vehicle delays	4
Consistency with the Gilroy General Plan	4
Capital costs	3
Agricultural displacements/farmland conversion	3
Visual quality effects	3
Community/public facility displacements	2
Proximity to existing transit corridors	1
Travel time	1
Increase in 2040 peak travel time in the Monterey Corridor (San Jose)	1
Permanent road closures	1
Wildlife corridors	1
Conservation areas	1
Historic places/resources	1
Alignment length	0
Operational speed	0
Impacts to environmental justice communities	0
Waters and wetlands	0
Habitat for listed plant and wildlife species	0
Parks and recreation areas	0

The following key themes were captured in the members' worksheets:

- Strong interest in Alternative 4 with the addition of grade separations at major intersections
- Interest in investing the cost difference between Alternative 4 and the other alternatives in community needs or wants, such as grade separations
- Concerns about noise impacts
- Concerns about emergency vehicle access and response time
- Concern for impacts to downtown businesses
- Concern about bisecting downtown Morgan Hill
- Interest in quiet zones
- Desire for mitigations to solve community problems, not just reduce adverse impacts from the project
- Concern that costs outweigh benefits and that cost was the primary factor in the staff recommendation

## APPENDIX B

DIVIDEND HOMES, INC  
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MORGAN HILL, CA 95037  
408-779-5900  
roliver@dividendhomes.com

July 3, 2019

California High-Speed Rail Authority  
Gilroy-San Jose Segment  
100 Paseo de San Antonio, Suite 300  
San Jose, CA 95113

Re: Public Meeting on July 10, 2019 in the City of Morgan Hill

Director:

I am a member of the High-Speed Rail Public Advisory Committee, being one of the several representatives for the City of Morgan Hill. I am unable to attend the meeting on this coming Wednesday, and I would appreciate my comments being put into the record.

I have studied the several pages of the public report and especially the "Summary of Alternatives Evaluation" which you emailed to me. It appears that, based upon what is presented in the report, that the "Agency" has selected Alternative #4 as the preferred alternative route through the City of Morgan Hill. This alternative is for an "At-Grade" route along the existing railroad tracks, much of which is along the Monterey Road Corridor. As such, this Alternative #4 will essentially bifurcate the downtown of Morgan Hill, requiring additional up-grades to the three existing railroad crossings (at Tennant, East Dunne and East Main). Based upon the number of trains per hour, speed and hours (as presented to us on the Advisory Committee over the past two years), the mechanically activated crossing barricades (at the three major east-west thoroughfares for the City) operating for each train, would significant impact the east west traffic and have other impacts on the City which I cannot see how could mitigated. Safety issues could be monumental, especially in emergency situations.

The "Community Factors" impacting the City of Morgan Hill were not fully listed, analyzed or even presented in the information provided. None were indicated on the Criteria check lists. I question how an alternative can be recommended without analyzing the full traffic impacts on the City of Morgan Hill by these crossings. The subtle but very real impacts on the heart of the community of Morgan Hill have not been evaluated or considered. The environmental documents should be available, reviewed and considered prior to arriving at a recommended alternative. The Community needs to know all the impacts and mitigations measures prior to the Agency making a recommendation on the alternatives.

Respectfully,



Richard B. Oliver  
Cc: Leslie Miles

**SAN JOSE COMMUNITY WORKING GROUP  
MEETING SUMMARY  
JULY 16, 2019**

## **SUMMARY**

### **Introductions and Agenda Review**

Joan Isaacson, facilitator, welcomed the Community Working Group (CWG) members, presented the meeting objectives, and reviewed the agenda.

### **Refining the Alternatives: Collaboration with Partner Agencies, Stakeholders, and Members of the Public**

Dave Shpak, Acting Project Manager, presented a summary of collaboration with partner agencies, stakeholders, and members of the public that helped shape the range of alternatives.

### **Characteristics of Alternatives**

Shpak presented a summary of the characteristics of the four alternatives in the project extent.

The following questions, comments, and responses were recorded following the presentation:

- A member asked if the alternatives could be blended across subsections.
  - Authority staff replied that the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) is required to identify a preferred alternative amongst the four defined alternatives. Blending design elements of alternatives, or the development of hybrid alternatives at this time would change the range of alternatives in the Draft EIR/EIS. The Authority may reconsider the alternatives after receiving public and agency comments on the Draft EIR/EIS.
- A member commented that their neighborhood cannot be seen on the section map.
  - Authority staff acknowledged that the large scale of the presentation maps did not provide location-specific details. Staff offered to discuss more detailed maps of engineering designs with the neighborhood association.

### **Identifying a Preferred Alternative**

Shpak presented the conclusions of the technical analysis that led staff to recommend Alternative 4 as the State's Preferred Alternative.

The following questions, comments and responses were recorded following the presentation:

#### *Traffic*

- A member asked how Alternatives 1, 2, and 3 increase traffic on Monterey Road.
  - Authority staff responded that Alternatives 1-3 require narrowing of the 6-lane portion of Monterey Road. Alternatives 1 and 3 include a viaduct in the median of Monterey Road and

Alternative 2 would require up to two lanes for constructing an embankment and grade separations.

- A member asked if the California High-Speed Rail Authority (Authority) would consider grade separations as a traffic or safety mitigation.
  - Authority staff replied that the Authority is not considering grade separations as part of the project in blended corridors where operating speeds do not require them (such as between San Jose and Gilroy in Alternative 4) and recommended the member comment on the Draft EIR/EIS.
- A member commented that they were concerned that the City of San Jose “road diet” would increase traffic on Monterey Road would occur regardless of high-speed rail.

#### *Emergency Vehicle Response Time and Access*

- A member asked if the impact to emergency vehicle response times would drop to zero for Alternative 4 if grade separations were added.
  - Authority staff responded that it would not because grade separations would require reconfiguration of the roadway network, likely including constraints upon intersection turning movements.
- A member commented that impacts to the Gregory Plaza Neighborhood did not seem to be considered in the staff recommendation. They expressed concern that emergency vehicle access would be limited by gate down times blocking one of two ways to access the neighborhood being affected.

#### *Noise*

- A member asked for clarification on quiet zones and how they affect noise impacts.
  - Authority staff responded that the implementation of quiet zones would reduce severe noise impacts of Alternative 4 by eliminating train horns at roadway crossings. Staff further clarified that quiet zones require an agreement between the Federal Railroad Administration (FRA) and a local jurisdiction and are not going to be proposed as mitigation because the Authority cannot apply for one itself.
- A member asked if high-speed rail trains will sound their horn going through each station along the peninsula.
  - Authority staff responded that the Authority will follow Caltrain operating rules which require sounding horns at each station as the train passes through. If a local jurisdiction implements a quiet zone, horns will not be used when a train passes through a grade crossing but may still sound horns when going through a station if Caltrain rules don’t change

#### *Coordination with Partner Agencies*

- A member commented that the Authority should coordinate with the Diridon Integrated Station Concept (DISC) process in selecting a preferred alternative.
  - Authority staff clarified that the DISC process is a separate, but related, process that is still in the conceptual phase. The high-speed rail project is examining the required infrastructure for high-speed rail the entire state and is currently in the environmental review process in Northern California. The Authority is actively engaged with the DISC process, but the Authority’s environmental clearance of the needed infrastructure for high-speed rail is at a more advanced stage than the DISC, which is currently in the planning phase.
- A member asked if the DISC process identified a vision that was inconsistent with the Authority’s Record of Decision (ROD), would the Authority prepare a Supplemental EIR/EIS.
  - Authority staff replied that the environmental strategy for DISC would be determined once there was more work done to define the project and that the right approach would be determined together by the DISC partners.

- A member asked how changes in Caltrain’s future service levels would affect the Authority’s final decision on a preferred alternative.
  - Authority staff responded that Caltrain’s long-term plans currently accommodate high-speed rail trains and that the staff-recommended State’s Preferred Alternative would accommodate blended operations. However, the Authority is not assuming changes in Caltrain service from approved levels. If infrastructure is needed for any future changes then there would need to be additional environmental clearance.
- A member asked if additional analysis would be required for high-speed rail if the DISC process selected a low (25-foot) aerial option for Diridon Station.
  - Authority staff reiterated that the two processes are separate, and the DISC process has not achieved sufficient planning or design definition to evaluate potential project impacts. The Authority’s analysis of the high aerial alternatives (1-3) may provide useful information for the DISC process as it evolves from vision to enough specificity to start environmental clearance.

*Other*

- A member asked if the four alternatives could be combined.
  - Authority staff replied that there are four end-to-end alternatives under study for the Draft EIR/EIS. If some form of hybridization was to occur, it could happen between the Draft and Final EIR/EIS.
- A member asked if the identification of a preferred alternative is a federal requirement.
  - Authority staff replied that the identification of a proposed project is a requirement under the California Environmental Quality Act (CEQA) and is federal policy for implementing the National Environmental Policy Act (NEPA) on projects funded under the last two federal transportation funding acts.

**Outreach Update**

Morgan Galli, Northern California Regional Stakeholder Manager, presented a timeline and next steps for collecting community feedback on the staff-recommended State’s Preferred Alternative and sharing feedback with the Authority Board.

The following questions, comments and responses were recorded following the presentation:

- A member commented that comments on the staff recommendation are due only one day after the Los Banos Open House.
  - Authority staff responded that there would be feedback forms collected at the open house and that members of the public may also provide comment at the September 17th Board meeting.
- A member asked what the Authority is planning between publication of the Draft and Final EIR/EIS.
  - Authority staff replied that after the Draft EIR/EIS is published there is a 45-day comment period during which the Authority will be hosting open houses and public hearings along the corridor.
- A member asked if there is an opportunity for members of the public submitting a comment on the Draft EIR/EIS to follow up with the Authority after they provide a response.
  - Authority staff clarified that the Final EIR/EIS will include responses to all comments received on the Draft EIR/EIS. Members of the public may follow up during a public hearing.

**Discussion of the Staff-Recommended State’s Preferred Alternative**

Isaacson asked the CWG members to complete a worksheet with a series of questions about the staff-recommended State’s Preferred Alternative. A summary of CWG member feedback collected in the worksheets is presented in Appendix A.

The following questions, comments and responses were recorded following the worksheet exercise:

- A member commented that staff seemed to use relatively small differences to justify which alternative performed the best.
- A member commented that they felt a lot of the Authority's work has been done in a vacuum and the community-supported partial trench from Capitol Expressway to Chynoweth Avenue was not considered.
  - Authority staff responded that the range of alternatives had been developed over a long period of time with heavy community involvement but that the fundamental design question was what infrastructure was needed to operate high-speed rail. The Authority is also working with the City of San Jose, VTA, and Caltrain to develop a Rail Corridor Plan that will look at options for grade separation in Monterey Corridor.
- A member requested additional time to complete the worksheet.
  - Authority staff responded that CWG members may email completed worksheets to Morgan Galli by August 22.
- A member commented that cost seemed to be a driving factor in the staff recommendation and suggested that cost savings from the other alternatives should be invested in tunnels or other infrastructure in San Jose.
- A member requested additional detailed documentation of the rationale behind the selection of the staff recommendation.
  - Authority staff replied that the detailed rationale provided to the Board on September 17th will be available publicly and the full environmental analysis will be available when the Draft EIR/EIS is released at the end of 2019.
- A member commented that community factors listed on the worksheet did not reflect topics such as safety concerns that have been discussed frequently by CWG members.
  - Authority staff requested that CWG members include that feedback on the worksheet. Staff also clarified that the worksheet is focused on differentiating factors, and all the alternatives must meet the same state and federal safety requirements, which is why safety is not a differentiating factor.
- A member commented that the alternatives analysis presented today does not provide information on local impacts. They felt the State's Preferred Alternative should take neighborhood and CWG concerns into account, rather than be based on the end-to-end alternatives.
  - Authority staff clarified that the information presented during the meeting is only a summary of the analysis of the differentiators at the project section level because that was the basis upon which the Board was being asked to act. The full environmental analysis with local information will be included in the Draft EIR/EIS.
- A member requested to view the engineering blueprints.
  - Authority staff invited any members wishing to discuss detailed engineering drawings to follow-up with Authority staff to arrange a meeting.
- A member commented that the Authority should consider segmenting the project section to analyze and consider localized impacts as part of the staff recommendation.
- A member expressed frustration that the community-supported partial trench option for the Monterey Corridor had not been considered or included in the staff recommendation.
- A member commented that grade crossings were a significant concern.
- A member commented that different geographies preferred different alternatives.
- A member commented that a blended system with Caltrain and high-speed rail is a smart investment.
- A member asked if Alternative 4 meets the 2 hours and 40 minutes travel time requirement from San Francisco to Los Angeles.

- Authority staff responded that all alternatives, including Alternative 4, meet the Proposition 1A travel time requirement.
- A member commented that they are happy to not have a viaduct in the Monterey Corridor.
- A member commented that they were frustrated with the project and the impact on development in their neighborhood and suggested that Californians should be given another opportunity to vote on the project.
- A member commented that they would prefer the no project alternative because of the impacts to the existing neighborhood and other ongoing transportation planning processes such as DISC and Caltrain.
- A member commented that communities were previously told that they would not be impacted by high-speed rail and now they will be impacted.
- A member expressed concern that Alternative 4 will not be able to accommodate future service levels.
- A member commented that high-speed rail should go around the North Willow Glen neighborhood on a viaduct. They also expressed interest in hybrid alternatives and felt the existing alternatives do not work for San Jose.
- A member expressed concern that the current alternatives do not consider needs for the area for the next 100 years and would perpetuate existing problems in environmental justice communities.
- A member commented that the criteria examined for the staff recommendation do not reflect community feedback.
- A member commented that the Authority should not choose an alternative that will make existing problems worse and that it would be better to take more properties now in order to reach a better long-term solution.

## **PUBLIC COMMENT**

- A member of the public commented that the Authority announced they were going to reexamine the approach to Diridon Station. The Authority says they want to design the best system possible, but the best high-speed rail system does not destroy neighborhoods that have been historically impacted by environmental injustice. A DISC member mentioned at a recent meeting that high-speed rail would need to build a tunnel. The decision shouldn't be just a high-speed rail decision, it needs to be a San Jose decision. A third track added will add numerous trains. It's not just about losing houses in Willow Glen, it will also increase noise on Jerome Street and in the Gardner neighborhood. It would not just cut off emergency access, Delmas Park would be cut off substantially. San Jose Mayor Liccardo, Councilmembers Davis, Esparza, and Jimenez, have all signed a letter supporting the viaduct option. I will not support any candidate who does not make this a priority on their campaign.
- A member of the public commented that they attended a Caltrain electrification meeting last night and Caltrain shared that electric trains would be restricted to 35 mph in neighborhoods around San Jose. Caltrain also shared an anticipated increase in ACE trains, which run at-grade along the corridor causing significant cumulative impacts in the area. It feels as though the Authority does not listen and provide information, such as noise data that the public requests. The comments and questions CWG members and members of the public shared during the meeting have been the same since the beginning of the process and it seems as though progress has not been made.
- A member of the public commented that San Jose community members are frustrated because the alternative that everyone wants is not being studied. High-speed rail staff are doing their job and they have to meet their deadlines, so modifications are not on the table. For comments to have the greatest impact, they must be made directly to the decision makers and not the staff conducting the analysis. The community needs to participate in the public process and keep the pressure on decision makers to make a hybrid alternative happen.

- A member of the public commented that the Authority has exclusive rights to design and build rail infrastructure for trains traveling above 125 mph. Other entities, such as Caltrain, could be a lead agency in design and building of the rail infrastructure along this corridor if trains will only travel at 110 mph. Caltrain is developing its business plan that includes scenarios above the six Caltrain and four high-speed rail trains an hour that the Authority used for their analysis. There are also plans for a Mega-measure that would generate \$100 billion in funding for projects some of which could be in San Jose. Additionally, the Palo Alto Citizens Advisory Panel is confronting grade separation issues which may provide unique solutions.
- A member of the public commented that they are very disappointed in the responsiveness of the Authority towards their comments over the last decade, specifically regarding impacts to San Jose neighborhoods.

## ATTENDANCE

### Working Group Members

Affiliation	Name	Present
Alma Neighborhood Association	Cyndy Broyles	No
Bellarmine College Preparatory	Brian Adams	Yes
California Maison Homeowners Association/Metcalf Neighborhood	Jahanzeb Baqai	No
California Maison Homeowners Association/Metcalf Neighborhood	Karen Lattin (alternate)	Yes
Committee for Green Foothills	Alice Kaufman	No
D10 Leadership Coalition	Steve Levin	Yes
Delmas Park Neighborhood Association	Bert Weaver	Yes
District 10 Leadership Coalition/VEP Community Association	Marilyn Rodgers	No
EGOPIC Neighborhood Association	Yazmin Rios	No
Flowers Neighborhood Association	Matthew Young	Yes
Friends of Caltrain	Adina Levin	Yes
Gardner Neighborhood	Kevin L. Christman,	Yes
Greenbelt Alliance	Matthew Vander Sluis, Kiyomi Yamamoto	No
Guadalupe Washington Neighborhood Association	Ray Moreno	Yes
Hayes Neighborhood Association	Brendan McCarthy	No
Hayes Neighborhood Association	Manny Souza	No
Hellyer-Christopher Riverview Skyway Neighborhood Association	Stephani Rideau	No
Hispanic Chamber of Commerce Silicon Valley	Dennis King, Ron Gonzales	No
League of Women Voters in San Jose and Santa Clara	Bob Ruff	Yes
Los Paseos Neighborhood Association	Amy Georgiades	Yes
Mexican-American Political Association (M.A.P.A.)	Danny Garza	No
Newhall Neighborhood Association	John Urban	Yes

Affiliation	Name	Present
North Willow Glen Neighborhood Association	Harvey Darnell	Yes
Oak Grove Neighborhood Association	James Patterson	Yes
San Jose Downtown Association	Marie Millares (alternate)	Yes
San Jose State University	Monica Mallon	Yes
Santa Clara & San Benito Counties Building & Construction Trades Council	David Bini, Jean Cohen	Yes
SAP Center	Jim Goddard	Yes
Senter Monterey Neighborhood Association	Jonathan Fleming	Yes
Silicon Valley Leadership Group	Jason Baker	No
Silver Leaf Neighborhood Association	Nuria Root	No
SPUR San Jose	Teresa Alvarado	Yes
The Silicon Valley Organization	Matthew Mahood, Eddie Truong	No
Tulare Hill Homeowners Association	Brian Gurney	Yes
United Neighborhoods of Santa Clara County	Ed Rast	Yes
Working Partnerships USA	Jeffrey Buchanan, Asn Ndaiye	No

**Authority Staff:** Boris Lipkin, Dave Shpak, Morgan Galli, Yvonne Chan, Joan Isaacson, Mary Beth Day, Zach Barr

**Elected Officials:** Office of San Jose City Councilmember Dev Davis (District 6), Office of San Jose City Councilmember Sergio Jimenez (District 2), Office of Congresswoman Zoe Lofgren

## ACTION ITEMS AND NEXT STEPS

- A meeting summary will be developed and distributed to CWG members for their review by August 9.
  - CWG members should send comments on the July Meeting Summary to staff by August 16 for inclusion in the version that will be appended to the Board Memo.
- CWG members who did not already fill out a Discussion Worksheet can share a completed worksheet with Authority staff by August 22.
- CWG members interested in scheduling time for staff to review detailed maps with them should reach out to Authority staff.

## APPENDIX A

CWG members were asked how they felt about Alternative 4, the staff-recommended State’s Preferred Alternative.

Responses	Number of CWG Members
Support Alternative 4 but have some concerns	4
Prefer a different alternative <ul style="list-style-type: none"> <li>• CWG members supported either Alternative 1 or 2</li> <li>• No CWG members supported Alternative 3</li> </ul>	3
Write-in responses <ul style="list-style-type: none"> <li>• Felt they did not have enough information to form an opinion.</li> <li>• Did not support any of the alternatives.</li> <li>• Prefer an alternative with a viaduct at Diridon, viaduct over I-280/Route 87 to Tamien Station, and no at-grade crossings south of Tamien Station.</li> <li>• Prefer an alternative with an elevated Diridon Station, a viaduct around Gardner and over I-208/Route 87, at-grade through the Monterey Corridor with grade separations at Chynoweth, Branham, and Skyway, or a trench through the Monterey Corridor.</li> <li>• Cannot support Alternative 4 due to need for grade separations at Chynoweth, Skyway, and Branham. Trench or partial trench (UPRR not in trench, high-speed rail in trench) are the two best options for providing grade separations at Chynoweth, Skyway, and Branham. Need to start any Coyote Valley viaduct as far past Bernal as possible to avoid as much of Los Paseos as possible. Also need to include I-280 viaduct around the Gardner neighborhood.</li> </ul>	5

CWG members were asked how well they thought the staff-recommended State’s Preferred Alternative balances tradeoffs between (1) system performance, operations, and costs, (2) community, and (3) environmental factors.

Responses	Number of CWG Members
Very poorly	4
Somewhat poorly	2
Moderately/no opinion	2
Somewhat well	1
Very well	1

CWG members were asked to choose the five differentiating factors that are most important to their community.

Differentiating Factor	Number of CWG Members
Visual quality effects	9
Residential displacements	9
Noise impacts	9
Community/public facility displacements	4
Increase in 2040 peak travel time in the Monterey Corridor (San Jose)	4
Emergency vehicle delays	4
Permanent road closures	3
Operational speed	2
Proximity to existing transit corridors	2
Commercial displacements	2
Impacts to environmental justice communities	2
Alignment length	1
Capital costs	1
Agricultural displacements/farmland conversion	1
Wildlife corridors	1
Parks and recreation areas	1
Travel time	0
Consistency with the Gilroy General Plan	0
Waters and wetlands	0
Habitat for listed plant and wildlife species	0
Conservation areas	0
Historic places/resources	0

The following key themes were captured in the members' worksheets:

- Strong interest in grade separations and/or a tunnel/trench at key intersections (Skyway, Branham, Chynoweth)

- Concern that staff has not listened to feedback from CWG members and other stakeholders
- Concern that staff recommended Alternative 4 based solely on cost
- Concern that staff weighed system performance, operations, and cost factors too heavily, particularly over operational speed, travel time, noise, and impacts to Greater Gardner
- Emphasis on importance of pedestrian access across the corridor
- The State's Preferred Alternative should be selected on a subsection or neighborhood basis
- Preference for bypassing North Willow Glen, Gregory Plaza, and Gardner neighborhoods to avoid impacts to those communities
- Interest in removing at-grade crossings at Virginia Street and Auzerais Avenue
- Interest in reducing traffic through the Gardner neighborhood
- Request for high-speed rail environmental document to include city- and community-generated options
- Make sure high-speed rail does not preclude Caltrain electrification to Gilroy
- Concern that the State's Preferred Alternative ignores the DISC process
- Interest in an elevated Diridon Station
- Preference for a 25-foot elevated approach to Diridon Station to improve east-west connectivity and fully use the area around the station
- Appreciation that Alternative 4 preserves views and privacy for those living in the Monterey Corridor and will not affect the width of Monterey Road
- Concern that at-grade crossings are not safe
- Concern that faster trains will create more noise impacts
- Interest in high-speed rail solving problems for communities not making existing problems worse
- Concern about impacts on home values
- Support for high-speed rail and Caltrain sharing electrified tracks, with the caveat that Monterey Corridor needs grade separations
- Concern about impact of construction on quality of life
- Appreciation that Monterey Corridor will not have a viaduct, as a viaduct would have a significant visual impact
- Acknowledgement that environmental factors (such as waters and wetlands, habitat for listed species, wildlife corridors, and conservation areas) are also important

**APPENDIX B**  
**SUMMARY OF OPEN HOUSES**





## SAN JOSE TO MERCED PROJECT SECTION PREFERRED ALTERNATIVE OPEN HOUSES AUGUST 2019

### SUMMARY

#### Introduction

This document summarizes key feedback collected during the August 2019 round of open houses on the staff-recommended Preferred Alternative (PA). This includes informal discussions staff had with meeting attendees as well as an interactive exercise and feedback forms.

#### Informal Discussions

At each open house, participants and staff mingled at displays around the room. While many of the participants came with specific questions about the proposed alignment, others attended to learn more about the project and understand the current status of the effort. Key ideas expressed to staff members at the open house are as follows:

##### *Interest in:*

- Coordination with the Diridon Integrated Station Concept (DISC) Plan
- Travel time and train frequency
- Construction-related traffic impacts
- Grade separations and viaduct options
- Workforce opportunities

##### *Support for PA relating to:*

- Fewer financial, environmental, and property impacts
- Commuter benefits

##### *Concerns about:*

- Residential and historic property impacts
- Neighborhood disruption, especially in Gilroy and the Gardner neighborhood
- Traffic congestion and emergency services response, especially along the Monterey corridor
- Safety at at-grade crossings
- Noise

Overall, staff reported that participants generally expressed strong support for high-speed rail service, and the majority of open house participants were supportive of the staff recommendation for Alternative 4 as the Preferred Alternative.

#### Station 6 Interactive Activity

Station 6 provided an opportunity for open house attendees to engage with outreach staff about the high-speed rail evaluation criteria and vote on what that they considered most important to their

community. Across the three meetings, the following were indicated to be the most important to participants in the exercise:

- Operational speed
- HSR travel time
- Residential displacements
- Noise impacts
- Allowing for electrified Caltrain service to Gilroy

**Feedback Form Results**

Participants were encouraged to complete a feedback form that solicited their opinions on the staff-recommendation for the Preferred Alternative. Of the 48 forms submitted across the three meetings, 69% expressed support for Alternative 4 fully or with some concerns. Full results and key themes related to the support of the PA are provided below.

Opinions	Number of Responses (Percentage of Total)	Key Themes
I fully support Alternative 4	18 (38%)	<ul style="list-style-type: none"> <li>• Fewer neighborhood impacts</li> <li>• Connections to existing transit</li> <li>• Beneficial to businesses in downtown Gilroy</li> <li>• Housing and commuter benefits</li> </ul>
I support Alternative 4, but have some concerns	15 (31%)	<ul style="list-style-type: none"> <li>• Noise and safety concerns</li> <li>• Elevated or trench options</li> <li>• Traffic and emergency vehicle response impacts</li> </ul>
I support Alternative 1	3 (6%)	<ul style="list-style-type: none"> <li>• Grade separation</li> <li>• Flow of traffic</li> </ul>
I support Alternative 2	3 (6%)	<ul style="list-style-type: none"> <li>• Concern for Gardner neighborhood</li> <li>• Elevated options</li> </ul>
I support Alternative 3	3 (6%)	<ul style="list-style-type: none"> <li>• Traffic impacts</li> <li>• Safety concerns</li> <li>• Visual impacts</li> </ul>
None of the Above	6 (13%)	<ul style="list-style-type: none"> <li>• Grade separations</li> <li>• Concern for Gardner neighborhood</li> <li>• Impact on tribal land</li> <li>• Not enough information</li> </ul>

Additional details captured by the feedback forms included questions on how well the PA balances tradeoffs between (1) community factors, (2) environmental factors, and (3) system performance,

operations, and cost; how attendees found out about the Open Houses; and the community they live in. Responses to these questions are provided below.

*How well do you think the staff-recommended State's Preferred Alternative balances tradeoffs between community factors, environmental factors, and system performance, operations, and cost?*

Opinions	Number of Responses (Percentage of Total)
Very Poorly	6 (13%)
Somewhat Poorly	4 (8%)
Moderately/No Opinion	10 (21%)
Somewhat well	15 (31%)
Very Well	11 (23%)

*How did you learn about this Open House?*

Sources	Number of Responses	Comment or Source
Facebook	5	
Twitter	1	
Nextdoor.com	2	
High-Speed Rail Authority Mail/Email	18	
Radio Announcement	0	
Community/neighborhood/ school/newsletter	8	
Newspaper (which?)	7	<ul style="list-style-type: none"> <li>• Benito Link (2)</li> <li>• Dispatch (1)</li> <li>• East Bay Times (1)</li> <li>• Mercury News (4)</li> </ul>
Flyer or poster (where?)	1	<ul style="list-style-type: none"> <li>• Gardner Center</li> </ul>
Family friends or neighbors	10	
Other (indicate...)	10	<ul style="list-style-type: none"> <li>• City of Gilroy (1)</li> <li>• Community Working Group (1)</li> <li>• Community Working Group Email (2)</li> <li>• DISC (1)</li> <li>• Email (1)</li> <li>• Gilroy Car Show (2)</li> </ul>

Sources	Number of Responses	Comment or Source
		<ul style="list-style-type: none"> <li>• Internet (1)</li> <li>• Work in the building (1)</li> </ul>

*In which community do you live?*

Communities	Number of Responses
Gilroy	11
Downtown Gilroy	2
Unspecified Neighborhood	9
Hollister (Frazier Lake)	1
Los Banos	4
Monterey	1
Morgan Hill	2
Pleasanton/Tri Valley	1
San Jose	19
Branham & Monterey Highway	1
Downtown San Jose	2
Gardner	1
Goodyear-Mastic	1
Gregory Plaza	1
Metcalf	1
North Willow Glen	2
Rose Garden, Alameda	1
Willow Glen	2
Unspecified Neighborhood	7
San Juan Bautista	2
Santa Clara	2
Old Quad	1
Unspecified Neighborhood	1



**APPENDIX C**  
**CORRESPONDENCE**





State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



RECEIVED  
AUG 27 2019

BY: *jm*

August 22, 2019

High-Speed Rail Board Members  
California High-Speed Rail Authority  
100 Paseo De San Antonio, Suite 300  
San Jose, California 95113

**Subject: California High-Speed Rail Project, Staff-Recommended State's Preferred Alternative (Alternative 4): San Jose to Merced Section**

Dear Authority Board Members:

The California Department of Fish and Wildlife (CDFW) received a presentation from the California High Speed Rail Authority (Authority) at the Grasslands Ecological Area Stakeholders Group meeting on July 15, 2019, and the Authority/Federal Railroad Administration (FRA)/Northern California Regional Agencies Monthly Coordination Meeting on July 24, 2019, for the San Jose to Merced Section Preferred Alternative (Alternative 4) as early consultation (Cal. Code Regs. tit. 14 § 15083. Early Public Consultation) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup> CDFW has been providing comments regarding this section of rail alignment since 2004 and has been a participant in the ongoing Grassland Ecological Area (GEA) stakeholders meetings. CDFW previously commented on the following environmental documents for the San Jose to Merced Section pertaining to alignment options and alternatives:

- Proposed California High-Speed Train System EIR/EIS on August 31, 2004.
- Bay Area to Central Valley Program Draft EIR/EIS on September 25, 2007.
- Bay Area to Central Valley Program Final EIR/EIS on July 7, 2008.
- CDFW Response to the NOP of a Project EIR/EIS for San Jose to Merced High-Speed Train System through Pacheco Pass on April 8, 2009.
- Draft Project EIR/EIS for the Merced to Fresno and Section 4(f) Statement on October 13, 2011.
- Draft Supplemental EIR/EIS for the Merced to Fresno on June 19, 2019.

Thank you for the opportunity to provide comments and recommendations prior to identifying the Preferred Alternative that will be in the Draft Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) scheduled to be released in December 2019 and those activities involved in the Preferred Alternative that may affect

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

California fish and wildlife and CDFW owned and managed lands. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the High-Speed Rail project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

## **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & Game Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

**Water Pollution:** Pursuant to Fish and Game Code section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures implementation of the Project could result in pollution of Waters of the State from storm water runoff or construction-related erosion. Potential impacts to the wildlife resources that utilize these watercourses include the following: increased sediment input from road or structure runoff; toxic runoff associated with development activities and implementation; and/or impairment of wildlife movement along riparian corridors. The Regional Water

Quality Control Board and United States Army Corps of Engineers also have jurisdiction regarding discharge and pollution to Waters of the State.

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA) and in providing early consultation during the preparation of the EIR, focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources.

## **PREFERRED ALTERNATIVE 4 PROJECT DESCRIPTION SUMMARY**

**Proponent:** The Authority

**Objective:** The staff-recommended State's Preferred Alternative was based on the stakeholder input and analyses completed to date. The fewest impacts to environmental and community factors, systems performance, operations and costs were criteria used for choosing the Preferred Alternative.

**Location:** The San Jose to Merced Range of Alternatives is located from San Jose to the Central Valley Wye Project extent. There are four end-to-end alternatives. The alignment for the Preferred Alternative is on the same alignment as the other three alternatives from San Felipe Road in the City of Gilroy, through the Pacheco Pass tunnel portion for 13.5-miles with portions of embankment and viaduct into the San Joaquin Valley with embankment and viaduct terminating at Carlucci Road. The Preferred Alternative is in Santa Clara, San Benito, and Merced Counties.

### **Potential Impacts and Department Recommendations**

CDFW is concerned that the proposed recommended Preferred Alternative 4 may result in several impacts to fish and wildlife of the State of California. CDFW is also concerned that the Preferred Alternative is on the same alignment as the other three proposed alternatives and does not offer a true alternative. Construction and operation of the High-Speed Rail (HSR) on the Preferred Alternative will create barriers to wildlife movement, which may result in potentially significant impacts to San Joaquin kit fox (*Vulpes macrotis mutica*), hunting and public use, CDFW-owned and -managed lands, and wildlife habitat linkages. Additionally, the proposed project may significantly impact special-status species including, but not limited to, the State Threatened Swainson's hawk (*Buteo swainsoni*), tricolored blackbird (*Agelaius tricolor*), State Endangered and fully protected bald eagle (*Haliaeetus leucocephalus*), State Threatened and Federal Endangered San Joaquin kit fox, State and Federal Threatened California tiger salamander (*Ambystoma californiense*) and giant garter snake (*Thamnophis gigas*), State fully protected white-tailed kite (*Elanus leucurus*) and golden eagle (*Aquila chrysaetos*), State fully protected and Federal Endangered blunt-nosed leopard lizard (*Gambelia sila*), State and Federal Endangered Fresno kangaroo rat (*Dipodomys*

*nitratoides exilis*), State Candidate for listing as Endangered Crotch bumble bee (*Bombus crotchii*), State Candidate for listing as Threatened foothill yellow-legged frog (*Rana boylei*), State Species of Special Concern and Federal Threatened California red-legged frog (*Rana draytonii*), and sensitive habitats for which these species depend. These concerns are discussed in more detail below.

### **Potential Impacts to Wildlife Movement**

CDFW has provided comments to the Authority in previous correspondence regarding wildlife corridor movement; specifically, in correspondence dated June 19, 2019, for the Merced to Fresno Supplemental Draft EIR/EIS.

As CDFW has discussed in the previous correspondence to the Authority, the single biggest potential biological impact arising from construction of the HSR Project is the impact on regional movements of wildlife and connections between habitat. The HSR has the potential to disrupt wildlife movement corridors that are already hindered with existing obstacles, create long stretches of impediments, and further narrow areas of low or compromised permeability, many of which are already threatening the continued viability of several species. Construction of access-controlled rail lines may create barriers to the movement of wildlife, thereby cutting them off from important food, shelter, and breeding areas. As CDFW has stated in its previous correspondence, the isolation of subpopulations limits the exchange of genetic material and puts populations at risk of local extirpation through genetic and environmental factors. Barriers can prevent the re-colonization of suitable habitat following natural population expansions, ultimately putting the species at risk of extinction.

The construction and operation of the HSR will severely inhibit north-south as well as east-west wildlife movement along the San Jose to Merced segment. While the Authority suggests it will examine the feasibility of implementing a variety of wildlife passages to aid animal movement along both sides of the rail alignment, it is unclear where and at what intervals these will be placed. Absent clear disclosure of proposed wildlife crossings; including location, size, intervals between crossings, and target focal species for use of the crossings, CDFW is unable to provide substantive guidance on whether the crossings will be viable to ensure unfettered permeability. In addition, CDFW is concerned that any changes in crossing design or location due to significant build changes with the alignment during the interim between environmental review and 80 to 90 percent (%) engineering, creates delays and impediments to ensuring functional permeability for all focal species. This could limit the ability of species such as San Joaquin kit fox, Tule elk (*Cervus canadensis nannodes*), and mountain lion (*Puma concolor*) to move unhindered throughout this range. Work by James Thorne and others from the University of California, Davis, in 2002 and 2006, tracking data from mountain lion and Tule elk research and work associated with the Santa Clara Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP) has specifically identified 17 corridors in Santa Clara County of significant importance and crossing locations and design are advised to be provided and fully disclosed in the

CEQA document so that CDFW can analyze the potential effectiveness of maintaining the wildlife corridors.

An elevated or below ground rail design could reduce the impacts that the HSR system would have on animal movement and migration by allowing wildlife to pass unimpeded underneath or over the top of the entire length of the railway while providing the HSR system with access-controlled tracks. Elevated or below ground railways would be more effective in facilitating animal movement than the proposed wildlife underpasses and overpasses, which are not always effective. Because animals would be more likely to move underneath an elevated rail or over a below ground rail than to use a tunnel or vegetated overpass where the landscape view of the opposite side would be visually obstructed, CDFW is concerned that a design of the HSR system with an at-grade embankment would result in a significant impact to wildlife movement. Therefore, CDFW is advising that this impact be thoroughly analyzed as a barrier to movement, gene flow, reproductive success, loss of colonization opportunities, and to discuss this in the context of planned and fully disclosed designed and location specific wildlife crossings.

CDFW recommends that all segments of the rail alignment that are not using existing rail line be elevated. Elevation of the rail could reduce the impacts the High-Speed Train (HST) system would have on animal movement and migration by allowing wildlife to pass freely underneath the entire length of the railway while providing the access controlled tracks that are required for the HST. Elevated railways are critical in areas where the movement of wildlife is already reduced due to existing and/or proposed geographic transportation infrastructure and structural barriers exist such as in western Merced County near the intersections of State Route (SR) 152, SR 33 and Interstate 5.

CDFW is concerned that impacts of design elements, such as Intrusion Protection Barriers (IPBs) and Access Restriction (AR) fencing, will further compound impacts to wildlife corridor movements and/or the reduction of effectiveness of dedicated wildlife crossings from the additional infrastructure fencing and could result in wildlife entrapment.

If wildlife passage structures will be used instead of elevated rail, CDFW continues to recommend that an extensive evaluation be conducted before final wildlife passage locations are selected, to determine the appropriate and most effective locations, and number and types of such wildlife passage structures. As was recommended in previous correspondence, methods to determine best locations of wildlife passage structures or avoidance should include elements such as: 1) track station surveys, 2) ditch crossing surveys, 3) monitoring trails with infrared or Trailmaster cameras, and 4) Geographic information system (GIS) habitat modeling to identify likely wildlife travel corridors and anthropogenic barriers (such as highways, canals, reservoirs) at the landscape level. In addition, wildlife habitat passage structures, such as underpasses, overpasses, elevating or placing below grade the alignment and tunnels, may not be

suitable for all species and locations and would need to be evaluated carefully. Dedicated wildlife crossing structures should ensure permeability and be required to meet specific minimum dimensions for increased probability of wildlife utilizing these structures for crossing opportunities. CDFW recommends considering the following for design features for dedicated wildlife crossings: minimize lengths (entry to exit) of dedicated wildlife crossings for certain species guilds and/or incorporate designs (grates, etc.) that still allow light penetration, maximize heights of crossings or add bridges for larger species guilds, provide natural cover types to encourage use, incorporate bench designs to allow use of the crossings during flooding, and provide smaller animal escape within or adjacent to the dedicated wildlife crossings.

#### ***Potential Impacts to San Joaquin Kit Fox Movement***

All four alternatives would result in significant and irreversible impacts to San Joaquin kit fox by impacting the entire northern range of the species. The Preferred Alternative would create a significant movement barrier between the southern and northern range of San Joaquin kit fox populations. The Santa Nella area has been identified by CDFW and the United States Fish and Wildlife Service (USFWS) as a narrow band in the connectivity between the northern and southern populations of San Joaquin kit fox (USFWS 2010). There is a very narrow area remaining in the Santa Nella vicinity that is usable for San Joaquin kit fox north-south movement, and the Preferred Alternative would sever this remaining movement area. The HSR Project also has the potential to isolate the Los Banos Valley core San Joaquin kit fox population from the northern population of San Joaquin kit fox. The ability of individuals from the Los Banos Valley to breed with members of more northern San Joaquin kit fox populations is thought to be critical to the continued existence and genetic diversity of the northern San Joaquin kit fox population. Maintaining San Joaquin kit fox movement corridors will be essential to permit the proposed project pursuant to CESA.

In addition, there are several movement corridors and habitat lands protected in perpetuity as mitigation for impacts to San Joaquin kit fox movement and habitat resultant of other projects in the Santa Nella area. The HSR alignment would sever one or more of these San Joaquin kit fox mitigation areas and render them ineffective in serving their mitigation purpose.

#### ***Potential Impacts to Wildlife Habitat Linkages***

The cross-valley corridor, from the Diablo Range to the Santa Cruz Mountains in Coyote Valley, has been identified as one of only two remaining areas where linkage occurs between the San Francisco peninsula and the rest of the State. This corridor is under significant threat from existing and planned development, including heavily used transportation infrastructure, and would be further degraded by building the HSR alignment across it. The Preferred Alternative has the potential to impact the three most important wildlife habitat linkages in the area as recognized in the Santa Clara HCP/NCCP. The first habitat linkage occurs in the area of Metcalf Road south of San Jose to just north of Morgan Hill. It is the northernmost habitat linkage area south of

San Francisco Bay and is one of a very limited number of areas currently providing connectivity between Santa Clara and points west and the San Francisco Peninsula.

Additionally, it is the only connection between the southern end of the San Francisco Bay and the Pajaro River. There is ample evidence that this area remains a viable but highly impacted connection area. It is critical that connectivity through this area not be further reduced. The second habitat linkage occurs from Gilroy to Pacheco Pass and is essentially unblocked with the exception of SR 152. In general, significantly sized crossing opportunities should exist at least every half mile, allowing connectivity for large mammals, smaller animals, plants, and habitats. The third habitat linkage occurs in the area from the Diablo foothills to Gilroy which traverses the valley floor north of the Pajaro River. The area is crucial for steelhead passage and connectivity between watersheds in the Diablo Range, the Gabilan Range, and the Santa Cruz Mountains. These important connectivity areas identified in the Santa Clara HCP/NCCP are planned for study, enhancement and possible protection over the next 44 years. CDFW is concerned about impacts to upland and aquatic habitat near the Santa Clara Valley HCP/NCCP, as well as potential conflicts between the impacts of the HST and the goals of the Santa Clara HCP/NCCP. CDFW recommends amphibian habitat creation/enhancement/preservation opportunities on the valley floor for mitigation to enable usable habitat that will facilitate effective gene flow between populations in the Santa Cruz Mountains and Diablo Range.

### ***Potential Impacts to Department Owned and Managed Lands***

CDFW Wildlife Areas are acquired for the protection and enhancement of habitat for a wide variety of species and are open to the public for wildlife viewing, hiking, hunting, fishing, and nature tours. The construction and operation of HSR within or near CDFW lands could severely limit the wildlife and public use values of these lands as well as alter the way these lands are managed by CDFW. Most Wildlife Areas depend on visitor fees for operation, maintenance and management. The HSR may negatively impact the number of visitors to Wildlife Areas resulting in reduced revenues; thereby reducing or eliminating the future enhancement of public recreational opportunities and wildlife habitat provided by these areas.

Specific CDFW-owned lands that are adjacent to, bisected by, or occur within 1 mile of the San Jose to Merced alignment include Cottonwood Creek Wildlife Area (Upper and Lower), San Luis Reservoir Wildlife Area, O'Neill Forebay Wildlife Area, Volta Wildlife Area, Los Banos Wildlife Area, Grasslands Wildlife Area and Cañada de los Osos Ecological Reserve.

*Los Banos Wildlife Area (LBWA)*- The Los Banos Wildlife Area is adjacent to the north side of Henry Miller Road. The Preferred Alternative would have both direct and indirect impacts to the Wildlife Area and its wildlife use. In addition, the route could also impact public hunting and fishing opportunities in the area by affecting wildlife distribution and

public access. Similar impacts to public use of wildlife resources could also occur on private lands near the proposed route. The proximity of the HSR to areas used by the public for waterfowl, upland, and big game hunting should also be addressed.

CDFW advises the Board to consider the total number of visitors and their use of LBWA in assessing the Preferred Alternative. Visitors participate in various activities (dog training, dog trials, fishing, interpretive walks (hiking/walking), nature study, hunting, sightseeing, etc.), at LBWA. The number of overall visitors to LBWA ranges from 16,000 to 20,000 visitors per year which generates significant revenue for CDFW. The average number of junior hunters that visited LBWA was 4,278 in the last two years. Junior hunt experience at LBWA could be affected by the audio/visual disturbances during the construction and ongoing operation of the HSR. The consequence of this may prevent youth from future hunt participation on these CDFW owned lands and impact recruitment of youth into the sport of hunting. The above referenced usage on CDFW-owned and -managed lands will be substantially impacted due to noise, changes in wildlife behavior, and the loss of an undisturbed wildland experience. CDFW is concerned that revenue generated during the years of construction of the HSR Project and during the long-term operation and maintenance of the rail would likely be less. There would be diminished funding to CDFW's Wildlife Program and the operating budget for CDFW during construction (up to a 5-year period) of the HSR Project and on-going fiscal impacts once the HSR Project is complete.

*The Grassland Environmental Educational Center (GEEC)*- Visitors to the GEEC come from local areas such as San Joaquin County/Lodi, Stockton, Manteca- Stanislaus County/Turlock, Ceres, Modesto, Knight's Ferry- Merced County/Los Banos, Dos Palos, Merced, Gustine, Atwater, Ballico-Cressey, El Nido- Fresno County/Clovis. The annual average number of visitors for the last two years was 6,317. The GEEC is visited by local area school children for educational outreach and enrichment and in some cases is the only outdoors educational experience in their area. The Preferred Alternative is within 1,000 feet of the GEEC, thus the value and experience to its visitors will be impacted during construction and long-term operation and maintenance of the HSR. All four alternatives will have the same impact to the GEEC; CDFW advises consideration of another alignment or alternative.

*Cottonwood Creek Wildlife Area (CCWA)*- The Preferred Alternative bisects the western half of the Upper Cottonwood Creek Wildlife Area (UCCWA) north of SR 152. While the use of anticipated subterranean tunnels for the HSR to cross the UCCWA may reduce surface biological impacts, there is infrastructure required for the tunnel and it is unclear if supporting infrastructure would occur above or below ground. CDFW is concerned over the access and maintenance required for the construction of the tunnel and long-term maintenance of the tunnel and the above or below ground access to the infrastructure (Automatic Train Control (ATC) and Traction Power Facilities (TPF)) will be an impact to elk and deer that use this wildlife area and other areas adjacent to the

HSR. Any impacts to deer herd movement and behavior could reduce public hunting opportunities and hunt experience throughout CDFW-owned or -managed lands and reduce the public-use values of these public lands. SR 152 already poses a significant movement barrier impact to the elk herd in the area and limits the movement of elk into and out of lands on the north side of the highway. The Preferred Alternative would add an additional movement barrier and further restrict the movement of elk in the region. Naturally occurring springs are located on UCCWA that are adjacent to (within 200 feet) and in the vicinity of the Preferred Alternative. The construction of the tunnels has the potential to impact hydrology of these springs and potentially impact wildlife which rely on these springs for watering and forage of the vegetation supported by year-round surface waters.

The Secretary of Transportation may approve a project requiring the use of publicly owned land of a wildlife and waterfowl refuge **only** if there is no prudent and feasible alternative to using that land; and the project includes **all** possible planning to minimize harm to the wildlife and waterfowl refuges from the use. "Use" includes substantial impacts to wildlife resources due to close proximity of a transportation project (Department of Transportation Act 49 U.S.C. Section 303, formerly Section 4[f]). All four alternatives considered and the Preferred Alternative alignment will have significant impacts to State owned wildlife areas. To date, CDFW has not been provided a comprehensive analysis of impacts to CDFW-owned land and therefore cannot agree with the Authority's assumption that a Section 4(f) is warranted. CDFW is advising the Authority formulate other feasible alternatives that avoid these lands because CDFW cannot agree that a Section 4(f) is a reasonable supposition in planning the HSR alignment.

***Potential Impacts to Mud Slough Conservation Easement***

The Preferred Alternative and the other three alternatives will go through Mud Slough, a Unit managed by CDFW's LBWA. Construction of the alternatives would result in construction and placement of an elevated structure over the property, requiring that multiple piles be built on the property and relocation of two irrigation ditches that serve the property. The property is protected by a conservation easement for which CDFW is grantee. CDFW is concerned that the potential impacts of the HSR Project will impact the biological values, the continued management, and violate the conditions of the conservation easement. The easement has terms of conditions that preserve the natural character and maintain in perpetuity the habitat values set forth in the required site-specific management plan for waterfowl habitat value and/or waterfowl use. Activities such as the placement of any new structures on the conservation easement land other than hunt blinds and water control structures would be a diminution of the value of the property and would violate the terms of the conservation easement. The conservation easement value of the property and the land management obligations would not be met with the Preferred Alternative being constructed through this property.

***Potential Impacts to the Grasslands Ecological Area (GEA)***

The GEA is a 230,000-acre complex of State and Federal refuges and privately owned wetlands. The GEA boundary is a non-jurisdictional boundary which has been designated by the United States Fish and Wildlife Service (USFWS) as a priority area for protection and enhancement. The GEA is comprised of wetlands, riparian woodlands, native grasslands, vernal pools, and other habitats which support abundant and diverse wildlife, including numerous threatened and endangered plants and animals. The area also provides critically important wintering and breeding habitat for migratory water birds utilizing the Pacific flyway. Joseph P. Fleskes' 1992 study of female northern pintails (*Anas acuta*) north-south flight path in the Grassland ecological area identified an important flight path for daytime roost sites in the north to nocturnal feeding sites in the south part of the GEA. This flight pattern is representative of other waterfowl species movement patterns. All four alternatives will bisect this important flight path. CDFW recommends that The Authority analyze the impacts of eliminating connectivity between the wetland areas of the north and south GEA. CDFW recommends the Board consider another alternative/alignment that would avoid eliminating this important wetland and waterbird connectivity corridor.

In choosing a preferred alternative there should be analysis of the direct and indirect impacts to the Pacific flyway. CDFW recommends considering and addressing the project impacts (e.g., noise, vibration, bisection of habitats, fragmentation, bird strikes, lighting, etc.) to the Pacific flyway and incorporating necessary avoidance, minimization and mitigation measures. The Authority has presented to the GEA stakeholders the option of a tubular enclosure for the elevated structure of rail segment through the GEA. However, CDFW is concerned that the proposed length of rail that would be enclosed is inadequate. CDFW also advises including bird strike frequency monitoring as well as monitoring the effectiveness of the deterrent used in the mitigation measure.

***Potential Impacts to Species and Habitat***

*Swainson's Hawk (SWHA)* are known to nest within and in the vicinity of the Preferred Alternative. In addition, foraging habitat for SWHA exists within and in the vicinity of the Preferred Alternative. The area is surrounded by annual grasslands and croplands that may be used for foraging. The California Natural Diversity Database (CNDDDB) shows SWHA occurrences throughout Merced, Santa Clara and San Benito counties (CDFW 2019). SWHA, potential significant impacts that may result from Project activities include nest abandonment, loss of nest trees, loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. SWHA exhibit high nest-site fidelity year after year and lack of suitable nesting habitat in the San Joaquin Valley limits their local distribution and abundance (CDFW 2016). Noise, earthwork, use of heavy machinery, and high levels of human activity from construction workers that could affect nests and has the potential to result in nest abandonment, significantly impacting nesting SWHA in the vicinity of the Preferred Alternative. The mature trees and agricultural fields in the vicinity provide

suitable nesting and foraging habitat. CDFW considers removal of known bird-of-prey nest trees, even outside of the nesting season, a potentially significant impact under CEQA, and in the case of SWHA, it could also result in take under CESA.

*Tricolored Blackbird (TRBL)* are known to occur within the vicinity of the Preferred Alternative and the other alternatives (CDFW 2019). The Preferred Alternative is surrounded and contains annual grasslands, dairies, pastures, wetlands, and field crops. TRBL, potential significant impacts include nest and/or colony abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young. TRBL aggregate and nest colonially, forming colonies of up to 100,000 nests (Meese et al. 2014). Approximately 86% of the global population is found in the San Joaquin Valley (Kelsey 2008, Weintraub et al. 2016). Increasingly, TRBL are forming larger colonies that contain progressively larger proportions of the species' total population (Kelsey 2008). In 2008, for example, 55% of the species' global population nested in only two colonies, which were located in silage fields (Kelsey 2008). In 2017, approximately 30,000 TRBL were distributed among only sixteen colonies in Merced County (Meese 2017). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can cause abandonment, significantly impacting TRBL populations (Meese et al. 2014). One of the largest colony populations (30,000 birds) to date was observed in the vicinity of the Preferred Alternative along Henry Miller Road. Many known colonies are in the vicinity of the Preferred Alternative. The alignment for all four alternatives bisects habitat for TRBL and is adjacent to known TRBL colony locations in Merced, Santa Clara and San Benito counties.

*California Tiger Salamander (CTS)* are known to occur in the vicinity of the Project (CDFW 2019). The proposed Alternative is within the vicinity of both upland and breeding habitat. Due to the potential ground-disturbing activities, potential Project-related impacts include but are not limited to the following: collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to breeding sites, reduced reproductive success, reduction in health, and direct mortality of individuals. Up to 75% of historic CTS habitat has been lost to development (Searcy et al. 2013). Loss, degradation, and fragmentation of habitat are the primary threats to CTS. Contaminants and vehicle strikes are also sources of mortality for the species (CDFW 2015a, USFWS 2017a). The Preferred Alternative is within the range of CTS are within and surrounded by suitable habitat (i.e., aquatic breeding habitat, grasslands interspersed with burrows). CTS have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011) and have been documented to occur near the Project (CDFW 2019). Given the presence of suitable habitat surrounding the Preferred Alternative, Project activities have the potential to significantly impact local populations of CTS.

*Giant Garter Snake (GGS)* As documented in the California Natural Diversity Database (CNDDDB), GGS are known to occur in the San Joaquin River and tributaries that feed into the San Joaquin River in Merced County (CDFW 2019). Potentially significant

impacts associated with bridge or culvert construction/replacement include burrow excavation and collapse, inadvertent entrapment, and direct mortality of individuals. Currently, GGS are isolated to only nine disjunct populations. At the time of the species listing under the Federal Endangered Species Act in 1993, the USFWS recognized 13 populations. Since then, two of these populations have been determined to be extirpated (USFWS 2017b). Habitat loss and fragmentation are the primary threats to GGS. Only 5% of the species' historic wetland habitat acreage remains. In addition, Central Valley populations of GGS are also susceptible to roads, vehicular traffic, and non-native species impacts (USFWS 2017b). The species has specific seasonal habitat requirements. During the summer months, GGS require aquatic habitat for foraging and adjacent upland areas with emergent vegetation for basking sites (USFWS 2017b). During periods of inactivity, GGS require burrows in upland habitat as refugia for summer shelter and burrows in higher elevation uplands for winter hibernation (Hansen et al. 2015). Construction of HSR consists of ground-disturbing activities. These activities have the potential to result in excavation and collapse of GGS refugia and may result in a violation of CESA if GGS are present.

*Fully Protected Raptors* such as the State fully protected white-tailed kite, the State fully protected golden eagle, and State Endangered and fully protected bald eagle are known to occur within the vicinity of the Preferred Alternative (CDFW 2019). Potentially significant impacts that may result from new ground disturbing activities include nest abandonment, loss of nest trees, and/or loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. The Preferred Alternative will involve noise, groundwork, and use of heavy machinery that may occur directly adjacent to large trees with potential to serve as nest trees for fully protected raptors.

*Blunt-nosed Leopard Lizard (BNLL)* have been documented to occur within the vicinity of the Preferred Alternative (CDFW 2019). Suitable blunt-nosed leopard lizard (BNLL) habitat includes areas of grassland and upland scrub that contain requisite habitat elements, such as small mammal burrows. BNLL also use open space patches between suitable habitats, including disturbed sites and unpaved access roadways. The Preferred Alternative is bordered by and contains annual grassland making it potentially suitable for BNLL. Potentially significant impacts associated with ground-disturbing activities include burrow collapse, reduced egg clutch success, reduced health and vigor of young, and direct mortality. Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to BNLL (ESRP 2018). Because this species is State fully protected, CDFW cannot authorize its take for any reason. Therefore; CDFW advises all impacts to BNLL be fully analyzed and the CEQA document include measurable, enforceable, and feasible avoidance measures for this species.

*Fresno Kangaroo Rat (FKR)* While there has not been a confirmed Fresno kangaroo rat observation since 1992, when a single male was captured at CDFW's Alkali Sink Ecological Reserve (USFWS 1998c), CDFW does not consider this species to be

extirpated from its historic range. Specifically, there are large acreages of functionally suitable habitat for the species which have never been surveyed for the species. The Preferred Alternative is within not only what is considered historical habitat for this species, but much of the remaining grassland, alkali sink and chenopod sink scrub habitat remaining in western Madera County is also thought to have the highest potential for containing an extant population of FKR (USFWS 1998c). If this species is detected during surveys, consultation with CDFW is warranted. Any occupied habitat should be completely avoided to preclude the potential for a jeopardy analysis, and the occupied habitat should be permanently protected with conservation easements. This would be consistent with FKR Recovery Action 6 of the Recovery Plan for Upland Species of the San Joaquin Valley (USFWS 1998a) and should be fully discussed in the in the CEQA document.

*Crotch Bumble Bee (CBB)* On July 12, 2019 the Fish and Game Commission published its acceptance of a petition for consideration and designation of the CBB as a candidate species. Pursuant to Fish and Game Code Section 2074.6, CDFW has initiated a status review report to inform the Commission's decision on whether listing of CBB, pursuant CESA, is warranted. During the candidacy period, consistent with CEQA Guidelines, Section 15380, the status of the CBB as an endangered candidate species under CESA (Fish and Game Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA. Consequently, take of CBB during the status review period is prohibited unless take authorization pursuant to Fish and Game Code Section 2081(b) is obtained. The Preferred Alternative falls within the northern range of the CBB, and there are also historic observations of CBB in both Santa Clara and Merced Counties. Habitat is present for overwintering, nesting and foraging and impacts to this species and its habitat is recommended to be analyzed. Potentially significant impacts associated with HSR activities include removal nest sites, floral resources for foraging and removal of overwintering sites.

*Foothill Yellow-legged Frog (FYLF)* On July 7, 2017, the Fish and Game Commission published its acceptance of a petition for consideration and designation of the FYLF as a candidate species. Pursuant to Fish and Game Code Section 2074.6, CDFW has initiated a status review report to inform the Commission's decision on whether listing of FYLF, pursuant CESA, is warranted. During the candidacy period, consistent with CEQA Guidelines, Section 15380, the status of the FYLF as a threatened candidate species under CESA (Fish and Game Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA. Consequently, take of FYLF during the status review period is prohibited unless take authorization pursuant to Fish and Game Code Section 2081(b) is obtained. FYLF are found in the vicinity of streams in a variety of habitats (valley-foothill hardwood, valley-foothill hardwood-conifer, valley foothill riparian, coastal scrub, mixed chaparral, and wet meadow types). Potentially significant impacts associated with Project activities include inadvertent entrapment, destruction of eggs and oviposition (i.e., egg-laying) sites, degradation of water quality, reduced reproductive success, reduction in health and vigor of eggs and/or young, and

direct mortality of individuals. Land use changes that result in degradation or destruction of riparian habitat, road development and use, urbanization, and water diversion are among proximate factors contributing to local declines of FYLF (Thomson et al. 2016, USDA 2016). FYLF have been estimated to be extirpated from 45% of historically occupied locations in California in general (Jennings and Hayes 1994 in Thomson et al. 2016). A 2010 study of Upper Coyote Creek in Santa Clara County identified FYLF using Coyote Creek and its tributary for breeding and residency (Gonsolin 2010).

*California Red-legged Frog (CRLF)* are known to occur within the vicinity of the Preferred Alternative (Cottonwood Creek Wildlife Area) and the other three alternatives area (CDFW 2019). CRLF require a variety of habitats including aquatic breeding habitats and upland dispersal habitats. Breeding sites of the CRLF are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds and lagoons. Additionally, CRLF frequently breed in artificial impoundments such as stock ponds (USFWS 2002). Breeding sites are generally found in deep, still or slow-moving water (greater than 2.5 feet) and can have a wide range of edge and emergent cover amounts. CRLF can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails or overhanging willows, or can proliferate in ponds devoid of emergent vegetation and any apparent vegetative cover (i.e., stock ponds). CRLF habitat includes nearly any area within 1 to 2 miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and even man-made structures (i.e., culverts, livestock troughs, spring-boxes, and abandoned sheds) (USFWS 2017c). Potentially significant impacts include alteration to the natural flow regime of the adjacent streams, direct mortality effects, and indirect negative effects by altering habitat availability and quality. CRLF populations throughout the state have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, mining, overgrazing by cattle, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF (Thomson et al. 2016, USFWS 2017c).

*Sycamore Alluvial Woodland*-The Preferred Alternative crosses over and runs parallel to Pacheco Creek. The creek supports one of the few extant populations of sycamore alluvial woodland, a very rare habitat type designated as G1 and S1.1 (Critically Imperiled) under the Natureserve ranking system used in the California Natural Diversity Data Base (CNDDDB). This natural community is currently experiencing a die back as a result of unknown factors; highlighting the need to avoid additional stressors from new impacts.

In addition, during normal and wet years, Pacheco Creek can support a run of South-Central California Coast (S-CCC) Evolutionarily Significant Unit (ESU) steelhead (*Oncorhynchus mykiss irideus*), currently a State Species of Special Concern (SSC) and listed as 'Threatened' under the Federal Endangered Species Act. This ESU extends from the Pajaro River south to (but not including) the Santa Maria River.

In the S-CCC ESU, steelhead inhabit the largest river basins such as the Pajaro and Salinas Rivers and very small coastal tributaries such as those on the Big Sur Coast (Monterey County). Both the inland and coastal runs as units are necessary for sustaining the ESU and of the inland runs, only Uvas and Pacheco Creeks support fish in the Pajaro drainage. The last formal estimate of inland S-CCC ESU steelhead was in 1991 and at that time there were thought to be only 200 spawners in the entire system. The Independent Science Advisor's Report for the Santa Clara HCP/NCCP (available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=10955&inline>) recognized the need to establish redundancy for the ESU and the importance of Pacheco Creek in doing so.

The Pacheco run is very tenuous due to historic conditions (the run was likely episodic rather than yearly) and current water operations from Pacheco Reservoir. Due to the current condition of the run and its significance it is critical that care be taken to avoid impacts entirely to Pacheco Creek, either from construction or continuing operations.

#### ***Potential Impacts to Biological Resources and Wetlands***

Alkaline wetlands support varied plant communities, sometimes including rare plants such as saline clover (*Trifolium depauperatum* var. *hydrophilum*) which was thought to be extinct until it was recently rediscovered. Alkaline wetlands are known to occur in Santa Clara and Merced Counties and might be present in Alameda and San Joaquin Counties as well.

#### ***Potential Impacts Resulting from Noise and Vibration***

The potential for significant noise and vibration impacts to wildlife include but are not limited to nest abandonment by birds nesting near train tracks, flushing of waterfowl, disturbance that induces activity outside of normal behavioral patterns leaving species vulnerable to predation or reducing health and vigor, and abandonment of habitat in a species historical range. In the case of the State threatened Swainson's hawk, which is known to nest in trees along Henry Miller Road, nest abandonment caused by HST travel could be a significant impact. Noise and vibration will likely have impacts to "sensitive land uses" including CDFW's Wildlife Areas, and other conservation lands. These areas should be considered "sensitive land uses" to be evaluated within a minimum 1,000-foot study area. CDFW recommends that a noise and vibration impact study be developed that includes noise and vibration ranges expected to impact wildlife. A noise and vibration impact study is necessary to provide sufficient information for a robust and meaningful analysis of the proposed project by CDFW. The study should

examine noise, below surface vibration, and surface vibration impacts on wildlife. The study design should be approved by the CDFW and USFWS. Vibration (frequency levels) impacts to fish migration needs to be evaluated as well.

### **Conclusion**

In summary, the State-recommended Preferred Alternative (Alternative 4), San Jose to Merced Section, of the HSR system has the potential to result in significant impacts to fish and wildlife resources and the habitats on which they depend. Construction and operation of the HSR will create barriers to wildlife movement, which may result in potentially significant impacts to San Joaquin kit fox, hunting and public use, and wildlife habitat linkages, and a multitude of waterfowl that travel through the Pacific Flyway. Additionally, the proposed project may significantly impact CDFW owned and managed lands, sensitive and listed species, and rare habitats. The construction and operation of the HSR through the GEA and CDFW-owned lands is incompatible with the public trust uses for which these lands were acquired by both the State of California and through its Federal partnership .

CDFW appreciates the opportunity to comment on the Preferred Alternative to assist the Authority Boards' decision of the Preferred Alternative based on the impacts on biological resources.

If you have any questions regarding these comments, or would like CDFW to assist in identification of sensitive habitat areas within the Project area, please contact Primavera Parker, Environmental Scientist, at (559) 243-8139 for input pertaining to Merced and Madera County portions of the Project, Brenda Blinn, Senior Environmental Scientist Supervisor, at (707) 944-5541 for input pertaining to the Alameda, San Francisco, San Mateo, and Santa Clara County portions of the Project.

Sincerely,



Julie A. Vance  
Regional Manager

cc: See Page Seventeen

HSR Board Members  
California High-Speed Rail Authority  
August 22, 2019  
Page 17

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August 22, 2019

Brian Kelly, Chief Executive Officer  
California High Speed Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

**RE: High-Speed Rail Preferred Alternatives in Northern California**

Dear Mr. Kelly,

The Peninsula Corridor Joint Powers Board (JPB) appreciates the ongoing, collaborative effort our agencies are engaged in to plan for the successful development and operation of a Blended System in the San Francisco Bay Area. The Authority's completion of project-level environmental clearance describing the infrastructure needed to introduce High Speed Rail operations into the Bay Area is an important step in this ongoing process and we congratulate the Authority on reaching the important milestone of identifying Preferred Alternatives for high-speed rail in the areas it has defined as the "San Francisco to San Jose" and "San Jose to Merced" project sections.

This letter serves both to indicate Caltrain's concurrence with the staff recommendation at this stage in the Authority's environmental process as well as to affirm our perspective that significant further planning and agreement between our agencies will be required to successfully advance the implementation of the Blended System in the Bay Area. This letter briefly describes Caltrain's rationale for our concurrence with the staff selection of a Preferred Alternative in each project section and highlights areas where we anticipate that additional coordination and discussions will be required. Please note that this letter is narrowly focused on the Authority's selection of Preferred Alternatives from among the options studied in each project segment and is not intended to provide a detailed assessment or comment on the Authority's overall plans. We anticipate writing a more comprehensive comment letter at such time as the full draft environmental documents for the "San Francisco to San Jose" and "San Jose to Merced" segments are released.

In the "**San Francisco to San Jose**" project section, which includes the majority of the JPB-owned corridor, our teams have worked for the last several years to jointly evaluate various service plan and passing track options. Based on that analysis, we are in agreement with the Authority that prototypical blended service plans similar to those previously studied as part of the Peninsula Corridor Electrification Project EIR/EIS, and included in the "baseline" scenario of our Business Plan, can be operated on the mainline infrastructure included in "Alternative A" of the Authority's environmental analysis (infrastructure that assumes no new mainline passing tracks).

We note, however, that the Caltrain Business Plan has demonstrated that additional infrastructure, including passing tracks, may be needed both in order to expand rail service over time as well as to allow for the operation of a wider range of alternative blended service patterns on the corridor. As the corridor owner and manager, Caltrain anticipates the Authority's full support and participation in the process of planning for and implementing future passing tracks and overtakes that may be used in Blended operations. These ongoing collaborative efforts will lead to the processes and agreements by which the implementation and operation of both systems' improvements can proceed apace.

In the **"San Jose to Merced"** project section, we are supportive of the Authority's selection of Alternative 4 as the Preferred Alternative as that is the only alternative that helps expand the electrification of the Caltrain service south of Tamien Station to Gilroy. The Business Plan considers the electrification of this corridor and the provision of improved service to South San Jose and the rest of Southern Santa Clara County as a significant priority for the railroad and we appreciate that the design of Alternative 4 has been developed in a way that would make that service possible.

While we are supportive of the selection of Alternative 4 for the reason indicated above, we do note that this alternative has significant and complicated implications for the blended operations of both High Speed Rail and Caltrain systems from CP Coast in Santa Clara, through the Diridon Station and south to Gilroy. This southward extension of the blended system is a significant departure from many aspects of the planning and agreement work undertaken previously by our agencies. We look forward to continuing discussions and analysis related to this alternative, both within the context of the Authority's environmental process as well as in relation to ongoing negotiations between the State and the Union Pacific Railroad, the Diridon Integrated Station Concept Plan, and our own process of interagency planning and agreements.

Since the landmark agreement in 2012 that set us on the path to develop a blended system, significant investment from the High Speed Rail Authority as well as from our other regional, state and federal partners is already helping transform our corridor and service through the Peninsula Corridor Electrification Project. We again congratulate the Authority on its designation of preferred alternatives for the San Francisco to San Jose and San Jose to Merced Segments, and we look forward to continued partnership between our organizations as we move forward in planning shared investments and delivering enhanced rail service to our customers, our communities, our region and our state.

Regards,



Jim Hartnett

cc: Boris Lipkin  
Michelle Bouchard  
Sebastian Petty



# City of Gilroy Mayor's Office

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August 27, 2019

Mr. Brian Kelly  
Chief Executive Officer  
California High-Speed Rail Authority (HSRA)

Attn: Mr. Boris Lipkin  
Northern California Regional Director  
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San José, California 95113

## **Re: City of Gilroy Comments on High Speed Rail Preferred Alignment Option**

Dear Mr. Kelly,

Thank you for your presentation of the High Speed Rail (HSR) preferred alignment alternative at our August 19, 2019 City Council Meeting. Of the four alternatives presented, the City believes the preferred blended-at-grade alignment within the existing Union Pacific Rail Road (UPRR) right-of-way (Alternative 4) presents the least amount of impacts to property and businesses, and will likely cause less disruption during construction; however, the City does have some concerns that need to be addressed as provided below:

1. Noise – The City understands that trains need to blow their horn at every at-grade crossing. The Authority needs to make every effort to reduce noise impacts including the establishment of “Quiet Zones” at the at-grade crossing locations. To the extent possible, the city is interested in working with HSRA in this effort.
2. Safety – Flow of vehicular and pedestrian traffic across the rail right-of-way. Please make sure appropriate improvements are incorporated to ensure safe crossings for vehicles, pedestrians and bicyclists.
3. Fire Station Access and Response Times – The future number of trains in the corridor will cause an excessive amount of gate down time. How will this affect the Fire Department response times? Please conduct a study (or update the current Standard of Cover study), to make sure the Fire Department response times are satisfied.
4. Historic Buildings on the West Side of Rail – Downtown Gilroy has historic buildings on the west side of the UPRR right-of-way. Please modify the plans accordingly so as to minimize impact to historic buildings on the west side of the rail right-of-way.
5. Impacts to Private Properties – When will High Speed Rail be able to identify the properties that will be affected by the preferred alignment, and the extent of the impacts? When will there be outreach to those affected property owners?

6. Graffiti – Who will be responsible for the graffiti abatement on the new HSR structures? What is the expected response time when graffiti is reported?
7. Maintenance of the New HSR Station – Who will be responsible for maintenance and upkeep of the new High Speed Rail Station and surrounding area?
8. Downtown Parking Impacts – Parking is already scarce in the downtown area and it is expected that the preferred alignment will result in the loss of parking in the downtown. What is HSRA’s solution to the impact of parking in the Downtown? HSRA needs to perform a study to identify the impacts and mitigation measures for loss of parking.
9. Staff Participation – Please continue to engage the City of Gilroy staff in the process as HSRA continues the development of the plan and its implementation.
10. Area Placement Grant – It’s our understanding that HSRA paid for the City of San Jose to design the San Jose station (or elements of the station) and surrounding amenities. The City of Gilroy is requesting grant funding to allow the City to lead the efforts to design the new High Speed Rail Station.
11. Traffic Impacts (Leavesley) – The Leavesley Road crossing is a major entry to the City of Gilroy and would be heavily impacted by an at-grade alternative, with multiple gate-down conditions within an hour. A traffic study is needed to determine the impacts, and potential mitigations, to address potential traffic impacts of the project at this significant intersection. The City would be open to the discussion of a physical grade separation at this location if alternative mitigations are not feasible.
12. Traffic Impacts (Downtown) – The project is proposing to close the intersection of Seventh Street/Monterey Road. This will likely cause local traffic impacts to the Downtown and the surrounding area. A traffic study is needed to identify impacts and determine any necessary mitigation to address traffic congestion resulting from the closure of Seventh Street.

We look forward to your responses to the above comments.

Thank you for your consideration. We look forward to working with the High-Speed Rail Authority on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Roland Velasco', with a long horizontal flourish extending to the right.

Roland Velasco  
Mayor, City of Gilroy



**DEVELOPMENT SERVICES CENTER**

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**17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236**  
**Website Address: [www.morgan-hill.ca.gov](http://www.morgan-hill.ca.gov)**

August 21, 2019

To: Boris Lipkin  
Northern California Regional Director  
California High Speed Rail Authority (CHSRA)  
100 Paseo de San Antonio, #206  
San Jose, CA 95113

RE: CHSRA STAFF RECOMMENDED PREFERRED ALIGNMENT

Dear Mr. Lipkin:

On behalf of the City of Morgan Hill, we would like to comment on the CHSRA staff identified Preferred Alignment as it relates to the Morgan Hill section within the San Jose to Merced segment of the proposed High Speed Rail (HSR) system.

The City of Morgan Hill has previously requested that the CHSRA consider using the Highway 101 right-of-way for the placement of the HSR system. While this continues to be the City's preference, we would like to provide feedback regarding HSR's staff recommended Preferred Alignment and hope CHSRA takes these comments into consideration.

**Alternative 4 - Blended, At-Grade Alignment**

The blended, at-grade alignment (Alternative 4) uses the Union Pacific Railroad (UPRR) right-of-way (ROW) and proposes to share this ROW with Caltrain and UPRR. This Alternative assumes electrification of the tracks, reconstruction of the Downtown Caltrain Station to add a second platform and the elimination of the at-grade pedestrian crossing. Alternative 4 reduces the train speed to 110 mph through Morgan Hill and provides for Quad Gates and other necessary infrastructure to improve crossings safety and qualify for Quiet Zones. Alternative 4 suggests a maximum capacity of 16 trains per hour during peak hours (north and southbound) and eight trains per hour during off-peak hours (north and southbound). Given that Alternative 4, as proposed, does not provide for any grade separations, it would significantly impact emergency response times within the City. Based on these assumptions, please consider the following comments during the engineering and design of the HSR project:

**1. TRAFFIC CIRCULATION AND EMERGENCY RESPONSE TIME IMPACTS**

Morgan Hill has been developing at a steady rate of 2% with much of that development occurring along the UPRR corridor. Additionally, the grade crossings on East Dunne Avenue

and Tennant Avenue currently experience some of the highest average daily volumes along the Caltrain Corridor<sup>1</sup>. The proposed number of HSR trains along the UPRR corridor will severely impact traffic circulation and emergency response time in Morgan Hill without providing grade separations at these two crossings. The HSR trains alone equate to approximately one train every four minutes during peak hours, and one train every seven and one-half minutes during off peak hours. Without grade separations at the East Dunne Avenue and Tennant Avenue crossings, the proposed HSR train activity would effectively divide the City and impact both traffic circulation and emergency vehicle response times significantly within the City. **We urge the Authority to 1) reduce the maximum number of trains proposed along the corridor; 2) include grade separations as a mitigation to emergency vehicle response time due to gate-down time, and; 3) include staffing, operational costs and capital costs of new fire stations, and the deployment of an integrated traffic control system for the City traffic signal network.**

## 2. CALTRAIN SERVICE

South Santa Clara County needs public transit solutions for this growing area of the region. We must work to provide adequate service to Morgan Hill and neighboring communities. As you well know, communities south of San Jose are growing at a faster rate than other communities in the Bay Area, providing housing for the growing Bay Area workforce. Highway 101 is no longer a viable commuting option as it is severely congested during the morning and evening commute hours. Local streets including Monterey Road and Hale Avenue are bearing the brunt of this congestion and have become regional transportation corridors. Needless to say, without regional funding to manage the traffic related impacts to these roadways.

The 2040 Caltrain Business Plan recommends increased service to South County within an electrified system and in conjunction with HSR. We recognize that electrification of the system is important for the long-term viability of Caltrain service to Morgan Hill. The City of Morgan Hill supports electrification of the corridor and increased Caltrain service. Morgan Hill needs increased public transit service now. We want to ensure that nothing in the CHSRA project impedes, delays, or prohibits incremental improvements to Caltrain service to South Santa Clara County. **We request that the CHSRA Draft EIR for the San Jose to Merced Project consider the additional Caltrain service proposed in the 2040 Caltrain Business Plan and be evaluated within the EIR study for environmental clearance for this section of the blended system.**

## 3. STATION PLANNING

Alternative 4 impacts the Downtown Morgan Hill Caltrain station and requires the addition of a second platform and grade separation of the pedestrian crossing. The City of Morgan Hill

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<sup>1</sup> Caltrain's "Grade Crossing Hazard Analysis Final Report" September 2015 and VTA's "Consolidated Safety Study for Caltrain in Santa Clara County."

requests the immediate attention of Caltrain, High Speed Rail, and Valley Transportation Authority (VTA) to engage on the planning of the Caltrain Station so the City can best plan for the future Transit Station and adjacent sites (sites that would be impacted by these improvements). Regardless of what agency (High Speed Rail or Caltrain) causes the improvements to the Station, we all will benefit by working together to develop and design solutions for the Morgan Hill Downtown station. This work cannot wait. **Therefore, we request that CHSRA staff begin a Morgan Hill Downtown Station planning effort in collaboration with Caltrain, VTA, and City of Morgan Hill staff.**

We take this opportunity to remind CHSRA of the City of Morgan Hill's "guiding principles" that the City Council adopted in response to the High Speed Rail project. We ask that these principles be considered and taken into account during the decision of selecting the preferred alignment in Morgan Hill:

***Principle No. 1**—Avoid residential, school, and commercial impacts by using existing public right-of-way.*

***Principle No. 2**—The most advanced engineering and design solutions should be used to address the real-life issues of constructing California's most ambitious public works project in existing urban centers.*

***Principle No. 3**—Ensure economic vitality for the City, its residents, and businesses during and after construction.*

***Principle No. 4**—Use HSR to bring benefit to the community by providing telecommunications infrastructure, recycled water, Wi-Fi and public art, among others.*

***Principle No. 5**—Construction should occur sequentially from the Central Valley to San Jose.*

The City of Morgan Hill appreciates CHSRA's careful review and consideration of our comments. If you have any questions, please contact Edith Ramirez, Director of Economic Development, at [Edith.Ramirez@morganhill.ca.gov](mailto:Edith.Ramirez@morganhill.ca.gov).

Sincerely,



Christina Turner  
City Manager, City of Morgan Hill

CC: Morgan Hill City Council, Congresswoman Zoe Lofgren, Assembly Member Robert Rivas, Senator Bill Monning, Caltrain Board, and VTA Board

August 22, 2019

Chair Lenny Mendonca and CEO Brian Kelly  
California High-Speed Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

**SUBJECT: Identification of the Preliminary Preferred Alternative in High-Speed Rail's Draft EIR**

Dear Chair Mendonca and CEO Kelly:

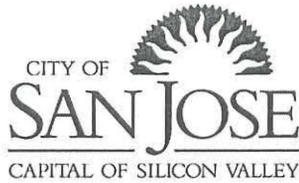
The City of San Jose continues to support the planning and development of California's High Speed Rail system as an integral backbone of the Statewide rail network. The development of High-Speed Rail (HSR) across the State, and through Silicon Valley, is essential for our regional and local efforts to improve and connect the passenger rail network in the Bay Area with the economic centers of the Central Valley and Southern California. In addition, we want to acknowledge that the Authority has made important efforts to reduce the breadth of impact of the high speed rail project across numerous parts of San José. The identification of Alternative 4 as the State's Preferred Alternative resolves multiple concerns with the impacts of other alternatives on San José. The City continues to have significant concerns with the scope and potential impacts of Alternative 4, including grade crossings, and alignment with joint planning efforts at Diridon Station and throughout San José.

On August 20<sup>th</sup>, the San José City Council adopted several positions regarding High-Speed Rail. Please find attached the memo authored by Mayor Liccardo and Councilmembers: Sergio Jimenez, District 2, Raul Peralez, District 3, Dev Davis, District 6, and Maya Esparza, District 7 and adopted unanimously by the City Council. Also attached is City staff report accepted by the City Council. We ask that these City positions be acknowledged and taken into consideration as the High-Speed Rail Authority weighs the selection of a preliminary preferred alternative, as the alternative designs are further refined and combined throughout the EIR process, and as the HSR Authority Board makes policy and funding decisions and commitments, both within and outside of the environmental process.

Sincerely,



John Ristow  
Director, Department of Transportation  
[John.Ristow@sanjoseca.gov](mailto:John.Ristow@sanjoseca.gov)  
408-793-6942



# Memorandum

**TO:** CITY COUNCIL

**FROM:** Mayor Sam Liccardo  
Councilmember Sergio Jimenez  
Councilmember Raul Peralez  
Councilmember Dev Davis  
Councilmember Maya Esparza

**SUBJECT:** CALIFORNIA HIGH SPEED  
RAIL UPDATE

**DATE:** August 16, 2019

Approved

Date

## RECOMMENDATION

Accept the staff report and direct the City Manager and Mayor to communicate the following City Council position to California High Speed Rail staff and the Authority Board when they convene in San José on September 17th:

1. That the City's support for the project depends upon the California High Speed Rail Authority's willingness to integrate a feasible alternative alignment recommended by the Diridon Integrated Station Concept (DISC) Plan planning process into a supplemental environmental impact statement and environmental impact report.
2. That High Speed Rail (HSR) **must fully grade-separate train and vehicular/pedestrian traffic** at key San José locations, including Auzeais, West Virginia, Branham, Skyway, and Chynoweth. To that end:
  - a. Restate the Council commitment to minimize negative impacts to the Gregory/Gardner/North Willow Glen neighborhoods by fully developing and evaluating the alignment over 280/87.
  - b. If what emerges from the DISC process does not include a viaduct over 280/87, then, at a minimum, separate train traffic at Auzeais and West Virginia south of Diridon Station, and provide infrastructure improvements to mitigate noise and neighborhood impacts.
  - c. Affirm the City's role in advocating for grade separations, infrastructure improvements, and a development plan that mitigates unfavorable impacts to the neighborhoods and residents along the Monterey Corridor.

- d. Direct staff to formally submit the final results and analysis of the City's Feasibility Study on grade separations to HSR, and continue to build on this work through the Rail Corridor Planning process.
3. That HSR remain engaged in the DISC process and the subsequent Rail Corridor Plan work, including efforts to identify funding and make necessary changes during HSR environmental and design processes to accommodate the station plan and grade separations.

## DISCUSSION

San José's growth and quality of life depends on the expansion of rail capacity, but it matters enormously how that rail is designed, engineered, constructed, and ultimately operated. We have monitored with great interest the process that California High Speed Rail (CAHSR) has done to reach the recently announced Preliminary Preferred Alternative (PPA), and we appreciate the multifaceted benefits of this complex project. Nonetheless, we remain steadfastly in support of our community's priorities, rooted in reasonable concerns for safety and neighborhood welfare. We shared the following priorities on January 30, 2019, with the Diridon Station Joint Policy Advisory Board, the interagency public body addressing current and future rail issues in San José converging at Diridon Station:

- **Grade Separations:** With future service increases, many more passenger trains will be operating at rapid speeds through our City. Experience throughout the country and the world show that grade separations are the only way such volumes can operate safely, reliably, and compatibly with surrounding communities. Designing and building grade separations should remain strongly at the forefront of all discussions and be included as a project cost.
- **Monterey Corridor:** All existing rail alignments along Monterey Road should be highly sensitive to residential properties, and pedestrian and traffic safety. The latter is essential to mitigate the increased number of trains along the corridor.
- **Highway 280/87 Overpass Alignment:** Any future rail alignments should prioritize developing an alternative that avoids the Gardner/North Willow Glen community, such as going along the Highway 280/87 overpass. The only fair process is one that thoroughly vets and includes a full evaluation of options including at least one alternative that does not penetrate the Gardner/North Willow Glen neighborhoods.
- **"San José's Grand Central" Station:** Rail alignments should enable development of a significant transit center at Diridon Station that will facilitate the convergence of multiple lines, seamless passenger experience, and the multi-modal needs of the entire region.

It is no surprise that we are deeply concerned about CAHSR's recommendation for alternative #4, which is counterintuitive to all the concerns that our community has voiced through the public process. Alternative #4 leaves open potential risks to life safety with a lackluster proposition of quad gates and subjecting existing residential neighborhoods to impacts from an unprecedented volume of high speed trains.

COUNCIL AGENDA

August 20, 2019

**Subject: California High Speed Rail Update**

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We understand the CAHSR must continue to press forward with their PPA considering the timelines established under federal funding provisions, but the door for dialogue and improvement of the project design must remain open – and transparent. We strongly expect that by participating in the DISC and the Rail Corridor Plan, CAHSR will ensure that the recommendations that emerge from those efforts can be feasibly integrated into the project's environmental process and final design.

*Brown Act Disclaimer*

*The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.*



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** John Ristow

**SUBJECT: HIGH-SPEED RAIL  
STAFF RECOMMENDED  
PREFERRED ALTERNATIVE**

**DATE:** August 5, 2019

Approved

Date

8/9/19

**COUNCIL DISTRICTS: 2, 3, 6, 7, & 10**

## RECOMMENDATION

Accept the staff report and presentations on the California High-Speed Rail Authority staff's recommendation for the State's Preferred Alternative for the San José to Merced Project Section, and approve the following City of San José priorities: (1) Adherence/Alignment with the Diridon Integrated Station Concept Plan outcomes, and (2) Grade Separations.

## OUTCOME

Provide city staff analysis to the City Council on the California High-Speed Rail Authority staff's recommendation for the State's Preferred Alternative.

## BACKGROUND

Approximately 21 miles of the California High-Speed Rail (HSR) project is within San José City limits, extending from the Santa Clara Caltrain station in the north along the Caltrain line through Diridon Station, Tamien Station, Communications Hill, and along Monterey Corridor through South San José and Coyote Valley. San José is included under the San José to Merced Project Section which is currently under environmental analysis with a planned release of the Draft Environmental Impact Report / Statement (EIR/S) in December 2019 and the Final EIR/S in November 2020.

The City of San José has supported the HSR project, and city staff have worked with HSR staff and consultants for over a decade to explore the benefits and impacts of various alternatives through San José. Previous City Council actions included:

- 2007: The Mayor advocated to the HSR Authority Board for an HSR alignment through San José via Pacheco Pass.

August 5, 2019

**Subject: High-Speed Rail Staff Recommended Preferred Alternative**

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- 2010: The Mayor requested HSR continue studying the underground option at Diridon.
- 2016: The City Manager requested increased investment in Diridon, and transparency and collaboration in evaluating new alternatives.
- 2017: The Mayor requested an extension of the timeline for the enhanced San José Community Working Group and the HSR Staff Recommended Preferred Alternative.
- 2018: The Mayor requested HSR incorporate the City Generated Option (CGO) into the range of alternatives, hold off on identifying a preliminary preferred alternative, and consider separating out the Pacheco Pass segment from the San José to Merced Project Section (Attachment 1).
- 2018: The Mayor and City Manager requested HSR develop the CGOs, plan for significant investment at Diridon, and align the environmental schedule with the Diridon Integrated Station Concept plan (DISC) (Attachment 2).

Particularly in the last twelve months, the City, VTA, Caltrain, and HSR staff have been collaboratively engaged regarding various concepts for rail in the City, including some from the CGOs. Some elements of the CGOs are under study through the DISC process (e.g. raising all tracks at Diridon Station) and the Caltrain Business Plan (e.g. relocating the Caltrain maintenance facility). The Rail Corridor Plan (RCP) will consolidate coordinated rail planning efforts among the various partner agencies, and is also agendized for discussion at the August 20<sup>th</sup> City Council meeting.

On July 2, 2019, HSR staff released the staff-recommended State's Preferred Alternative for the San José to Merced Project Section, and are conducting outreach through July and August, including presentations to the San José-Morgan Hill Technical Working Groups, San José Community Working Group, and Open Houses. HSR staff will present the staff recommendation to their Board on September 17, 2019 along with the feedback they have received. The Board will give HSR staff direction for which alternative to identify as the State's Preferred Alternative (PA) in the Draft EIR/S. HSR staff will collect comments on the Draft EIR/S in the subsequent 45-day comment period. Identifying the State's Preferred Alternative is the last key input for the Draft EIR/S but is not a final decision on final design or construction.

The range consists of four alternatives in the San José to Merced Project Section (essentially three different alternatives in San José because Alternative 3 is the same as either Alternative 1 or 2 within San José).

- **Alternative 1- Viaduct to Downtown Gilroy:** HSR trains run on exclusive tracks including a viaduct station at Diridon, viaduct to I-880 from Diridon, viaduct over I-280/87 from Diridon to Almaden Rd, at-grade from Almaden Rd through Communications Hill, and viaduct in the median down Monterey Rd.
- **Alternative 2- Embankment to Downtown Gilroy:** HSR trains run on exclusive tracks including a viaduct station at Diridon, viaduct to the northern city limit, viaduct over I-280/87 from Diridon to Almaden Rd, at-grade from Almaden Rd through Communications Hill, and at-grade/low embankment adjacent to the Union Pacific Railroad (UPRR) corridor down Monterey Rd.

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Subject: High-Speed Rail Staff Recommended Preferred Alternative

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- **Alternative 3- Viaduct to East Gilroy:** same as Alternative 2 in the north; same as Alternative 1 on Monterey Rd.
- **Alternative 4- Blended At-Grade to Downtown Gilroy:** HSR and Caltrain trains share tracks at-grade, largely within the existing rail corridor owned by Caltrain and UPRR.

**HSR staff are recommending Alternative 4 - Blended At-Grade to Downtown Gilroy as the Staff-Recommended State's Preferred Alternative.** This memorandum focuses on providing an overview of Alternative 4 and City staff analysis of its benefits and impacts.

## ANALYSIS

### Brief Overview of Alternative 4

Alternative 4 proposes a blended system within San José limits. This means that HSR trains use the Caltrain/UPRR railroad corridor, including tracks, power, and other equipment and facilities, predominantly within existing rail right-of-way. In the Monterey corridor, this alternative is contingent on successful negotiations between the State of California (HSR and the California State Transportation Agency) and UPRR. More features of Alternative 4 are summarized below based on a review of the preliminary plans that HSR staff have shared.

#### At Diridon:

- Lengthens and raises the height of two platforms to accommodate HSR trains
- Adds two overhead pedestrian crossings for additional access to all platforms
- Makes minimal changes to reconfigure parking and bus facilities

#### North of Diridon:

- Adds a fourth mainline track for UPRR (extends it north from Diridon)
- The addition of a fourth track results in a sliver of property impacts on the east side of the railroad corridor from Santa Clara St to just north of Taylor St<sup>1</sup>
- Reconstructs College Park Caltrain platform

#### South of Diridon:

- Adds a third mainline track (extends it south from the Los Gatos Creek bridge)
- The addition of a third track results in property impacts<sup>1</sup>:
  - On the west side of the railroad corridor to the north and south of Auzerais Ave
  - To two residential properties in the Gardner/N. Willow Glen neighborhood
- Uses retaining walls to minimize impacts to Fuller Park
- Installs additional gate arms (four-quadrant gates for automobiles, and gate arms for pedestrians) at the Auzerais Ave crossing and the Virginia St crossing
- Does not make changes to Tamien Caltrain Station

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<sup>1</sup> Property impacts are estimated based on preliminary plans; higher levels of design will indicate precise number and extent of impacts.

- Adds two turnaround tracks for Caltrain just south of Tamien Station
- Shifts Altamont Commuter Express (ACE) storage tracks easterly, and makes them accessible to trains approaching from either the north or south

In the Monterey corridor:

- Adds a third mainline track (mostly within the existing rail corridor)
- Impacts two residential properties for power and communications facilities<sup>1</sup>
- Rebuilds Capitol Caltrain Station, adds pedestrian overpass
- Rebuilds Blossom Hill Caltrain Station, adds pedestrian overpass
- Installs additional gate arms (four-quadrant gates for automobiles, and gate arms for pedestrians) at Skyway Dr, Branham Ln, Chynoweth Ave, Blanchard Rd, Palm Ave, and Live Oak Ave at-grade crossings
- Closes Emado Rd and Fox Ln private at-grade crossings
- Adds several wildlife crossings from Metcalf Rd to the southern city limit

#### **Benefits of Alternative 4**

Alternative 4 has several positive attributes that benefit the City, including:

- **Extension of Caltrain Electrification to Gilroy:** Currently, Caltrain is undergoing electrification from San Francisco to Tamien Station in San José. Alternative 4 proposes to extend this electrification to Gilroy, contingent upon the successful negotiations with UPRR for use of the existing rail corridor. Electrification allows Caltrain to run more efficient service in south San José – instead of switching between diesel and electric trains at Tamien, passengers could take a single, electrified ride between Gilroy and San Francisco. Electric trains run faster, quieter, and cleaner, which would reduce greenhouse gas emissions and benefit south San José users and adjacent communities. Electrification would also facilitate a higher service scenario in south San José as is currently being studied in Caltrain’s Business Plan process. The Caltrain Business Plan is also agendaized for discussion at the August 20<sup>th</sup> City Council meeting.
- **Reconstruction of Caltrain Stations:** Alternative 4 includes reconstruction of College Park, Capitol, and Blossom Hill Caltrain Stations. This is an opportunity to design new stations that better connect with the surrounding neighborhoods and future transit-oriented developments, and attract more ridership, especially in south San José.
- **Fewer Property Impacts:** The number of properties impacted by Alternative 4 will be better understood once the Draft EIR/S is available. Based on the current preliminary plans available, the impacts appear limited because the tracks that HSR will use are mostly within the existing railroad corridor. Particularly in comparison to the other alternatives, Alternative 4 has fewer property impacts.
- **Less Visual Impacts:** Because Alternative 4 is predominantly at-grade through San José, visual impacts are expected to be limited to the adjacent properties. This contrasts with all other alternatives which propose tall aerial structures in the northern half of the city, and with Alternatives 1 and 3 which propose a tall aerial structure on Monterey Rd. Tall

aerial structures are visible across longer distances, compared to at-grade, and have significant infrastructure that are visible at street-level, such as columns.

- **Opportunity for Better Maintenance along Monterey Rd:** There is a longstanding problem of graffiti, trash, and homeless encampments in the railroad corridor along Monterey Rd, and UPRR has been slow or absent to respond to these issues in its right-of-way as the railroad owner. In this corridor, Alternative 4 is contingent on successful negotiations with UPRR, potentially resulting in State buyout of the railroad corridor from UPRR. HSR's design will include features (fencing, intrusion detection, etc.) that would reduce trespassing incidents on the rail corridor, and a public railroad owner could bring better maintenance that would alleviate the blight that has been plaguing the adjacent communities for years.
- **Limited Construction Impact to Monterey Rd:** Because Alternative 4 predominantly stays within the existing rail corridor, construction impacts to Monterey Rd are limited. This contrasts with the significant multi-year construction impacts that would be part of the other alternatives which require Monterey Rd to be reduced by one lane in each direction, and for the three major intersections – Skyway Dr, Branham Ln, and Chynoweth Ave – to be depressed approximately 30 feet as part of HSR's design for grade separations (as in Alternative 2).

#### **Concerns with Alternative 4**

The City is concerned with the following features and impacts of Alternative 4:

- **Diridon Station:** Alternative 4 proposes sparse changes to make Diridon Station a viable stop on the HSR line, including lengthening two platforms to accommodate the longer high speed trains, and adding two pedestrian overcrossings to access all platforms. There are no changes proposed to the platform widths (22' to 25') which are crowded during peak hours today, and will not accommodate the projected 100,000+ passengers passing through the station in the future. While the new pedestrian overpasses help add access and distribute passenger loads, they also take up space on the narrow platforms, and require pedestrians to climb 30+ feet and then descend 30+ feet to get to the platforms. Meanwhile, the City, HSR, VTA, and Caltrain are partners in developing a grand vision for the station (DISC), which has ambitions that go well beyond just adding HSR to the station. While Alternative 4 is not consistent with some of the concepts developed in DISC thus far, HSR has been actively engaged in DISC and the City expects that engagement to continue to future phases of that process, including the identification of funding and making changes as needed during the HSR environmental and design processes to accommodate the ultimate station plan.
- **Planning for Other Rail Operators:** Alternative 4 accommodates other operators' approved and funded future levels of service, however it does not accommodate unfunded growth plans. The City has engaged with Caltrain, ACE and Capitol Corridor on their long-range planning for their rail services in San José. The agencies have identified that by 2040, demand for their services will be over three times their current ridership. The exact service and infrastructure upgrades that will be needed are still under

development, but could include additional tracks, maintenance and storage yards, platform capacity, turnaround facilities, and other improvements. While it is unreasonable to expect HSR to design for all operators' future aspirational growth plans, the design should be future-proof so that future growth is not limited, or, so that new infrastructure does not become throwaway. The solution is to develop a plan for the ultimate buildout of the rail network in San José (RCP), and phase it so that future phases can be added onto existing infrastructure without needing to reconstruct tracks and infrastructure that is built by the HSR project.

- Grade Crossings:** There are ten at-grade crossings on the Caltrain/UPRR corridor in San José. While Alternatives 1-3 proposed a completely grade-separated system for HSR trains, Alternative 4 proposes to close two crossings and keep eight open. San José grade crossings currently have one to two tracks and serve 16 to 52 trains per day, up to a maximum train speed of 79 mph. Alternative 4 proposes to add a third track, run high speed trains up to 110 mph, and serve up to 160 high speed trains per day (2040 maximum service levels per the 2018 HSR Business Plan: Ridership & Revenue Forecasting, Table 2.1). The City is concerned with safety, noise, and emergency response impacts.

**Table 1: HSR/Caltrain Corridor At-Grade Crossings in San José**

Crossing	Average Daily Traffic	# Tracks		Trains Per Day		HSR Proposed Improvements
		Existing	Proposed	Existing	HSR Ph. 1 max service in 2040	
1 Auzerais	6,087	2	3	52	160	Install four-quadrant gates and pedestrian gates
2 Virginia	884					
3 Skyway	13,300					
4 Branham	21,700			16		
5 Chynoweth	16,700					
6 Blanchard	1,700					
7 Emado	No data	1	3	16	160	Close street and provide alternate access
8 Fox	No data					
9 Palm	No data					
10 Live Oak	No data					

**Safety:** Alternative 4 will add four-quadrant gates and pedestrian gates at the crossings which is consistent with federal and state regulations for train speeds up to 110 mph. However, these devices are not foolproof. People, animals, and vehicles can and do bypass gates, whether by accident or not, and are killed in collisions with trains, not only taking lives and damaging property, but halting trains for hours. The California Public Utilities Commission and Federal Railroad Administration (FRA), which have

jurisdiction over rail crossings, have explicit policies to eliminate at-grade crossings by closure or grade-separation whenever possible for safety reasons. Incidence rates at grade crossings are correlated with higher train volumes, higher traffic volumes, higher number of tracks, and having an intersection near a grade crossing.<sup>2</sup> Alternative 4 will increase train volumes and add a track to the grade crossings on the Monterey corridor - a high traffic corridor with grade crossings adjacent to intersections on Monterey Rd. The City adopted a Vision Zero transportation safety initiative in May 2015, in which Monterey Rd was classified as one of San José's Priority Safety Corridors that have the highest frequency of crashes with fatal and severe injuries.

**Noise:** Frequent train horn noise will be a significant nuisance to the dense adjacent neighborhoods. HSR will implement required improvements (four-quadrant gates and channelization) at at-grade crossings which may meet prerequisites for cities to apply for a quiet zone in which trains are not required to sound their horns. However, the City has serious concerns about applying for a quiet zone along Monterey Rd given the proposed train speeds and volumes. Additionally, trains are required to sound their horn as they pass Caltrain station platforms without stopping at them, per current Caltrain operational requirements. By 2040, there could be as many as 160 high speed trains passing through San José per day, meaning that train horn noise at the five urban at-grade crossings and the two or three Caltrain stations will negatively impact quality of life for the adjacent communities. The Authority anticipates analyzing noise impacts further in the Draft EIR/S and will be proposing mitigations for noise impacts at that stage in the process.

**Fire, Life, & Safety:** Of concern is that Fire and Police response times to incidents across the corridor will increase because they are more likely to encounter downed gates at crossings due to the increased train traffic. Another potential concern is that Fire and Police will respond to more incidents on the rail corridor due to the increased train traffic, such as fires ignited by trains passing over trash. Finally, Fire and Police will respond to a potentially higher incidence of crashes at the at-grade crossings due to higher train volumes and train speeds.

One option to the safety, noise, and emergency response issues with grade crossings is to separate the level of trains from everyone else, "grade-separate." HSR is completely grade-separated through the Central Valley and all but two grade crossings will be removed along the "blended corridors" in Southern California. The only other place HSR proposed at-grade crossings is on the San Francisco Peninsula, where cities agreed to them as part of the "blended system" compromise to those cities' objection to HSR. The City anticipates that the DISC concepts that move forward will be grade-separated, including south of the station through to Tamien Station. Grade separations in the Monterey corridor is an element of the RCP scope. City staff has requested that grade separations at Skyway Dr, Branham Ln, and Chynoweth Ave be included in HSR's Preferred Alternative, and recommend that the City Council underscore that request.

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<sup>2</sup> Federal Railroad Administration, *In-Depth Data Analysis of Grade Crossing Accidents Resulting in Injuries and Fatalities, Final Report*, May 2017.

- **Trespassing:** Alternatives 1-3 proposed an exclusive HSR corridor with substantial barrier walls and no grade crossings, inhibiting access onto the rail corridor. Alternative 4 calls for fencing along the corridor and deterrents at the grade crossings. The City is concerned that the fencing and deterrents at grade crossings will not effectively stop trespassing and incidents from occurring. For example, in 2005, a 2-year old toddler, Alexander Arriaga, was fatally hit in the Monterey corridor by an Amtrak train while crossing the tracks through an opening cut in the fence. The corridor is also susceptible to homeless encampments and graffiti. The City wants a truly sealed corridor: a grade-separated railway with barriers that cannot be cut or broken through.
- **Monterey Rd:** Alternatives 1-3 required right-of-way from Monterey Rd and, therefore, included significant reconstruction of the roadway through the entire urban corridor. Alternative 4 mostly does not require right-of-way from the roadway, and therefore does not include many roadway improvements. For example, there is currently no sidewalk on the west side of Monterey Rd for most of the alignment, but sidewalk could be added by the project with the construction of the tracks and fencing adjacent to the roadway. This type of improvement would be marginal for the project, and would be consistent with the City's Complete Street Design Guidelines. The southbound ramp from Monterey Rd to westbound Blossom Hill Rd is another example of a location adjacent to the project that could be improved in conjunction; removing this ramp and opening southbound access to the Blossom Hill ramp at the traffic signal would enhance pedestrian and bicyclist safety on the west side of Monterey Rd. Earlier this year, the City kicked off the Monterey Corridor Working Group, with membership across business, government, and residential interests, to explore issues and opportunities for important improvements in the corridor that could be incorporated in conjunction with HSR and other projects. The City requests that HSR work with City staff to incorporate appropriate improvements on Monterey Rd into the HSR project.
- **Planning for Other Rail Operators:** Alternative 4 accommodates other operators' approved and funded future levels of service, however it does not accommodate unfunded growth plans. The City has engaged with Caltrain, ACE and Capitol Corridor on their long-range planning for their rail services in San José. The agencies have identified that by 2040, demand for their services will be over three times their current ridership. The exact service and infrastructure upgrades that will be needed are still under development, but could include additional tracks, maintenance and storage yards, platform capacity, turnaround facilities, and other improvements. While it is unreasonable to expect HSR to design for all operators' future aspirational growth plans, the design should be future-proof so that future growth is not limited, or, so that new infrastructure does not become throwaway. The City requests HSR participate in funding and developing a plan for the ultimate buildout of the rail network in San José (RCP), and phase it so that future phases can be added onto existing infrastructure without needing to reconstruct tracks and infrastructure that is built by the HSR project.
- **Gregory/Gardner/North Willow Glen Neighborhood:** The neighborhood has raised concerns about HSR for years. Concerns include loss of Fuller Park land, increased delay at the Virginia St and Auzerais Ave crossings due to crossing gates being down more frequently, safety concerns with increased train volumes at the crossings, increased train

horn noise at the crossings, increased vibration from train operations, and increased visual impacts of the new retaining walls compared to the existing earthen berm that supports the tracks. Proposed mitigations will be revealed in the Draft EIR/S, but at this point are unknown. This is a sensitive area that needs special design attention. The City requests that HSR staff work with the City and community before the EIR/S is released as well as during the design process to include commensurate and desirable mitigations. Additionally, the concerns about limited capacity for other rail operators mentioned above are critical in this section of the corridor given the potential increase in traffic from all operators using Diridon Station. Evaluation of the potential infrastructure needs of all operators, along with an analysis of potential optimizations and mitigations, is beginning in the DISC process and is an element of the RCP scope.

- **Infrastructure Upgrades:** The City is concerned about the condition of rail infrastructure, including rail bridges that HSR will use. In Alternative 4, only Bird Ave and Delmas Ave rail bridges will be replaced. All other existing rail bridges (Taylor, Julian, Santa Clara, Park, I-280, Prevost, SR-87, Guadalupe River, Willow, Alma, and Almaden) will remain as is, often with a new rail bridge added adjacent to them for the new additional track. More than half of the existing rail bridges will be over a century old by 2040 when HSR Phase 1 is in full service. The City requests that old bridges are retrofitted or rebuilt with the project construction for resiliency and to avoid a second round of construction in the near to mid-term. HSR has noted that most rail bridges they will use are maintained by Caltrain.

#### **CSJ-HSR Communication on Alternative 4**

Alternative 4 was first introduced as a concept in HSR's 2018 Business Plan. In response, the Mayor and City Manager submitted a letter to HSR (Attachment 2), in which the City reiterated the importance of HSR to San José and asked the HSR Authority to:

1. Fully develop the concepts presented in the City Generated Options (CGOs);
2. Create a detailed budget plan to achieve the necessary investment for a high quality, context-sensitive system in San José, and world class station at Diridon; and
3. Align planning and environmental schedule with DISC and incorporate DISC into HSR planning and environmental process going forward.

At the May 15, 2018 HSR Board meeting, the Mayor testified and HSR Board Chair Richard committed to San José to develop an agreement with the City, VTA, and Caltrain on "a collaborative framework" for planning and delivering HSR through San José, and Diridon station, in a way that is "mutually considered and carefully sequenced."

While they have not changed their environmental schedule to align with DISC, HSR staff have remained heavily engaged in DISC. DISC has proposed to align the projects via a subsequent environmental analysis once DISC becomes a defined and funded project. HSR has also committed to work to secure funding for future DISC phases and construction, along with the other rail operators and stakeholders.

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HSR staff are also collaborating with City staff to develop a draft scope of work for the RCP, a multiagency partnership to study what the ultimate rail network in San José should look like, assuming future growth of various rail operators. The RCP would build on the plans developed by the rail agencies to create a unified plan that will help guide the development and implementation of rail improvements in the City.

City staff will continue to engage HSR staff and seek refinements to Alternative 4 through the HSR project, RCP, DISC, and Monterey Corridor Working Group. City staff will also continue to engage HSR and other rail operators in seeking funding for project elements that are important to San José. City staff will be submitting comments to HSR on the Draft EIR/S in the 45-day comment period after it is released at the end of this year.

### **EVALUATION AND FOLLOW-UP**

Department of Transportation staff provide quarterly reports to the Transportation and Environment Committee on Regional Transportation Funding and Projects, including updates on HSR, DISC, and RCP.

### **PUBLIC OUTREACH**

Since 2017, HSR has hosted enhanced San José Community Working Group meetings covering issues of importance to city residents, businesses, and other stakeholders. On July 2, 2019, HSR released the staff-recommended State's Preferred Alternative in an online news release, and followed it up with presentations to the HSR Technical Working Group on July 8, Community Working Group on July 16, and an Open House on August 15, all in San José. HSR staff collected comments at those meetings, and will continue to accept comments through August 22 by email and mail. Public feedback will be summarized in the HSR staff report along with the recommended alternative to the HSR Board on September 17, 2019.

This memorandum will be posted to the City's website for the August 20, 2019 Council agenda.

### **COORDINATION**

This report has been coordinated with the Office of Economic Development, the Departments of Planning, Building and Code Enforcement, and Public Works. The City Attorney's Office and City Manager's Budget Office have reviewed this memorandum.

### **COMMISSION RECOMMENDATION/INPUT**

No commission recommendation or input is associated with this action.

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**CEQA**

Not a Project, File No. PP17-009. Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

/s/

JOHN RISTOW

Director of Transportation

For questions, please contact Alisar Aoun, Senior Engineer, at (408) 975-3711.

Attachments



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*Sam T. Liccardo*

MAYOR

February 5, 2018

Dan Richard, Chair  
California High-Speed Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

Dear Chair Richard,

Since last April, our collective teams have made progress working together to refine the High-Speed Rail (HSR) project within the City of San José. I would like to thank the Authority for your efforts in working with City staff to enhance the Community Working Group process in San José, for continuing to evaluate the existing HSR alternatives, and in reviewing the feasibility of the City-Generated Option (CGO) for HSR in San José. To that end, we are seeking at least two feasible, refined alternatives be included in the HSR environmental process for San José. The City continues to support the development of HSR in San José in a way that benefits our entire community, is feasible for HSR, and builds a world class station and destination at Diridon San José Central Station.

At my urging, City staff, along with their rail planning consultants, evaluated options and developed a CGO to address concerns that some residents, stakeholders, and the City have raised about the viaduct and at-grade alternatives being considered by the Authority. The CGO concept aims to include a viable alternative that could have greater appeal to many more residents and stakeholders, and work effectively for all the rail service providers in San José. The CGO aims to do this by resolving the alignment, operational, and cost issues the Authority identified as fatal flaws for the alignment alternatives that were previously studied, and are no longer under review. At our October 19th meeting, it was my understanding that we agreed that our teams would continue to review the CGO, and if proved to be a practicable alternative, to include it in the Authority's environmental review for the San José – Merced segment. A few months back, City, Authority, and Caltrain staff met to review the CGO concept. In terms of feedback from Authority staff, necessary refinements and outstanding issues have been identified, and thus far no fatal flaws have been found. Further, based on preliminary cost estimates, the CGO would cost about the same, or modestly lower, versus the viaduct alternative.

The City recognizes that additional technical, operational and environmental analysis, and refinement is needed on the CGO concept, and we are ready to engage with the Authority and Caltrain on that more detailed review. We also recognize the Caltrain Business Plan and Rail Planning efforts will play an important role in determining the HSR alternatives in the corridor.

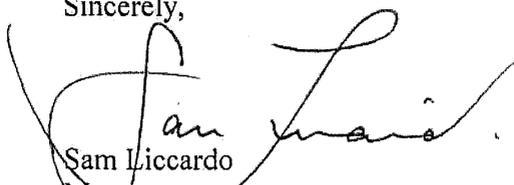
The next few months will be crucial for the future of HSR in San José and will establish the tone and direction of the conversation in San José and Santa Clara County among residents and elected officials at all levels.



I cannot emphasize enough the importance of our agencies collaborating to align the various efforts, plans, and projects in San José, including the HSR and Caltrain Business Plans, the HSR environmental process, the Caltrain Rail planning and Diridon terminal study effort, further development of the CGO as an alternative, and the Diridon Integrated Station Concept Plan. It will require that type of collaboration to ensure a seamless, comprehensive and coordinated approach to these major rail improvements within the City and region. In this vein, the City of San José asks that the CGO be included in the Draft 2018 HSR Business Plan as a potential alignment through San José that will get further review and refinement. The northern portion of the baseline CGO design is a refined version of the at-grade blended alternative for Diridon included in the 2016 HSR Business Plan. By including the CGO, the Authority will demonstrate its willingness to consider and incorporate innovative designs from cities to reduce potential project impacts, signaling to the City and the community that HSR is truly seeking the best alternatives in the environmental process.

Furthermore, in the interest of the timely completion of environmental review of the San José – Merced segment, the City has several requests. First, the City asks the Authority to complete its preliminary feasibility review of the CGO in the February/March timeframe and begin the work of incorporating it into and evaluating the CGO as an alternative in the draft HSR Environmental Impact Report/Study (EIR/EIS) document. Second, given the concerns by many stakeholders regarding selection of a preliminary preferred alternative (PPA) prior to the full environmental review of alternatives, we ask the Authority to hold off on the selection of a PPA at this time. Publishing the full draft environmental analysis and providing the public with the opportunity to formally comment, before selecting a preferred alternative as part of the Final EIR/EIS, will build trust in the process. It may also streamline the process, by avoiding delays caused by controversies around a PPA. Third, given the Authority's need to proceed with tunnel construction in the Pacheco Pass area, the City suggests consideration of splitting the EIR/EIS at Gilroy to allow the Pacheco crossing segment to move at its own pace, and to allow sufficient time for review of alternatives within the urbanized portions of the corridor. Given the level of coordination needed on these many efforts, it is time for you and I to meet with Jim Hartnett, and others to determine how these planning and project development efforts will align.

Sincerely,



Sam Liccardo  
Mayor  
City of San José

cc: Senator Jim Beall  
San José City Council  
Brian Kelly, CEO, California High-Speed Rail Authority  
David Sykes, City Manager, City of San José  
Jim Hartnett, CEO, Caltrain  
Nuria Fernandez, General Manager, Valley Transportation Authority  
Jim Ortbal, Director of Transportation, City of San José  
Ben Tripousis, Northern California Regional Director, California High-Speed Rail Authority

*Sam T. Liccardo*

MAYOR

May 7, 2018

Chair Dan Richard and CEO Brian Kelly  
California High-Speed Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

**SUBJECT: California High Speed Rail Authority Draft 2018 Business Plan**

Dear Chair Richard and CEO Kelly:

The City of San José continues to support the planning and development of California's High Speed Rail system as an integral backbone of the Statewide rail network as described in the Draft 2018 Business Plan. The development of High-Speed Rail (HSR) across the State, and through Silicon Valley, is essential for our regional and local efforts to improve and connect the passenger rail network in the Bay Area with the economic centers of the Central Valley and Southern California. The City also continues to support the Authority's Silicon Valley to Central Valley phased approach to an integrated rail system that improves intercity, regional, and local train service.

In addition, we want to acknowledge that the Authority has made important efforts to reduce the breadth of impact of the high speed rail project across numerous parts of San José. By advancing an at-grade blended service option in the Draft 2018 Business Plan, instead of the previous primary alternative of an aerial viaduct, we believe that the Authority and Caltrain have effectively used relevant information from the City Generated Options, and the apparent new perspectives with the Union Pacific Railroad, to help formulate the most recent blended service option. We would like to view this development as an important shift in the way that the Authority, Caltrain and the City will work together to explore and develop the best alignment options that balance and meet the needs of each Agency, and will be an asset to our City's future development and vibrancy, while minimizing impacts to San José's neighborhoods.

Building on previous City priorities and feedback to the Authority, this letter focuses on three key areas and important issues that we are seeking Authority support:

1. The Authority's support in fully developing the concepts presented in the City Generated Options, along with the 2018 Business Plan concept, in the next round of alignment and corridor planning to develop concurrence on potential alignment options through the City for advancement into the Authority's environmental alternatives process.
2. The Authority's partnership in developing a more detailed budget plan to achieve the necessary investment for a high quality, context-sensitive system in San José, and world class station at Diridon that seamlessly integrates high speed rail with connecting transit services and mixed use urban development. HSR must be an asset to San José, the Diridon station development, and the neighborhoods near the alignment.

3. The Authority align its planning and environmental process and schedule with the partnership planning underway at San José Diridon Station, and the Station area, with Caltrain, the Valley Transportation Authority, and the City. Further, the Authority should incorporate the outputs of the Diridon Integrated Station Concept Plan (DISC) into its planning and environmental review process going forward.

Addressing these issues is essential in building the City's continued partnership with both the HSR Authority and local San José stakeholders and neighborhoods.

- 1. The Authority's support in fully developing the concepts presented in the City Generated Options, along with the 2018 Business Plan concept, in the next round of alignment and corridor planning to develop concurrence on potential alignment options through the City for advancement into the Authority's environmental alternatives process.***

As discussed last October, and reiterated in a February 2018 letter, the City has invested its own local resources on several City Generated Option (CGOs) on high speed rail alignments through San José, which address serious and legitimate concerns raised by the Downtown stakeholders, local community members, and adjacent neighborhoods, while ensuring the operational needs of HSR and Caltrain are fully integrated. The City has been actively sharing the concept plans with the Authority and Caltrain. While the City has received generally positive feedback from Authority and Caltrain staff about their feasibility based upon the level of concept development to date, we are still awaiting a clear indication of support that the Authority will incorporate these options, along with the 2018 Business Plan concept, into the next round of alignment planning. That support will demonstrate that feasible and reasonable options and alternatives are being fully and fairly considered for the project, and that the Authority is willing to establish a collaborative effort to develop concurrence with the City on alignment options through San José considered in the environmental review process.

As HSR adopts the Final 2018 Business Plan, the City requests the Authority Board support establishing a collaborative effort to develop concurrence on alignment options through San José in the next round of corridor planning and environmental review. The City asks that the effort consider the full range of CGO concepts. In the Downtown San José area, the CGOs include rebuilding the Diridon platforms as slightly elevated, above-grade, following the Rotterdam Station example. Also, two options were developed for the southern approach tracks to Diridon (1) along the Caltrain right-of-way and (2) a blended viaduct over 280/87 as an alternative to the longer HSR viaduct, which could avoid impacts to the Gregory/N Willow Glen/Gardner neighborhoods from additional passenger train service. In southern San José, the CGO options include a hybrid of alignments, including a trench, tunnel, and at-grade alignments to minimize neighborhood impact, opposition, and balance the cost of delivering the project. In addition, these southern options provide viable alternatives to avoid significant property impacts in the event an agreement cannot be reached with UPRR about sharing and using their right-of-way for blended service operations.

The fastest way for the Authority to gain as much support as possible for the High Speed Rail project in San José is to embrace and show the community a sincere effort in considering the full range of CGO options in the next round of alignment and corridor planning. The CGO, including all its

concept options, provides a fuller range of feasible potential alternatives that will allow all areas of the San José community to understand the various trade-offs among different alignments. This should provide for faster EIR clearance, and ideally preferred alternative selection and construction of the project, with broader community support and acceptance of the project.

2. *The Authority's partnership in developing a more detailed budget plan to achieve the necessary investment for a high quality, context sensitive system in San José, and world class station at Diridon that seamlessly integrates high speed rail with connecting transit services and mixed use urban development. HSR must be an asset to San José, the Diridon station development, and the neighborhoods near the alignment, for it to be embraced by the City and its residents.*

The blended passenger rail and freight rail corridor through San José is one of the most important and complex in California as it runs through highly urbanized and established neighborhoods, with significant multi-modal transportation activity crossing the corridor. Thus it will require thoughtful and sufficient investment to accommodate HSR in a safe, context-sensitive way. The engineering completed by HSR and Caltrain over the past two years, and the CGO concepts, have shown that substantial investments are needed to create an integrated rail alignment through San José and Diridon Station that will appropriately serve the region and State for the rest of this century, while also being compatible with the surrounding neighborhoods.

In response to the Draft 2016 HSR Business Plan's proposal for an at-grade Diridon station, the City notified the Authority of its concern about potentially inadequate investment in the proposed system by stating, "Investments in passing tracks, grade separations, level boarding, extended platforms, and other improvements will be needed to make for reliable, frequent, and therefore useful service, and it is unclear whether the funding allocated for those purposes will be sufficient." With the proposed reduction of investment in the 2018 Draft Business Plan for the San José to Gilroy segment of \$1.7 billion through the proposed use of an at-grade concept in this corridor, the Authority must ensure that the level of investment made in the City is sufficient to develop a robust blended rail corridor, while minimizing impacts to City neighborhoods as the system is introduced. Furthermore, we ask that the Authority be prepared to commit to a partnership for the improvements necessary at Diridon Station and in the overall corridor to accommodate HSR, the growth of other passenger services in the corridor, and to maximize the benefits of the system. These investments include:

- The development of a world class station at San José Diridon, expected to be the first major city in the US with high speed rail service, and a prominent hub in the State Rail Plan. The station development must effectively integrate all connecting intra-city, regional, and local transit services, and surrounding employment and mixed use urban development that the 2018 Draft Business Plan seeks to leverage to support the high speed rail investment. The investment level should be on par with LA Union Station and the SF Transbay Terminal.
- The likely need to relocate and/or expand passenger rail storage and maintenance facilities in San José for Caltrain, Capitol Corridor, and ACE to make blended service work efficiently, and

to create suitable facilities for HSR. The Business Plan is the right place to acknowledge the important role the Authority must perform in this multi-agency effort, in order to facilitate appropriate blended alignments through San José.

- Track upgrades north and south of Diridon and along Monterey Road to support frequent, all-day service by HSR, electrified Caltrain, and the other operators to stations in San José.
- Committing to finding a solution for grade separations along Monterey Road and the southern approaches to Diridon Station if at-grade alignments are ultimately selected. Adding over 100 HSR trains a day, and potentially up to the same number of Caltrain operations, make grade separations essential to safety, circulation, emergency access, and community connectivity.

**Partnership and Investment in Diridon Station** – As one of the three most important rail stations in the State, at the convergence of the Peninsula and East Bay rail lines, and with the great potential for a model urban mixed use development, San José Diridon Station already hosts multiple regional rail services, including Amtrak Capitol Corridor, Altamont Corridor Express (ACE), Caltrain, and VTA Light Rail, as well as Union Pacific freight. Given Diridon’s strategic location in the Statewide transportation system and economy, it must evolve into a world-class intermodal hub, and the level of investment in design and infrastructure at the station should be commensurate with the station’s prominent role in the Statewide system. The City requests the Authority to commit to its fair share of funding and investment identified through the Diridon Integrated Station Concept Plan.

The 2018 HSR Business Plan focuses on the future HSR system as a way to tie the State’s economic centers together, connect with and reinforce transit systems, and bring economic growth to downtown cores. In San José, that future is happening now. For decades, the City and region have invested in modernizing Caltrain and bringing BART to Downtown San José. The results of that are now unfolding with Google investing hundreds of millions of dollars in property as part of their plan to build over eight million square feet of commercial development at San José Diridon Station. This is exactly the kind of multi-billion-dollar private investment in transit-oriented downtown development that ensures the mutual success of cities, transit, HSR, and the overall state economy. The convergence of VTA’s BART extension, Google’s investment, and HSR’s arrival creates a once in a century opportunity for a win-win-win, if HSR can be committed enough, and nimble enough, to join the City, Caltrain, VTA, and Google in making Diridon successful for all of us.

Along the Monterey Road Corridor, the City sees the potential benefits of an agreement with the Union Pacific Railroad (UP) for shared use of their right of way, allowing for lower impact blended alignments in the corridor. However, the lack of a definitive agreement means that the City, and we believe the HSR Authority, must prepare for the real possibility that an agreement may not be reached to allow shared use of UP right-of-way. Therefore, at least until such time as UP signs an agreement to sell or share its right of way, the City insists that the Authority develop and carry forward the portion of the CGO along Monterey Road to 101, or a similar underground alternative, in its environmental process. Specifically, an underground alignment would avoid several hundred property takes that a dedicated HSR alignment would likely cause along Monterey Road in San José.

In summary, the City requests that the Final 2018 HSR Business Plan commit to a sufficient level of investment in the San José to Gilroy segment, based on a transparent and collaborative process to plan, detail, and invest in the critical station and system needs in San José, to ensure high-speed rail functions in an integrated and efficient manner, while being sensitive to the adjacent neighborhoods. It is relevant to note when comparing the 2018 Business Plan to the 2016 version, the San José to Gilroy segment has seen the level of planned investment drop by \$1.7 billion, while the Gilroy to Carlucci Road segment has seen planned investment rise by over \$3 billion, with much of the latter segment traveling through largely rural, uninhabited areas of the State. The neighborhoods and residents of San José will struggle with reduced investment and greater impact to denser, more populated segments along the corridor, in contrast to increased investment to segments that are largely uninhabited by people.

- 3. The Authority align its planning and environmental process and schedule with the partnership planning underway at San José Diridon Station, and the Station area, with Caltrain, the Valley Transportation Authority, and the City; and incorporate the outputs of the Diridon Integrated Station Concept Plan (DISC) into its planning and environmental review process going forward.*

Given that the Draft 2018 Business Plan is proposing further integration between the high speed rail program and regional rail systems such as Caltrain, it is essential to enhance the collaboration between and among our agencies to align the various plans and transportation projects in San José to the highest collective outcome. This includes the HSR Authority's Business Plan, Caltrain Business, Service and Rail Planning, the Diridon Integrated Station Concept Plan, and the HSR environmental process. Currently, the Draft 2018 Business Plan introduces new alternatives compared to the HSR environmental work to date, or the CGOs, but it does not describe how the three sets of alternatives will be added to the planning and future environmental evaluation process going forward, or the selection of a preferred alternative. Of concern is the official HSR environmental schedule in the Authority Board packet for April, which has May 31<sup>st</sup> as the date for selecting the preliminary preferred alternative.

The need for rail and station modernization in San José is larger than any one agency, program, or project, and can only be tackled with the collective effort of State, regional, and local agencies working together in good faith. Our Diridon Agency Partnership is an example of proactively working together to develop an integrated project, the sum of which can and should be much greater than the parts or individual agency projects. The City looks forward to being fully involved in service and infrastructure planning with the HSR Authority and Caltrain to determine what improvements are necessary to provide robust, frequent, all-day local and intercity passenger service in a way that enhances safety, economic development, and community connectivity.

The City requests that the Authority Board direct its staff that the next round of planning and corridor alignment review include the full range of CGO design options and 2018 HSR Business Plan alignment concepts, to allow for a full consideration of the alternatives in the future environmental

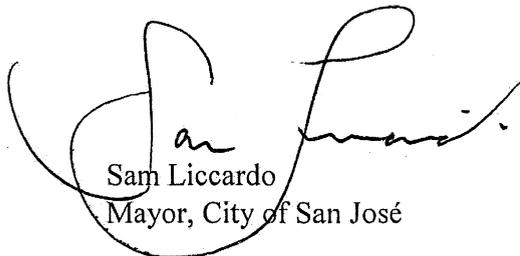
review phase. San José also asks the Authority to collaborate with the City to develop a well-defined environmental review schedule that incorporates the proposed new alignments, and the outputs of both the DISC Plan and Caltrain Business Plan into the Authority's planning and EIR process going forward. The projected completion of the first phase of DISC, selecting a Preferred Spatial Scenario, in mid-2019 provides the Authority sufficient time to incorporate the scenario from the DISC in the environmental review and clearance for HSR before the federal deadline in 2022.

In conclusion, the City of San José sees the build-out of HSR connecting the Capital of Silicon Valley with the Central Valley and Southern California as essential to the future mobility and economic development of the State. We seek concrete commitments demonstrating the Authority's willingness to engage with us as full partners in determining how to best implement the State Rail Plan in the Silicon Valley and San José. The City respectfully requests the Authority to state at the May 15 Board Meeting its intention to establish a collaborative, cooperative process to:

1. Achieve concurrence with the City on the alignments and options included in the next round of planning and corridor alignment review. Ensure a full and fair evaluation of both the 2018 Business Plan concept and the full range of CGO concepts.
2. Review, and if necessary, increase the level of infrastructure investment in the San José-to-Gilroy segment to ensure that a world-class station gets delivered at San José Diridon, and that the system through San José is sensitive to the needs and impacts on surrounding neighborhoods.
3. Work with the City and other Diridon partnership agencies to align the Authority's planning, environmental process, schedule, and project delivery for the San José segments with the San José Diridon Integrated Station Concept Plan.

By collaborating as partners, we can develop a shared vision and plan for improved rail service connecting San José to the rest of the State, and the City will be a committed champion for advancing and building HSR throughout California.

Sincerely,



Sam Liccardo  
Mayor, City of San José



David Sykes  
City Manager, City of San José

cc: Senator Jim Beall  
San José City Council  
Jim Hartnett, CEO, Caltrain  
Nuria Fernandez, General Manager, Valley Transportation Authority  
Jim Ortbal, Director of Transportation, City of San José  
Boris Lipkin, Acting Northern California Regional Director, CA High-Speed Rail Authority



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**SUPERINTENDENT**

Dr. Deborah A. Flores, Ph.D.

**BOARD OF EDUCATION**

Enrique Diaz ♦ B.C. Doyle ♦ Tuyen Fiack ♦ Mark Good  
Anisha Munshi ♦ James E. Pace ♦ Linda Piceno

July 12, 2019

Mr. Lenny Mendonca, Board Chair  
Board of Directors  
California High Speed-Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

Re: **Support of Staff-Recommended Preferred Alternative 4,**  
San Jose to Merced Project Section  
*With the addition of a Pedestrian Bridge at IOOF and Monterey Street*

Dear Mr. Mendonca:

The purpose of this letter is to state our conditional support for the High Speed Rail (HSR) staff's recommendation of the Preferred Alternative 4 for the San Jose to Merced Project section. The Alternative 4 at-grade alignment through downtown Gilroy would minimize the impact of HSR on the District's educational facilities. However, we urge you to consider safety elements at the intersection of IOOF and Monterey Streets in Gilroy, which are detailed below.

When the HSR reaches its target ridership, it is estimated that it will have up to eight (8) trains running per hour, in each direction. The HSR Authority must adequately address the safety of seven (7) pedestrian crossings through Gilroy. However, we are particularly concerned about the intersection of IOOF & Monterey Streets. We understand that quad-gates have been proposed for this intersection. Within 1,500 feet of this intersection, there are a number of buildings that house youth: South Valley Middle School serves about 900 middle school students, many of whom are our most socially and economically disadvantaged; Gilroy Prep School (GPS) which is a charter school that serves about 540 charter school students; and Rebekah Children's Services Campus that serves youth with social, emotional, behavioral and mental health needs. While we favor the Preferred Alternative 4 option, we believe the proposed quad-gates for pedestrians would not adequately protect the many students and families who will cross this intersection daily as trains pass through at 110 mph. We fear there could be a terrible accident, injuring or killing students as they cross this intersection coming to and going from school.

We urge you to include a pedestrian bridge crossing over the rail lines at the IOOF and Monterey Street intersection. We also request that you study other traffic mitigation measures such as traffic lights, and sound mitigation and fencing for GPS, which is located immediately adjacent to the tracks. These measures will help ensure pedestrian safety and help prevent injuries and fatalities.

Lastly, we want to commend the HSR staff and consultants that have interacted with Gilroy Unified School District, specifically Mr. Boris Lipkin, Northern California Regional Director, and Mr. Gary Kennerley, Engineering Manager at WSP. They have engaged our community openly, met with our representatives multiple times, and kept us informed.

Thank you for your time. Your assistance in this matter is greatly appreciated.

Sincerely,

Dr. Deborah A. Flores, Ph.D.  
Superintendent

cc: GUSD Board of Trustees



**BOARD OF DIRECTORS**

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August 22, 2019

VIA E-MAIL

California High-Speed Rail Authority  
770 L Street, Suite 620 MS-1  
Sacramento, CA 95814  
[CentralValley.Wye@hsr.ca.gov](mailto:CentralValley.Wye@hsr.ca.gov)

Re: Proposed Preferred Alternative for the San Jose to Merced Section of the High-Speed Rail Project

Dear California High-Speed Rail Authority,

The Grassland Water District and Grassland Resource Conservation District submit these comments regarding the California High-Speed Rail Authority's proposed Preferred Alternative (PA) for the San Jose to Merced Section of the California High-Speed Rail Project. Unlike the four alternatives analyzed for the western portion of the Project Section, the proposed PA improperly omits any Project alternatives for the eastern portion of the Project section, which runs through the sensitive Grassland Ecological Area (GEA).

This is a significant flaw in the alternatives analysis for the Project that should be corrected before the Authority identifies a PA. If the Authority is unwilling to supplement its analysis to include Project alternatives for the eastern portion of the Project section at this time, *we request that conditional language be added to any documents that identify a preferred alternative through the GEA*. If the Authority Board of Directors approves of the proposed PA at its September 17<sup>th</sup> meeting, related documents including staff memos and resolutions should contain the following statement:

“The Authority continues to consult with affected entities and stakeholders in the Grassland Ecological Area (GEA) of Merced County. Identification of a preferred alternative for this segment is subject to further refinement and shall not impede the full and fair consideration and analysis of feasible Project design and environmental mitigation measures to avoid or minimize ecological impacts in the GEA.”

A lack of alternatives through the GEA poses legal problems under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), which require a detailed and careful analysis of the relative environmental merits and demerits of a proposed action and possible alternatives. We urge the Authority to include a range of feasible Project alternatives for the GEA in any forthcoming Environmental Impact Report/Environmental Impact Statement (EIR/EIS), including an explanation of any alternatives that were considered but rejected.

The proposed PA is also being presented to the Authority's Board of Directors without an adequate analysis under Section 4(f) of the U.S. Department of Transportation (U.S. DOT) Act, which requires the identification of feasible and prudent alternatives to avoid the risk of environmental impacts from projects that will interfere with the ecology and public access on adjacent wildlife refuges. The Authority's hesitation to make a constructive use determination regarding impacts to the adjacent Volta and Los Banos State Wildlife Areas violates the Act and its implementing regulations. Without that analysis, any identification of a proposed PA should also include the following statement:

“The identification of a preferred alternative shall not limit the responsibility of the Authority to conduct a thorough analysis and determination under Section 4(f) of the U.S. Department of Transportation Act regarding the potential for constructive use of State Wildlife Areas in the Grassland Ecological Area.”

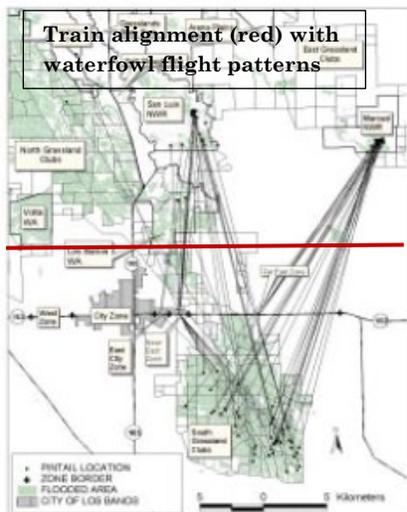
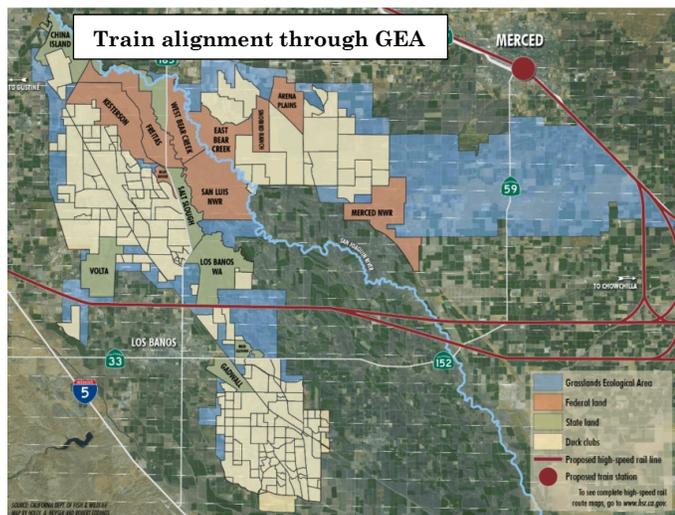
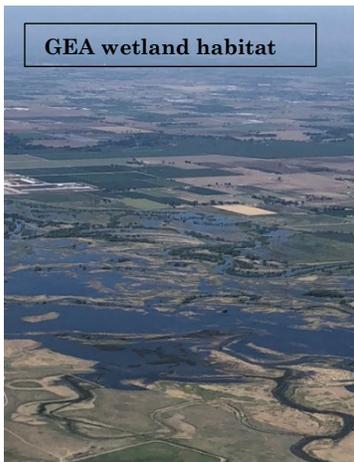
Finally, the Authority has not undertaken an adequate public review process for its proposed identification of a preferred alternative. The proposed PA was issued as a news release on July 2nd and described in a PowerPoint presentation to stakeholders. Unlike the lengthy written alternatives analysis that the Authority published in 2010 and supplemented in 2011, the proposed PA was accompanied by no written analysis, no formal opportunity for public comment, and no recognition of the significant participation by stakeholders who are focused on the eastern portion of the Project section and who have consistently requested an analysis of environmentally beneficial Project alternatives. Although the Authority's press release stated that staff would present the Authority Board of Directors with “input received from the public” during its scheduled open houses, the open house in Los Banos on August 21st provided no opportunity for public comment.

We recommend that the Authority defer a decision to identify a preferred alternative through the GEA until a sufficient and robust alternatives analysis is presented to the Board for consideration. At the very least, given the lack of proper analysis at this time, the above-stated conditional language must be included as part of any PA selection documents.

# I. STATEMENT OF INTEREST

The GWD is concerned about the PA because the only proposed alignment in the eastern portion of the Project section would pass through or otherwise impact the GWD's jurisdictional boundaries. Grassland Water District is a California Water District that delivers water to the 75,000-acre Grassland Resource Conservation District, which includes private, state, and federally managed wetlands and wildlife refuges. The Grassland Water District and Grassland Resource Conservation District (collectively, GWD) intensively manage wetlands to produce standing crops of moist soil food plants and invertebrates with high value to wildlife, particularly waterfowl and shorebirds in the GEA, located in Merced County in the San Joaquin Valley. Approximately 90% of the GRCD is preserved under permanent protections including wetland conservation easements.

The Districts together with adjacent national wildlife refuges, state wildlife areas and state park lands make up the GEA. Encompassing 235,000 acres (95,000 hectares), the GEA is the largest wetland complex in California and contains the largest block of contiguous wetlands remaining in the Central Valley. This region is a critical component of the Central Valley wintering habitat for migrating waterfowl and is recognized as a resource of international significance.



The proposed bisection of the GEA by a high-speed rail project will interfere with critical wildlife corridors, disrupt canals and waterways, interfere with species nesting and breeding, and increase wildlife disturbance and mortality rates due to noise and visual impacts as well as wildlife shock and collision impacts. We have repeatedly urged the Authority to recommend that the alignment of the proposed high-speed rail system avoid crossing or otherwise fragmenting the GEA.

At a minimum, the Authority must ensure that no decision on the alignment shall be made until the potential alternatives and impacts are fully and thoroughly examined under CEQA, NEPA, the state and federal Endangered Species Acts, and the U.S. DOT Act. Due to the active engagement of the GWD and other participating stakeholders in the “GEA Working Group,” the Authority has already reviewed multiple alternatives for protecting the GEA along the proposed alignment, including a below-grade option and an above-grade physical shield. These alternatives are conspicuously absent from the proposed PA.

## II. CEQA AND NEPA ALTERNATIVE ANALYSIS REQUIREMENTS

CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring the consideration of environmentally superior alternatives.<sup>1</sup> “[P]ublic agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects.”<sup>2</sup> The Authority must describe and analyze a range of reasonable alternatives to the project that (1) are potentially feasible, (2) would feasibly attain most of the basic objectives of the project, and (3) would avoid or substantially lessen any of the project’s significant effects.<sup>3</sup> The purpose is to determine whether there is a feasible way to achieve the basic objectives of the project, while avoiding impacts.<sup>4</sup>

Under NEPA, agencies must consider alternatives to their proposed actions as well as their environmental impacts. The Authority must “[r]igorously explore and objectively evaluate all reasonable alternatives...”<sup>5</sup> It is “absolutely essential to the NEPA process that the decision-maker be provided with a detailed and careful analysis of the relative environmental merits and demerits of the proposed action and possible alternatives, a requirement that [courts] have characterized as ‘the linchpin of the entire impact statement.’”<sup>6</sup> This is particularly true in cases of “unresolved conflicts concerning alternative uses of available resources.”<sup>7</sup>

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<sup>1</sup> CEQA Guidelines §§ 15002(a)(2), (3); *Berkeley Keep Jets Over the Bay Com. v. Board of Port Cmrs.*, 91 Cal.App.4th 1344, 1354; *Laurel Heights Impvt. Ass’n v. Regents of the Univ. of Cal.* (1998) 47 Cal.3d 376, 400.

<sup>2</sup> Pub. Resources Code § 21002.

<sup>3</sup> CEQA Guidelines § 15126.6(a).

<sup>4</sup> Pub. Resources Code § 21002.1.

<sup>5</sup> 40 C.F.R § 1502.14(a).

<sup>6</sup> *Natural Res. Def Council v. Callaway*, 524 F.2d 79, 92 (2d Cir. 1975); *All Indian Pueblo Council v. United States*, 975 F.2d 1437, 1444 (10th Cir. 1992) (thorough discussion of alternatives is “imperative”).

<sup>7</sup> See 42 U.S.C. § 4332(E); *California v. Block*, 690 F.2d 753, 766-67 (9th Cir. 1982).

### III. GEA ALTERNATIVES OMITTED FROM ALTERNATIVES ANALYSIS

The proposed PA includes only aerial and at-grade embankments through the GEA, both of which would be detrimental to the surrounding environment. These environmental impacts have been explored in some detail by the participants of the GEA Working Group. Research shows that there are general and pervasive impacts from loud and frequent disturbances of birds, and that transportation corridors cause significant disturbance and mortality of birds and other wildlife, which affects species richness and abundance, causes behavioral changes, and results in bird collisions. Noise, visual disturbance, the interruption of flight and other migration paths, and nighttime lighting can cause wildlife disorientation, attraction, or repulsion (affecting movement), and can adversely affect reproduction, fitness, communication, community ecology, competition, predation, and behavior.

Many organizations and individuals are concerned that the Project will cause certain species to avoid or change their use of protected GEA wetland habitat, fragment their movement patterns between the north and south Grassland protected areas, and reduce overall species abundance, health, and reproduction. If the Project cannot avoid the GEA, the GWD and others have urged the Authority to include GEA alternatives in its design and cost estimates that would substantially reduce wildlife disturbance, by utilizing a below-grade design or an above-grade physical shield.

#### a. Below-Grade Alternatives Through the GEA

The Authority's proposed alternatives have the same alignment through the GEA in the San Joaquin Valley subsection. East of the Interstate-5 overcrossing, the alignment would be predominantly on embankment along the south side of Henry Miller Road to Carlucci Road, travelling on viaduct over major watercourses within and adjacent to the GEA. In early 2018 at the request GWD, Authority staff and Project engineers conducted an analysis and concluded that there are no physical or engineering barriers to constructing a below-grade alternative through the GEA. Staff developed detailed engineering and cost estimates for several below-grade options, using various methods and distances:

#### BELOW-GRADE ALTERNATIVES ANALYZED

	COST (\$ MIL)
Existing Design, Viaduct (1.5 miles)	\$390
Bored Tunnel (2.1 miles)	\$1,116
Cut/Cover Tunnel (50' depth, 2.1 miles)	\$1,114
Bored Tunnel (4.5 miles)	\$1,327

Estimate from High-Speed Rail Authority dated 2/16/2018

## Example Illustration from High-Speed Rail Authority in February 2018



The Authority has already analyzed these alternatives but improperly omitted them from the alternatives described in the proposed PA. A below-grade design would help alleviate significant environmental concerns and cost uncertainties and would provide additional cost savings from avoided mitigation requirements. The estimated net increases in cost for the below-grade options ranges from approximately \$600 to \$900 million.

This cost range for various below-grade alternatives is less than the cost range for the four alternatives the Authority has analyzed in the western portion of the Project section, which range from \$13.6 billion (Alternative 4) to \$20.8 billion (Alternative 3). It is arbitrary and unreasonable to exclude the previously explored below-grade alternatives while at the same time including higher-priced alternatives for other portions of the proposed alignment. Moreover, in recommending Alternative 4 the Authority has identified \$2 billion to \$5 billion in cost savings for the western portion of the San Jose to Merced Project segment. Even a fraction of those cost savings, if applied in the GEA, would go a long way toward reducing the risks of delay, cost overruns, and environmental mitigation requirements.

### **a. Above-Grade Alternatives Through the GEA**

The GWD is unaware of a high-speed rail project that traverses such a large natural wetland habitat as the GEA. However, there are emerging examples from other countries where above-grade shielding has been constructed to reduce impacts on birds and nearby wetlands. The Shenzhen-Maoming Railway in China's Guangdong Province was constructed with sensitivity to a nearby wetland habitat. To avoid disturbing the habitat, China constructed a vaulted tube/shield on a 1.3-mile section of high-speed rail line, using sound absorption and insulation materials. Tests showed that when a train passed by, the sound monitored at the core area of the birds' habitat was greatly reduced.

Spain has allowed on-board monitoring of bird presence and bird strikes to better understand the environmental costs of its rail projects. We believe that the potential for damage to wildlife in the GEA is larger in magnitude than the existing projects studied in Europe and Asia. In December of 2018, the GEA Working Group formally requested that the Authority consider a Project design that includes an enclosed and vaulted tube/shield through the GEA similar to the Shenzhen-



High-speed train with noise barrier, China

Maoming Railway. Using modern sound and vibration absorption techniques, this mitigation measure would greatly reduce noise, vibration, and visual disturbances to wildlife, and avoid bird strikes. GWD again requests that this alternative design be considered throughout the entirety of the GEA, including areas near the Volta State Wildlife Area, Los Banos State Wildlife Area, and Mud Slough.

#### IV. THE U.S. DOT ACT REQUIRES AN ALTERNATIVES ANALYSIS FOR IMPACTS TO WILDLIFE AREAS IN THE GEA

The proposed PA reportedly takes into consideration the Authority’s assessment of impacts under Section 4(f) of the U.S. DOT Act, but the Authority has not assessed public waterfowl refuges within the GEA under that provision. The Project is proposed to cross permanently protected conservation easements held by the State of California and will run adjacent to public wildlife and waterfowl refuges including the Los Banos State Wildlife Area and the Volta State Wildlife Area. The Authority has shied away from conducting a Section 4(f) analysis in this area, and this decision is in error.

Section 4(f) of the U.S. DOT Act of 1966 prohibits the Federal Railroad Administration (FRA) and any State that has assumed a delegated responsibility from the FRA from “using” land on publicly owned parks, recreation areas, wildlife and waterfowl refuges, or historic properties, unless there is no feasible and prudent alternative to that use and the action includes *all possible planning to minimize harm* to the property resulting from such a use.<sup>8</sup>

The Authority has apparently deemed that a Section 4(f) evaluation is not necessary for the Volta and Los Banos Wildlife Areas because the Project is not located directly on those adjacent public lands. However, the regulations implementing Section 4(f) are clear that the Authority must evaluate the Project’s “constructive use” of a wildlife or waterfowl refuge when the Project’s “proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired.”<sup>9</sup> Under the regulations, “the following situations” constitute constructive use:

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<sup>8</sup> 49 U.S.C. 303(c).

<sup>9</sup> 23 C.F.R. 774.15(a).

- (1) The projected noise level increase attributable to the project substantially interferes with the use and enjoyment of a noise-sensitive facility, such as sleeping in the sleeping area of a campground, or viewing wildlife in an area of a wildlife and waterfowl refuge intended for such viewing.
- (2) The ecological intrusion of the project substantially diminishes the value of wildlife habitat in a wildlife and waterfowl refuge adjacent to the project, substantially interferes with the access to a wildlife and waterfowl refuge when such access is necessary for established wildlife migration or critical life cycle processes, or substantially reduces the wildlife use of a wildlife and waterfowl refuge.<sup>10</sup>

These situations will occur at the Volta and Los Banos Wildlife Areas, and a 4(f) analysis and constructive use determination must be prepared. There are designated publicly available sleeping areas at both refuges that are adjacent to the proposed Project alignment, and an interpretive nature trail for wildlife viewing located in close proximity to the Project at the Grassland Environmental Education Center (GEECe) on the Los Banos Wildlife Area. There will also be ecological intrusion of the Project that will substantially diminish the value of wildlife habitat on these refuges adjacent to the project.

Section 4(f) requires agencies to consider alternatives, and it creates a presumption that public parks and natural resource areas protected by this section may not be used for transportation projects unless truly compelling reasons indicate that no alternative is possible. This requirement applies even if the land from the important natural resource area is not directly taken for the project, but the project will nonetheless impact the area. Substantial federal, state, and other public conservation investments have been made to protect and enhance the GEA, and Section 4(f) requires the Authority to take into account the public investments that have been made to protect this critically important ecological resource.

Snow geese near Volta Wildlife Area



Children exploring Los Banos Wildlife Area



<sup>10</sup> 23 C.F.R. 774.15(e).

## V. CONCLUSION

Thank you for your consideration of these comments. We request that the Authority revise its alternatives analysis to include a range of feasible alternatives in the San Joaquin Valley portion of the San Jose to Merced Project section. We believe that a below-grade or an above-grade enclosed shield design are among the feasible and environmentally superior alternatives to the one Project alternative currently presented for discussion. If the Authority is unwilling to revise its alternatives analysis at this time but nonetheless identifies the proposed PA as its preferred alternative, we ask that the door be left open for continued dialogue in advance of publication of an EIR/EIS, through inclusion of the following statements:

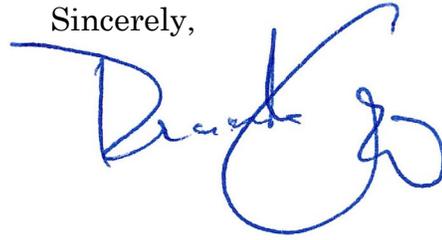
“The Authority continues to consult with affected entities and stakeholders in the Grassland Ecological Area (GEA) of Merced County. Identification of a preferred alternative for this segment is subject to further refinement and shall not impede the full and fair consideration and analysis of feasible Project design and environmental mitigation measures to avoid or minimize ecological impacts in the GEA.”

“The identification of a preferred alternative shall not limit the responsibility of the Authority to conduct a thorough analysis and determination under Section 4(f) of the U.S. Department of Transportation Act regarding the potential for constructive use of State Wildlife Areas in the Grassland Ecological Area.”

The GEA represents the vast majority of the last remaining five percent of historic Central Valley wetlands. It has been designated as an Audubon Important Bird Area, and is one of only forty-eight Western Hemispheric Shorebird Reserve Network sites in the United States. In February 2005, the GEA was recognized as a Wetland of Worldwide Importance by the Ramsar Convention. The Ramsar Convention is an international agreement dedicated to the worldwide protection of particular ecosystems. Ramsar member nations work to coordinate wetland conservation efforts, particularly for species that rely on ecosystems that span member nation’s borders. The designation of the GEA as a Wetland of Worldwide Importance illustrates the tremendous worldwide ecological value of the GEA ecosystem. The GEA is one of only seven such wetland sites in California, and one of only thirty-nine sites in the country. The GEA is the largest wetland complex west of the Rocky Mountains, and is recognized as among the most important five wetland systems on the North American continent.

Millions of birds use the GEA each year for nesting, feeding, and resting during long migratory journeys, and other wildlife species make abundant use of this peaceful and productive wetland habitat. A significant amount of private, local, state, and federal investment has been made in the GEA habitat for many decades. We encourage the Authority to lead the state (and the world) in protecting and preserving our wetland environment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ricardo Ortega". The signature is fluid and cursive, with a large initial "R" and "O".

Ricardo Ortega, General Manager  
Grassland Water District and  
Grassland Resource Conservation District

Cc:  
Yosef Yip, Northern California Outreach Representative  
(via e-mail to [yosef.yip@hsr.ca.gov](mailto:yosef.yip@hsr.ca.gov))

**From:** Kathy Sullivan

**Date:** August 23, 2019 at 7:00:25 PM PDT

**Subject: HSR Conflicts with a National Landmark and Park in Morgan Hill**

To Whom It May Concern,

Last night's session in Gilroy was very well presented and the experts were very informative. I talked with, Boris Lipkin, Kim Avila and several others about the Historical Society's serious concerns regarding the welfare of Villa Mira Monte (Morgan Hill House) listed on the National Register of Historic Places, reference number 78000777. I handed Boris letters I have written in the past that have gone unanswered.

To preserve, maintain and operate this landmark, the Morgan Hill Historical Society, an all-volunteer organization, must hold fundraising events and educational programs on the site. HSR will all of this virtually impossible. We are also have plans to develop the back of the site for an event rental venue. No one will want to have a wedding to other social event at this site with train noise and whistles blowing.

I look forward to hearing the results of the environmental impact research and hope that another solution can be found to avoid running HSR trains directly behind Villa Mira Monte and thought our town along side the existing tracks. Aside from preserving the town's landmark, there are serious concerns over safety and traffic gridlock throughout the city, especially in AM and PM during peak traffic congestions. HSR provides very little benefit for a community that will be devastated by alignment #4.

Additionally, when looking at the plans for the running the train behind Villa Mira Monte, it appears that a sound wall is planned starting in the center of the property going south. If this come to fruition, this wall must to extend to the entire length of the back property line.

With all this planning, the Historical Society has yet to be contacted about the environmental concerns. Has anyone even visited the site?

Sincerely,

Kathy Sullivan  
Resident of Morgan Hill  
Co-President, Morgan Hill Historical Society

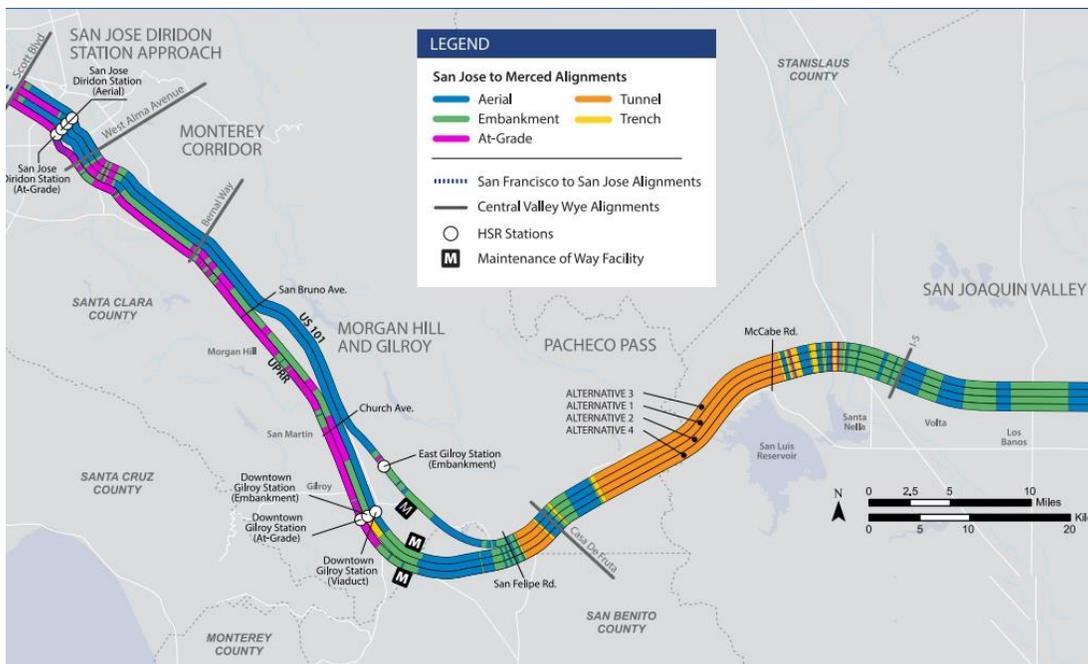
California High-Speed Rail Authority  
Northern California Regional Office  
via email, sent Aug. 18, 2019

re: San Jose to Merced Project Section State's Preferred Alternative

Dear HSR Team,

I attended Thursday's Public Meeting on High Speed Rail (HSR) at the San José City Hall. Having heard the presentations and viewed the charts, I would like to share my comments and recommendations.

I recommend that you at HSR use the "preferred" Alternative 4 for the entire reach south and east of Bernal Way, but that you **use Alternative 1 north and west of Bernal**.

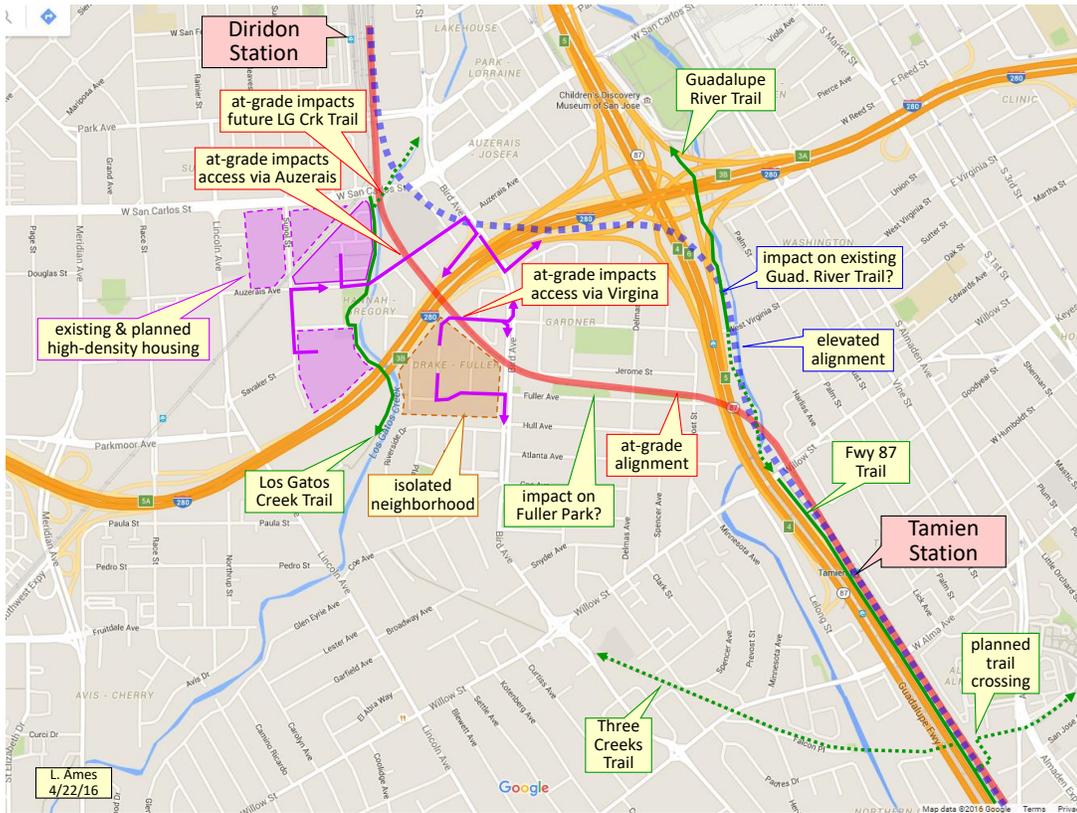


Specific points:

- As I and many others have been saying for years, it is critical for the Greater Gardner and North Willow Glen neighborhoods in San Jose that you select an "elevated" approach from the Tamien Station to the San José/Diridon Station rather than the "at-grade" alignment of Alternative 4. As shown in red in the diagram below, the at-grade alignment would have the daily rush of trains run right through a well-established community, one that is already feeling the impacts of Freeways 280 and 87 and the noise of the recently-expanded nearby airport. The at-grade rail alignment would also impact traffic access to a number of neighborhoods. Adding the needed 3rd set of tracks would probably require taking land from Fuller Park. And the alignment itself, given its close sequence of curves are straight sections, would give passengers an uncomfortably jerky ride. The elevated alternative (shown in dotted blue) stays mainly within the confines of the freeway sound walls: the only private parcels impacted are a few mainly old or empty

commercial lots by Bird Ave. on the north side of the freeway. And being elevated over Bird and within the freeway right-of-way elsewhere avoids traffic impacts to the neighborhoods.

- The elevated alignment makes for a better experience for the traveler, as the tracks can be laid out in smooth curves for a smoother ride. Also, rather than just seeing the unkempt backsides of residential lots, passengers arriving from the south will be treated with a grand view of the downtown San José skyline. There's also the opportunity to build an iconic bridge over I-280.



- Of the several elevated options you're considering, I recommended Alternative 1 because it is the one alignment that, north of Diridon, quickly descends back to grade, thereby minimizing impacts to the nearby Newhall district, whereas Alternatives 2 and 3 remain elevated all the way out to the city limits. Note: when at the meeting I was shown the detailed layouts for Alternative 1, I saw that the plans showed a number of property "takes" just north of Diridon. When I asked about that, the answer was that the plans had been designed back when the rules were for HSR to be separated from the CalTrain tracks. Now that the plan is to have a "blended system", I urge the team to reevaluate those plans under the new "design rules": perhaps the "takes" can be reduced to make a better and more cost-efficient plan.
- In the section around Bernal Road, it is important to be sensitive to the habitat. Coyote Valley in the vicinity of Tulare Hill has been shown to be a critical wildlife corridor between the Santa Cruz Mountains and the Diablo Range. Alternative 1 has this stretch elevated. If you opt to have the tracks at-grade or on an embankment, it'll be critical to provide a number of generously wide wildlife crossings to avoid isolating the wildlife populations in the mountains.
- I'm glad you are recommending the "in-town" alignment for Gilroy. Building a station out at the edge of town would only encourage sprawling development.

And some other considerations:

- The detailed plans for Diridon Station showed tracks with overhead walkways to the platforms, both for HSR and also CalTrain. Please be aware that CalTrain has “bike cars” that are much appreciated and well-used, and so any changes to the platform access routes need to be scaled to accommodate the anticipated number of bicyclists. The plan showed that bicyclists would need to take an elevator up to reach the crosswalk and another elevator down to the platform: make sure those elevators are large enough and fast enough to handle the projected demand.
- As shown in my diagram, the HSR alignment will cross a number of existing and planned bike paths, shown in green. Note that these trails allow your customers to reach the station without adding to the area’s traffic congestion: they should be accommodated and encouraged.
- The Diridon Station is a wonderful old building that is listed on the National Register of Historic Resources: treat it with the appropriate care! It is quite feasible to add capacity to the facility in a manner that respects its historic integrity, by adding new structures to the sides or beneath it, and by shifting facilities (e.g., restrooms, storage) to the new additions.

Finally, I’m very pleased that CalTrain is electrifying its service! And I support the “blended” HSR/CalTrain concept. However, I am worried by the possibility of a “two-step” process that leads to the wrong outcome: don’t just electrify the existing tracks now from SF down to Tamien, and then, when HSR comes to town, say “oh, it’s cheapest, fastest, and easiest to just blend in and use the existing electrified tracks.” We need a firm commitment from you to build the elevated alignment from the Tamien to Diridon: the question is only whether to do it early as part of the CalTrain electrification or later when HSR is blended into the network. (If the rumored train switching/storage facility is going to be built by Curtner Ave. south of Tamien, I’d recommend the elevated tracks be built at that time to avoid impacting the neighborhoods with all the trains shunted down to await the peak commute times.)

We in the community have been working with High Speed Rail for literally over a decade now, advocating for an elevated alignment between the Tamien and Diridon Stations that doesn’t destroy a well-established neighborhood; and, for many years, the elevated alignment has been HSR’s “Preferred Alternative”. It is thus disheartening to find that HSR is now once again recommending the original crude “at-grade” alternative, and to see that all our work and all the community involvement appears to have been ignored. Your Preferred Alternative #4 is fine for all the stretch south and east of Bernal Way, but please select the elevated Alternative #1 in the San José / Diridon area.

Thank you.

~Dr. Lawrence Ames,  
longtime environmental-, community-, and trail advocate.

cc: City of San José: Mayor Liccardo and Councilmembers Peralez (D3) and Davis (D6),  
Diridon Station Area Advisory Group (SAAG) and Diridon Integrated Station Concept (DISC)  
State Senator Jim Beall  
Friends of CalTrain, Cmte for Green Foothills, SPUR  
Community: J. Urban, H. Darnell, J. Dresden, D. Arant, E. Rast, J. Leyba, D6NLG



P.O. Box 5374  
San Jose, CA 95150  
[www.lwvsjsc.org](http://www.lwvsjsc.org)  
August 20, 2019

Morgan Galli  
Northern California Regional Stakeholder Manager  
California High-Speed Rail  
425 Market Street, 17<sup>th</sup> Floor  
San Francisco, CA 94611  
[morgan.galli@hsr.ca.gov](mailto:morgan.galli@hsr.ca.gov)

Dear Mr. Galli,

The League of Women Voters of San Jose/Santa Clara is pleased to have this opportunity to provide some input to the High Speed Rail (HSR) proposed plans for the San Jose and Merced alignment. A League member, Robert Ruff, has been participating on the San Jose Community Working Group and reviewed the four options for the route.

The League has concerns that the staff-recommended alternative 4 is flawed. Of the 23 members of the San Jose Community Working Group, only three members supported Alternative 4 which was presented at the July CWG meeting. Alternative 4 does not address nor include any of the input provided by the CWG given to staff over the year-long discussion of the alternatives. Instead low-cost and expediency seem to be the factors weighted highly by staff to support Alternative 4.

Alternative 4 is flawed because it includes very unsafe at-grade crossings of HSR and streets, pedestrian walkways and bike paths, as well as cutting through the Gardner neighborhood at-grade. These same unsafe conditions exist in the existing Caltrain corridor from Palo Alto to San Jose to Gilroy where many vehicular, pedestrian and bike accidents take place at at-grade intersections.

The League is a strong supporter of mass transit and public transportation which will reduce vehicle miles traveled; is efficient, convenient, and cost effective; is safe and secure; serves all segments of the population and diverse geographic needs; minimizes harmful effects on the environment; is integrated with land use; and is supported by extensive public education.

Based on our positions on transportation, we have evaluated the alternate proposals. **We believe that a scenario with the greatest chance for implementation is a hybrid alternative** – a combination of various segments of the four alternatives, with low raised elevated tracks and passenger platform at Diridon Station, elevated tracks from Diridon Station to Tamian Station over I-280 and Rt 87, thus eliminating the cut-through of the Gardner neighborhood in North Willow Glen, and no at-grade HSR/vehicle/pedestrian/bike crossings along the rest of the route within San Jose. The Morgan Hill, San Martin, and Gilroy Working Group members and governmental officials may comment on the alternatives in South County.

It is our preference that the EIR/EIS comments submitted by the San Jose Community Working Group and others will enable a new hybrid alternative to be created that we hope will successfully integrate the desires and recommendations from residents, neighborhood groups

and civic organizations, as well as San Jose and Santa Clara governmental officials, into an alternative that achieves greater sensitivity to community needs with safety considerations. We believe this hybrid alternative is more likely to receive wide local support and future federal, state, and local financial assistance.

The California High Speed Rail Authority must create a HSR transportation system that is planned to accommodate people-movement throughout California during the next 100+ years. Such a system should not be designed to exacerbate the existing problems of the intersections of rail, mass transit, and highways as well as create new problems for the cities and neighborhoods the HSR will cut through. A hybrid alternative incorporating the best elements of each alternative is the best answer for a successful future HSR system in California.

We urge consideration of a hybrid alternative that addresses these concerns and mitigates the safety hazards Alternative 4 poses.

Carol Watts  
President, League of Women Voters of San Jose/Santa Clara  
[president@lwvsjsc.org](mailto:president@lwvsjsc.org)

Bob Ruff  
San Jose HSR Community Working Group Member  
Representing League of Women Voters of San Jose/Santa Clara  
[robert.ruff@lwvsjsc.org](mailto:robert.ruff@lwvsjsc.org)

August 15, 2019

I have been a member of the Morgan Hill High Speed Rail Community Working Group for the past few years. In regard to Alternative 4 I am including my analysis of the High Speed Rail Alternative 4 Morgan Hill impacts to Morgan Hill.

Just for fun, I thought I would run the numbers..... Currently there are seven at-grade RR crossings in Morgan Hill. One track. Trains and crossings per day are limited by the one track.

Caltrain in the AM has three trains, estimated time per crossing 3 to 4 minutes based on my daily personal experience.... may be slightly shorter or longer dependent on the speed and if it is near the station.

High Speed Rail based on the published documents estimated 6 trains per hour designated track  $3 \text{ minutes} \times 6 \text{ trains} = 18 \text{ minutes}$

Caltrain estimated 3 trains per hour electrified rail  $3 \text{ minutes} \times 3 \text{ trains} = 9 \text{ minutes}$

Amtrak and Freight no longer limited by single track can now run at the same time as Caltrain. These are longer trains and a slower crossing- from 16 yrs of having an office adjacent to the tracks the estimated average crossing time for these trains  $5 \text{ minutes} \times 2 \text{ trains} = 10 \text{ minutes}$

Potential new Monterey Rail estimated 1 per hour on the freight tract  $5 \text{ minutes} \times 1 \text{ train} = 5 \text{ minutes}$

Keep in mind that none of these times are coordinated...not unlike stop lights that have no sequencing, the passage of the trains on individual tracks will not be coordinated. Assume as well that not all cars will start immediately and drivers may be distracted and not move quickly to avoid the next closure.

Based on the numbers at seven locations across the City of Morgan Hill there will be an estimated wait time of 42 minutes when there is absolutely NO access from one side of the City to the other. Public safety, both police and fire, will be severely impacted as well as the ability to shop, go to the hospital or any other requirements for daily life. Yes that is 42 minutes!

The increased track and train number will adversely impact the City of Morgan Hill and appropriate measures need to be included in the design to mitigate this un-researched and

clearly not understood impact of the selection of the HSR Alternative 4 on our lives and our safety. The plan should not proceed without properly addressing our safety.

A handwritten signature in blue ink, appearing to read 'Lesley L Miles', written in a cursive style.

Lesley L Miles

Architect

Member of the High Speed Rail Community Working Group



# Merced County Farm Bureau



August 22, 2019

California High Speed Rail Authority  
C/O Northern California Regional Office  
100 Paseo De San Antonio, Suite 300  
San Jose, Ca 95113

RE: San Jose to Merced Project Section – Open House Comments

California High Speed Rail Authority,

We appreciate the opportunity to comment on the San Jose to Merced Project Section Staff Recommended State's Preferred Alternative. It's no secret that we have called into question many of the decisions made by this body and will continue to have many questions as it progresses forward. As an organization Merced County Farm Bureau (MCFB) represents approximately 1,000 farmers, ranchers and dairy families with several them being impacted by the plans presented by the California High Speed Rail Authority (the "Authority"). MCFB is a 102-year-old organization that advocates for our members on a host of issues including water availability and rights, land-use and various other topics impacting agriculture.

We were surprised that the Authority did not take open comment during the August 21, 2019 Open House in Los Banos and opted for one-on-one sessions only. Past meetings have been conducted in an open dialogue setting and we strongly feel that participants are better able to learn from questions of their peers. Not all our members are computer savvy to submit comments online. In addition, you have a rather tight timeframe to turn written comments in as the deadline is a day later. Furthermore, for the average farmer impacted by the Authority's proposal, one would not be able to make the long drive to San Jose to make formal comments to the governing board as the month of September is still a heavy harvest season for Merced County growers.

We have large concern for our landowners and growers that are caught in limbo. To start, landowners within the Los Banos area are subject to the undrafted Environmental Impact Report (EIR), yet to our knowledge you do not have proper funding nor a complete engineering method to move through the Pacheco Pass mountain range. We also have growers within the Chowchilla WYE EIR as that portion ends on Carlucci Road in Dos Palos. We do understand that the project sections were established long ago, but with the inability to move forward, you again hold landowners hostage. There are also concerns for growers in the WYE to Merced section as you now have state legislators that are attempting to remove funding from the Central Valley to benefit the areas they represent. We understand that these two latter issues are part of a separate section; however, all are impacted by the proposal at large and are within Merced County.

For multiple years each of the landowners impacted are unsure of how to properly plan for the future. How many years will landowners in Merced County be in limbo? If this project continues past the current stage of uncertain plans, how long will the process of acquisition take? Will they end up in the same predicament that our counterparts to the south have experienced - not receiving their payment for out of pocket costs within a suitable timeframe? With the future expansion of the Altamont Corridor Express in Merced, development continuing from Merced to Bakersfield and potential tie in for Amtrak,

we do not foresee this project being what voters approved on the ballot. This brings us full circle to our concerns for holding landowners in limbo within Merced County.

We understand that the goal is to bring a connected transportation system to California, however we are concerned with the management issues the project has faced to date and the sustainability of the project's long-term growth. We surely have our doubts and will continue to remain watchful as you continue your path. Thank you for the opportunity to comment and we look forward to extensively reviewing the Environmental Impact Report for this section once available.

Sincerely,

A handwritten signature in black ink, appearing to read 'Breanne Ramos', written over the typed name and title.

Breanne Ramos  
Executive Director



August 27, 2019

Boris Lipkin

Northern California Regional Director

California High Speed Rail Authority

100 Paseo de San Antonio, #206

San Jose, Ca 95113

RE: CHSRA Staff Recommended Preferred Alignment

Dear Mr. Lipkin,

Thank you for the opportunity to provide comments on the High-Speed Rail (HSR) Preferred Alternative on the San Jose to Central Valley Wye section. VTA is excited and supportive about HSR enhancing the transit options within our region. VTA looks forward to continued collaboration with HSR to ensure no conflicts will result on VTA's BART Silicon Valley (BSV) Phase II Extension or to the numerous VTA owned properties along the alignment. We look forward to continued coordination with HSR and Caltrain on the blended at-grade alignment and reviewing any future analysis concerning potential impacts to the numerous at-grade crossings along the corridor.

As you are aware, the HSR alignment and BSV alignment intersect in several places from the Caltrain Diridon Station to Santa Clara Station. We have completed a review of the four alternatives based on the May 2019 plans sets and Google Earth kmz files provided by HSR with current BSV Phase II Single Bore Tunnel Center Platform configuration information.

It should be noted that HSR is utilizing an outdated twin-bore alignment within their Google Earth files under the Third-Party reference files. Please let us know if you need an updated single-bore alignment for coordination purposes.

Regarding the Preferred Alternative, along Newhall Yard there is a proposed HSR Temporary Construction Easement (TCE) that encroaches upon VTA's proposed joint maintenance road and is within 12 feet of the BART tunnel. Please continue to coordinate with VTA to ensure there are no conflicts at this location. Additionally, if there is a future plan to redesign the overpass at Santa Clara Street as part of the preferred alternative, VTA would like to be consulted to ensure no conflicts are created with the BART tunnel.

Regarding the other alternatives, VTA would like to note a number of potential conflicts we found in our review.

- Alternatives 1 and 3 also feature the encroachment of the HSR TCE on the VTA proposed joint maintenance road,
- In Alternative 2 (Aerial, long viaduct), a series of columns are proposed along the Newhall Yard and Maintenance Facility, planned as part of the BSV Phase II project, to W. Hedding Street that conflict with the BART Tunnel. This will need to be resolved if HSR proceeds with Alternative 2.
- Additionally, VTA will be establishing an exclusion zone and protection zone to the sides and above the BART tunnel. We request additional information on the column depths to ensure there is no potential conflict with VTA's tunnel exclusion or protection zones for the crossing of the two alignments at Diridon Station as shown in Alternatives 1, 2, and 3 and the W. Hedding overpass as shown in Alternatives 1 and 3.
- We would also like more information on the depth of the pedestrian underpass (ramps/stairs) at the College Park Caltrain Station and the HSR Substation Sta A, located between I-880 and McKendrie Street, as both of these structures are proposed above the BART tunnel.
- VTA has environmentally approved Construction Staging Areas (CSAs) for the Santa Clara and Diridon Stations. The HSR alternatives as shown encroach upon these CSAs, thus we propose coordinating on mutual needs for the properties and construction management within the station areas as appropriate based on individual construction schedules as HSR's design progresses.

VTA will also continue coordinating with HSR as an active partner in the San Jose-Morgan Hill and Gilroy-Los Banos Technical Working Group as well as the Diridon Integrated Station Concept (DISC) Plan. We look forward to a continued close partnership as HSR advances design.

Sincerely,



Scott Haywood

Interim Deputy Director, Planning and Programming



August 26, 2019

The Honorable Brian Kelly  
California High-Speed Rail Authority  
770 L Street, Suite 620  
Sacramento, CA 95814

Via email to: [san.jose\\_merced@hsr.ca.gov](mailto:san.jose_merced@hsr.ca.gov)

**Subject: Support of San Jose to Merced Preferred Alternative and Downtown Gilroy Station**

*Brian*  
Dear Mr. Kelly:

On behalf of the Transportation Agency for Monterey County (TAMC), I am writing in support of the staff recommended preferred alternative for the High-Speed Rail project's San Jose to Merced section. The preferred alignment would have the train stopping in downtown Gilroy, which would facilitate connections with regional and local transit services and increase ridership on the connecting commuter rail system in Gilroy.

TAMC is the lead agency planning for an extension of passenger rail service to Monterey County from the Gilroy station. A downtown Gilroy High Speed Rail station will complement and connect with the existing and future extended Caltrain system. The preferred alignment and the selection of the downtown Gilroy station would be beneficial for Monterey County due to the increased ridership on train services through Monterey County and the regional economy would benefit from increased investment in infrastructure in the region and around train stations.

The three-county Monterey Bay Area had a population of 776,000 in 2018 and is projected to reach over a million residents by the year 2030. Our growing population needs an alternative means of getting to jobs, health care, entertainment and shopping around the region and opportunities across the state. Increased access to the rail network and connectivity to the high-speed rail system in Gilroy will help the region be more sustainable economically, environmentally and socially.

We appreciate the opportunity to comment on this exciting project.

Sincerely,

Debra L. Hale  
Executive Director



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

San Luis National Wildlife Refuge Complex  
Post Office Box 2176  
7376 South Wolfsen Road  
Los Banos, California 93635  
12 August 2019

*Via mail and email*

Northern California Regional Office  
California High-Speed Rail Authority  
100 Paseo De San Antonio, Suite 300  
San Jose, CA 95113  
San.Jose\_Merced@hsr.ca.gov

Re: ***Environmental Review Process comment opportunity –  
California High Speed Rail Project -- San Jose to Merced Segment***

Dear Sir/Madam:

Release of the Draft EIR/EIS for the San Jose to Merced segment of the California High Speed Rail Project is scheduled for December 2020. The California High Speed Rail Authority staff has recommended their preferred alternative for the San Jose to Merced segment as Alternative 4, which bisects the Grasslands Ecological Area (GEA). Their alternative selection was supposed to be based on the alternative having the least environmental and community impacts, as well as cost.

However, in recognition of the rich and critically important natural resources of the GEA, conservation agencies have focused more attention and funding on this area than most areas of the State. There are two U.S. Fish & Wildlife Service (USFWS) national wildlife refuges, a USFWS conservation easement program on 170 private properties, six California Department of Fish and Wildlife wildlife areas, a California Department of Parks and Recreation state park, and an active Natural Resources Conservation Service program. The GEA is a critical area for Pacific Flyway waterfowl, providing wintering habitat for 20% of the total population; waterfowl populations average 1/2-million, with peaks of one million. Several federally listed threatened and endangered species occur in the GEA. It was recognized in 1991 by the Western Hemisphere Shorebird Reserve Network as one of only 15 internationally significant shorebird habitats. The American Bird Conservancy recognized it in 1999 as a *Globally Important Bird Area*. In 2005, it became one of 22 U.S. wetland areas designated as a *Wetland of International Importance* under the Ramsar Convention due to its importance to a variety of wildlife, including several rare and endangered species, its critical role as wintering habitat for Pacific Flyway waterfowl, and as the largest remaining block of wetlands in what was once a vast Central Valley ecosystem.

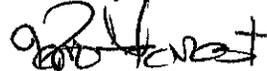
Consistent with my comments submitted on 23 July 2004, 13 December 2007, 18 March 2009, 05 November 2009, and 30 May 2017, I am writing to reiterate our concerns regarding any alignments through the GEA. The importance of the ecosystems represented and protected by the GEA cannot be overstated. Our prior comments have emphasized the fragility and importance of these areas and the likely harm to natural resources that would result from even elevated rail alignments. I am forwarding these previous comment letters because none of the issues raised previously regarding the negative impacts to the GEA have been satisfactorily addressed over the past 15 years.

Agency land managers, Grassland Water District, GEA landowners, and non-governmental conservation organizations have long advocated for the Project to follow a route that does not bisect the GEA. The environmental impacts of trains through the GEA are not fully understood but will undoubtedly be significant. There remains substantial debate about the nature and extent of disturbance that the Project would cause from noise, lighting, vibration, glare, connectivity of wildlife corridors, and facilities.

The bisection of this very sensitive remnant habitat by the major infrastructure required for high-speed rail, and the scores of trains traveling through the area on a daily basis, would have a tremendous negative impact on wildlife. A corridor -- a barrier of infrastructure -- that bisects the GEA and is 50 feet to 100+ feet wide and 8-feet to 26-feet high (catenary supports, sound walls, chain-link fences) will clearly have a profoundly negative impact on wildlife and wildlife movement. The CA HSRA estimates that 100 to 200+ trains will transect the GEA every day, and describes the sound of the trains as "generally quieter" due to the short duration of the sound, and because the trains won't run between midnight and 5 a.m. This is in consideration to humans, not wildlife.

The CA HSRA discusses mitigation of impacts in vague terms; as a biologist/manager working in the GEA for 24 years, I cannot imagine how the impacts could possibly be mitigated. Practically speaking, the CA HSRA does not address the lack of land and water available for mitigation. The HSRA may be committed to acquiring easements within the GEA to mitigate for environmental damage. However, what is the guarantee that the HSRA will be able to obtain an adequate acreage of easement lands, if HSRA does not condemn land for mitigation purposes; and that easements acquired will be in appropriate locations for wildlife? Who will be the easement holder? Who will manage the land appropriately for natural resource benefits and wildlife? If the HSRA plans to mitigate for the damage to wildlife by restoring land to viable wildlife habitat, will the HSRA fund the restoration? Who will be the restoration implementing/oversight organization? If wetland habitat will be created to compensate for the reduction in the quality of the existing habitat, where will the water come from? The existing wetlands have had a long and difficult time garnering the water we currently have. How will additional water for wetlands be found, and will it compete with the existing wetlands for their water supply?

Sincerely,



Kim Forrest  
Refuge Manager

Cc: Stacy Armitage, Refuge Supervisor; USFWS  
Mark Pelz, Chief - Natural Resources Division; USFWS  
Trisha Cole, San Joaquin Valley Division Chief, Ecological Services; USFWS  
Nina Bicknese, Wildlife Biologist; Ecological Services; USFWS  
Ric Ortega, General Manager; GWD  
Ellen Wehr, General Counsel; GWD  
Krista Tomlinson, Supervisory Senior Environmental Scientist, CDFW  
Andy Gordus, Toxicologist; CDFW  
Steve Miamoto, Wildlife Habitat Supervisor II; CDFW  
Sean Allen, Wildlife Habitat Supervisor II; CDFW  
Jarrod Martin, District Conservationist; USDA/NRCS  
Meghan Hertel, Director - Land and Water Conservation; Audubon California  
Mark Biddlecomb, Director of Operations - Western Regional Office; Ducks Unlimited  
Matt Kaminski, Regional Biologist; Ducks Unlimited  
Kim Delfino, California Program Director; Defenders of Wildlife  
Breanne Ramos, Executive Director; Merced County Farm Bureau  
California Manager; The Nature Conservancy  
Rod Webster; Merced Sierra Club

## San Jose to Merced Project Section Preferred Alternatives Outreach Stakeholder Comments Received

Date	Name	Title	Org	Stakeholder Comments/Issues
8/19/19	Larry Ames*			<p>Hello,Attached* please find my feedback on last Thursday's Community Meeting on the Staff-Recommended Preferred Alternative. As I detail in my letter, the Preferred Alternative is fine for most of the way, but please select Alternative 1 for the segment north of Bernal; it minimizes the impact to the established neighborhoods of Greater Gardner, North Willow Glen, and Newhall; it is better for the environmentally sensitive wildlife corridors in Coyote Valley, and it would give the HSR passengers a better experience in San Jose. Please include my comments in the Staff Report to the Authority Board. Thank you, Larry Ames</p> <p><i>*See letter from Dr. Lawrence Ames dated 08/18/19</i></p>
8/21/19	Serge Barbir		Willow Glen Neighborhood	<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. We also insist that no relatives of politicians are in the running to build this thing - examples like Diane Feinstein's husband winning a \$1 billion contract....talk about conflict of interest...With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzeais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Serge Barbir, Willow Glen neighborhood - San Jose, CA</p>
8/22/19	Kevin Brazelton			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Kevin BrazeltonS an Jose (west)
8/23/19	Joanne Buckley			The Garden Alameda just north of Diridon Station would benefit most from implementing Alternative 4, where HSR will run at grade and minimize any noise intrusion into our neighborhood. These issues were discussed at length with staff and engineers consulting on the project. Our neighborhood is adjacent to the CEMOF facility. It runs from The Alameda at Diridon Station north down Stockton Ave to Taylor Street effecting thousands of residents along that route. We urge you to accept the recommendations of your staff, to implement Alternative 4, who spent many hours of deliberations making the best decisions considering neighbors, infrastructure and costs. Thank you for your serious consideration to this optimal Alternative. Joanne Buckley 858 Harding Ave San Jose, Ca 95126
8/22/19	Lou Calvert			Dear High-Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high-speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Lou Calvert 2068 Foxhall LoopSan Jose, CA 95125
8/22/19	Erin Cizina			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns about the impact that the trains and development will have on my community. I am very enthusiastic about high speed rail as an alternative to driving or even flying but I am concerned about the effect this will have on my community. I know that this is a long term project that will require a great deal of construction. That will cause disruption to the affected areas and upon completion, the entire traffic flow will be altered. It is important that the affect

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				<p>that this will have on the wider community of drivers, bicyclists and pedestrians be considered before breaking ground. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why I feel that it is crucial that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. These issues will have a huge impact on my neighborhood and my neighbors. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Erin Cizina</p>
8/22/19	Fran Cole			<p>Dear High Speed Rail Authority Board members: Though we do not understand all the ins and outs of the proposals we are impressed with all the variables that have been considered regarding this project. We are of course interested in the progress as it is made with regard to this project and will become even more so as it approaches the Santa Clara and Peninsula regions. We hope that we get a clear update regarding costs and funding. As our mayor and council members have said we too are concerned that there be minimal disruption or that at least the disruptions that come with construction be considered thoroughly in the plan. Respectfully, Bob and Fran Cole 1937 Crestmont Dr. San Jose, CA 95124</p>
8/21/19	Katie Cooney			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Katie Cooney, Willow Glen Lover! *Think Bravely!*Katie Cooney</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
8/22/19	Susan Creighton			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Susan Creighton Willow Glen Neighborhood of San Jose</p>
8/22/19	Vince D'Arpino			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Vince D'Arpino Willow Glen</p>
8/22/19	Martin Delson			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose living within half a mile of Diridon Station, and within view of the current Caltrain-UP tracks -- to say nothing of within earshot! -- I am extremely disturbed by the Authority's apparent choice to favor a route through San Jose south of Diridon that follows the existing rail alignment, the so-called "Blended at-grade" route from San Jose to Gilroy. Choice of this alternative would have devastating impact on my neighborhood, already subject to the horn blasts of grade-level</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				<p>crossings at Auzerais. and W. Virginia Avenues in addition to the jet noise from the approaches to San Jose's Airport. The prospect of 320 such horn blasts a day (160 each at Auzerais and W. Virginia), and each one of the 320 being a four-fold TOOOT-TOOOT-TA-TOOOT, will make peaceful life impossible in my Palm Haven neighborhood, as well as the Gardner, Hannah-Gregory, and N. Willow Glen neighborhoods that are even closer to these crossings. A further serious drawback to the "Blended at-grade" route is the potentially life-threatening delay of frequent closings of crossing gates to emergency responders, especially those responding to emergencies in the neighborhood west of the tracks at W. Virginia Avenue. There are other serious drawbacks to the plan (e.g. the lack of consideration of the role that Diridon Station will play as the future regional hub of Caltrain/HSR/BART/Capitol Corridor/light rail/bus/airport shuttle services), but I will leave it to others to expand on these issues. The bottom line is that it is imperative that the Authority reject this "Blended at-grade" route south of Diridon, and choose instead(a) preferably, an elevated route that follows the alignments of freeways I-280 and CA-87 south of Diridon Station or (b) at a minimum, if HSR must be configured parallel to the existing Caltrain tracks, an elevated crossing of Auzerais and W. Virginia Avenues. Sincerely, Martin Delson 633 Palm Haven Avenue, San Jose, CA 95125</p>
8/22/19	Bryan Franzen	Reverend Dr., Pastor	Westminster Presbyterian Church	<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Rev. Dr. Bryan James Franzen, Pastor Westminster Presbyterian Church, San Jose, CA But he's already made it plain how to live, what to do, what God is looking for in men and women. It's quite simple: Do what is fair and just to your neighbor, be compassionate and loyal in your love, And don't take yourself too seriously take God seriously Micah 6:8 (the Message version).</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
7/15/19	Judy Guardino	Broker Associate		Dear Sirs, I, and most of Morgan Hill stand firmly against the downtown option. You will ruin our little city. Why not run down the existing freeway where there is already too much noise. Judy Guardino
8/23/19	Kay Gutknecht			I live in The Alameda Park subdivision located within 1 mile of the Diridon station and across the street from the Caltrain Maintenance Facility. We will be significantly impacted by the implementation of HSR and its ongoing operations. I believe Alternative #4, the one preferred by the state, is also my preferred option, because the rail will be at grade near my home. I understand this will generate less noise than elevated tracks and/or noise will be easier to mitigate at ground level. I support whichever alternative eliminate the impact of additional noise where I live, defined by the following boundaries: Stockton Ave, Schiele Ave, The Alameda and Pershing Ave. I am very disappointed that noise information was not provided in the presentation sent to me and none of the noise/vibration information for HSR is available on your website. Would you please send me noise study comparisons for the 4 alternatives in my area? Thank you, Kay Gutknecht 798 Schiele Avenue San Jose, 95126
8/22/19	Dave Haugaard			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my feedback for the Diridon Integrated Station Concept (DISC) Plan. I live in district 6 in the Rose Garden area. I would love to see high speed rail in the most densely populated areas of the SF Bay as quickly as we can manage. Such a system will in its own presence help people live better lives and get places quicker. I also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve, but I believe that we think first about the rail and push through any short-term pain that may result in getting it in place. I DO believe that it is desirable to maintain grade separations that help keep all modes of transportation safe (walking, biking, driving). Please search for cost effective ways to do this as I believe it will help ensure the viability of the system. I do understand, however, that this is not always cost effective immediately. In such a fallback position, then please work towards a longer range plan to get us to this state. I appreciate your consideration of my input. Sincerely, Dave Haugaard Rose Garden, SJ
8/22/19	Jim Hays			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				<p>fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, James Hays Willow Glenn / San Jose resident</p>
8/22/19	Noel Hom			<p>Dear High Speed Rail Authority Board members: As a resident of North Willow Glen, San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. I have been involved in community meeting groups within the past few years, and feel that HSR has not considered what the community has to say about the plan at all. I purchased a home on Fuller Ave a few years ago and completely renovated the home (sinking a lot of money into the project) and was never once notified that my house could potentially be taken from my family for eminent domain by the HSR group. This was brought to my attention by a neighbor on the next door app. I know that I am not the only person in this situation, and I know that these situations could easily be avoided if the HSR would notify the people it might be affecting and listen to the community it is supposed to be helping. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I do not support Alignment #4 for San Jose. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Noel Hom Resident of 334 Fuller Ave, North Willow Glen, San Jose</p>
8/25/19	Val Isaacson			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding</p>

## Stakeholder Comments Received Continued...

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				and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Valerie Isaacson, Willow Glen District 6]
8/22/19	Richard F. Jack	Sr. Director, Vertical Marketing - Environmental and Industrial Chromatography and Mass Spec Divisio	Thermo Fisher Scientific	Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Richard F. Jack, Ph.D. Sr. Director, Vertical Marketing - Environmental and Industrial Chromatography and Mass Spec Division ASTM Second Vice Chairman D19 Water Committee Thermo Fisher Scientific  490 Lakeside Dr.   Sunnyvale, CA 94085 Join our environmental community!
8/28/19	Jason Kim			Boris, Please See the attached for VTA's comments on the CHSRA Staff recommended Preferred Alignment. Thank you again for the opportunity to provide comments and we look forward to continued work between VTA and CHSRA. Jason KimSenior Transit PlannerSanta Clara Valley Transportation Authority3331 North First Street, Building BSan Jose, CA 95134
8/16/19	Allison Murray	Executive Assistant	Morgan Hill Unified School District	Hello-According to Morgan Hill Times, the CHSRA board will meet Sept. 17 in San Jose to approve its preferred alignment alternative through Morgan Hill, Gilroy and other areas along the Northern California route. It also states that comments concerning this projects are to be sent to san.jose_merced@hsr.ca.gov. Will you please let me know the deadline for these comments? Thank you!*Allison Murray**Executive Assistant**Business Services**Morgan Hill Unified School District**15600 Concord Circle, Morgan Hill, CA 95037*

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
8/22/19	Mariel Nicolary			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, and a resident of Fuller Avenue where my home will be directly impacted, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Mariel Nicolary</p>
8/22/19	Maria O'Leary			<p>Dear High Speed Rail Authority Board members: As a resident of Willow Glen / San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Maria O'Leary, North Willow Glen Resident</p>
8/22/19	Greg Pershall			<p>Dear High Speed Rail Authority Board Members: As a resident of Willow Glen in San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high-speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				<p>process. That's why I, and many of my neighbors, insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). I urge you to find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Greg Pershall Willow Glen, San Jose</p>
7/8/19	Ron R.			<p>Forwarding questions from local constituent about the Preferred Alternative announcement by High Speed Rail. Subject: Re: 2 High Speed Rail Meetings coming to Morgan Hill in July. What is it going to take to finally kill this beast? From what I see the discussion of alternatives it is really B.S. and the only real consideration is cost. Can we find out where these people live and see what can be done to disrupt their lives like they want to disrupt ours? This seems like a one-size-fits-all plan w/o consideration of individual towns and impacts. What is being done to coordinate a response with towns up the peninsula? Is there enough right of way so Alternative 4, with 3 tracks side by side, won't entail the destruction of existing buildings next to the UPRR tracks? What is the width of the right of way? What is the width including noise setbacks? How much wind will be generated and at what distances? How many trains, schedule? These kinds of questions need to be answered well before any meaningful discussion.</p> <p>Subject: 2 High Speed Rail Meetings coming to Morgan Hill in July. Hi Folks, The California High Speed Rail Authority (CHSRA) has identified a preferred alternative alignment for the San Jose to Merced project section. The CHSRA has evaluated four different alternative alignments and recently announced Alternative 4 as the preferred alternative. This alternative is the at-grade, blended option for the Morgan Hill segment. This alternative assumes two electrified passenger tracks alongside one conventional freight track. The project is predominantly within the existing Union Pacific Rail Road (UPRR) right-of-way. The train speed for the San Jose to Gilroy section would be 110 miles per hour. I am sending this information to you as someone who is interested in information about High Speed Rail plans for the South County Sincerely, John Lang</p>
8/22/19	Bill Rankin			<p>I do not support alignment 4 for San Jose. Please build the viaduct over 280/87 and grade separate the Monterey Corridor preferably with the tracks in a trench. Bill Rankin1012 Spencer Ave.SJ Ca. 95125</p>
8/21/19	Cynthia Rios Garcia			<p>I just want to say I like Alternative 4 not only because the capital costs are the lowest but it has the less overall impact on the community and environment. I hope this comes to fruition. Due to high housing costs in Santa Clara County many have relocated to Central Valley but commute</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				to Bay Area for work. This would benefit many families that commute. Thank you. Cynthia Rios Garcia
7/11/19	Robin Sando			Hello, I just saw your FB video. Nicely done with clear explanations of the upcoming hearings. Being that I will be out of the country for all of August and I am a Gilroy citizen, I thought I would give you my feedback now. I do see the need for this. But, alternative 4? The maps look like the rail will follow the existing train tracks, correct? What is the plan for all the new housing that has been built right next to the rail lines in Morgan Hill and Gilroy? In some places you only have about 50 - 100 feet from the complex to the tracks in both cities. Have you looked at those places? Or is this to follow the hwy? I am not clear. Again I see the need as I drive to LA frequently and Interstate 5 is getting more and more congested. But you can't just kick people out of existing housing that was only built 2 years ago or less. I would really like a reply since I can't attend any of the meetings scheduled. Thank you for your time. Regards, Robin Sando
8/23/19	Sali Schille			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Sali and Chris Schille North Willow Glen
8/22/19	David Schwegel	Transportation Track Chair	California Infrastructure Symposium	Here is my article from last Friday's San Jose Mayor Sam Liccardo Meeting in Microsoft Word format. Feel free to use and distribute as you see fit. Thank you. David M. Schwegel, PE California Infrastructure Symposium Transportation Track Chair 1. The staff-recommend State's Preferred Alternative is Alternative 4. Please select the option below that best reflects your opinion; I fully support Alternative 4. 2. Help us understand your answer to the question above. Share your comments, concerns (including specific geographic locations if appropriate), and suggestions. It's the most cost effective alternative with the least impact. I learned from San Jose Mayor Sam Liccardo last Friday that Silicon Valley Tech Firms have been hesitant to invest in Valley (Gilroy) to Valley

## Stakeholder Comments Received Continued...

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				<p>(Chowchilla). This is in stark contrast to Seattle to Vancouver BC - the subject of <a href="http://www.ushsr.com/events/seattle2019.html">www.ushsr.com/events/seattle2019.html</a> Attend the Cascadia Rail Summit November 6-8 at Microsoft and find out what our friends in the Cascadia Mega-Region are doing differently from the standpoint of successfully attracting investment from Tech Firms with Microsoft being an especially large contributor. Why can't Apple do something similar? Also, while at the Cascadia Rail Summit, learn about how they are crafting messages on what it means to bring Seattle and Vancouver BC closer together in terms of solving real world problems like Cancer research. Ask Authority Chief Operating Officer Joe Hedges why voters approved Seattle Sound Transit's \$54 billion Phase 2 expansion measure, and what we can learn here in California. Also, get Mayors Sam Liccardo (San Jose) and Lee Brand (Fresno) together with wise economic minds like Lenny Mendonca (Governor Newsom's Chief Economic Advisor), LeeAnn Eager (Fresno EDC), and Barry Broome (Greater Sacramento Economic Council) to figure out how messages can be conveyed on what High-Speed Rail means for the perfect intersection of food, agriculture, and technology as the "sweet spot" for economic prosperity and addressing real world problems like food insecurity worldwide. Also, get them to figure out how they see tech fitting into the next-generation high-tech agricultural industry. If arguments are convincing enough, then perhaps tech will consider investing after all. I see that Los Banos to Gilroy is only 48.4 miles. The financing is up in the air, but if there's a stretch that's a game-changer, this is it. Specifically, it links California's two "polar opposite" housing markets. This is a huge talking point given the severity of California's Housing Crisis - unmet housing needs equal to that of the remaining 49 states combined. Consider a station in Los Banos. I understand the hesitation of Los Banos potentially becoming a "bedroom community". Therefore, market Los Banos as an opportunity for tech firms to establish warehouses and production facilities that not only cost a fraction of comparable facilities in the Silicon Valley, but also are specifically addressed to needs in the Central Valley like next generation high-tech agriculture and electric vehicle (EV) manufacturing. EVs are a huge need in the Central Valley as the air quality is not the best. Attached is an article that I wrote in Microsoft Word format on last Friday's San Jose Mayor Sam Liccardo meeting and field trip to Santana Row.</p> <p>3. How well do you think the staff-recommended State's Preferred Alternative balances tradeoffs between (1) community factors, (2) environmental factors, and (3) system performance, options, and cost? 5 (Very Well)</p> <p>4. How did you learn about this Open House? High-Speed Rail Authority email</p> <p>5. In which community do you live? Clovis</p> <p>6. Optional: Would you like a follow-up call or email regarding a question or concern? If so, please indicate the nature of your question/concern and provide your contact information</p> <p>Topic of Question or Concern: I have a request to meet with Fresno Mayor Lee Brand to discuss</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				funding Valley to Valley. I don't have a confirmed date/time. Could Lenny Mendonca and LeeAnn Eager also participate in this same meeting? It would be helpful to get multiple economic experts in the same room to discuss this hot topic that's going to require a considerable degree of creativity. Anyone from the Authority in addition to Chair Mendonca interested in participating. How about Finance Audit Committee Chair Tom Richards? How about Authority Communications Outreach Staff or Consultants? Name: David Schwegel
8/24/19	Kathy Sullivan	Co-President	Morgan Hill Historical Society	To Whom It May Concern, Last night's session in Gilroy was very well presented and the experts were very informative. I talked with, Boris Lipkin, Kim Avila and several others about the Historical Society's serious concerns regarding the welfare of Villa Mira Monte (Morgan Hill House) listed on the National Register of Historic Places, reference number 78000777. I handed Boris letters I have written in the past that have gone unanswered. To preserve, maintain and operate this landmark, the Morgan Hill Historical Society, an all-volunteer organization, must hold fundraising events and educational programs on the site. HSR will all of this virtually impossible. We are also have plans to develop the back of the site for an event rental venue. No one will want to have a wedding to other social event at this site with train noise and whistles blowing. I look forward to hearing the results of the environmental impact research and hope that another solution can be found to avoid running HSR trains directly behind Villa Mira Monte and thought our town along side the existing tracks. Aside from preserving the town's landmark, there are serious concerns over safety and traffic gridlock throughout the city, especially in AM and PM during peak traffic congestions. HSR provides very little benefit for a community that will be devastated by alignment #4. Additionally, when looking at the plans for the running the train behind Villa Mira Monte, it appears that a sound wall is planned starting in the center of the property going south. If this come to fruition, this wall must to extend to the entire length of the back property line. With all this planning, the Historical Society has yet to be contacted about the environmental concerns. Has anyone even visited the site? Sincerely, Kathy Sullivan Resident of Morgan Hill Co-President, Morgan Hill Historical Society
8/22/19	Gregory Swett			California HSR Authority I attended a public form in Los Banos on HSR's on alternatives from San Jose to Merced. I am highly supportive of High Speed Rail but the performance of CHSR in attempting to implement is highly questionable. The objective of HSR is to move the population of California, today and years into the future—not be a social justice organization. To paraphrase—When making an omelet you are going to break eggs. Building a system that has limited capacity and impacted travel times is not very “future proof.” The capacity of the network has been stated as 8 trains per hour and utilizing 1,000 passengers per train gives an 8,000 per hour capacity. That capacity only equals current 101 capacity of 8,800 cars per hour at VTA's lane loading of 2,200 cars per hour. When you combine the inter-regional traffic, central valley traffic, and Cal-Train frequencies you soon run out capacity. Combine high speed

## Stakeholder Comments Received Continued...

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				<p>local service and long distance HSR, capacity and or speed is diminished. Running a high speed service with grade crossings degrades system reliability and puts communities at risk. At 8 trains per hour, cars will be stopped every 7 minutes with the assumption of 2 minutes for each train frequency. I think the people of Gilroy and Morgan hill will find this somewhat annoying. If it is 8 HSR, adding 2 Caltrain frequencies reduces the time between down to 4 minutes for each closing. A combination of alternative 4 and 2 would have better outcomes. An example is Solana Beach which has trenched the coast rail line through their city as have many communities on the Peninsula. Don't start a system with limitations. With limited frequencies, having multiple operators of train sets becomes very difficult. However, having the HSR as a monopoly carrier will not maximize the benefits of significant infrastructure investment by the people of California. The lack of a station in Los Banos impacts the long term success of HSR and is detrimental to the communities along 5 that are currently going to the Bay Area. While, quote, off-limits to HSR, you're planning people and political liaisons can make arguments that there is significant benefits to these communities as well as HSR. The suggestion of your outreach people to either bus back to Merced or to Gilroy, on an over capacity Pacheco Pass only demonstrates staff arrogance. HSR should make decisions based on being a transportation organization moving the people of California—not social welfare organization. Greg Swett PO Box 237 Paicines, Ca 95043</p>
7/22/19	Bert Weaver			<p>Northern California Regional Office, CHSRARe: San Jos to Merced Project Section, Staff Recommended Preferred Alternatives I do not support Staff-Recommended Preferred Alternative #4 for the San Jose to Merced section of High-Speed Rail. I explain my objections below. In 2018, representatives of the Delmas Park, Gardner, North Willow Glen, and Gregory Plaza neighborhoods in San Jose; sent two letters to San Jose; City Councilmembers Devora Davis and Raul Peralez in which we objected strongly to the proposal to align High-Speed Rail tracks at grade through the neighborhoods on the southern approach to Diridon Station. These two letters are attached to this message and are to be included in the record of comments on the project. Our reasoning was clear: the at-grade alignment would adversely impact our neighborhoods in several serious ways. For instance, the increased train traffic would render Auzerais Ave. and W. Virginia St. virtually unusable during the day, and it would reduce emergency ingress and egress routes from two to one in Gregory Plaza. These affects are unacceptable to us. Alternatives #1, #2, and #3 each include an elevated viaduct over I-280 for HSR and electric Caltrain trains. This option would greatly reduce the number of trains through the neighborhoods. I disagree that an elevated viaduct would cause a negative impact on aesthetics and visual quality, and I disagree that it would negatively affect neighborhood cohesion along Auzerais Ave. To the contrary, a well-located and well-designed viaduct, including a signature iconic bridge over I-280, would have little affect on the Auzerais</p>

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				neighborhood and would be visually appealing. I urge that the Diridon Station subsection of alternative #4 be rejected in favor of an elevated viaduct alignment. Bert Weaver 411 Park Ave Unit 135 San Jose, CA 95110
8/22/19	Daniel Weed			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe(walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely,Dan Weed
8/27/19	Michelle Winter			Dear High Speed Rail Authority Board members:As a resident of San Jose, in the Buena Vista area near Willow Glen, I want to express my concerns for the proposed High Speed Rail' plan near the Diridon Integrated Station. Please take into consideration how it would impact the residents and the people who move through this area during your planning process. Please remain engaged in the process to accommodate the Diridon Station Plan and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I live in this area! I appreciate considering my input on this matter! My Best, Michelle Michelle Winter360 S. Buena Vista Ave. San Jose, CA 95126
8/22/19	Gamon Yaklich			Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan

## Stakeholder Comments Received Continued...

Date	Name	Title	Org	Stakeholder Comments/Issues
				<p>and grade separations. With the amount of projected rail service to increase dramatically, I fully support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Gamon Yaklich San Jose Resident</p>
8/23/19	Gregory Yoder			<p>Dear High Speed Rail Authority Board members: As a resident of Willow Glen/ San Jose, I want to share my thoughts for High Speed Rail's Diridon Integrated Station Concept (DISC) Plan. If a highspeed train is being designed to help people live better lives and get places quicker, I feel it also must consider how construction and operation of the rail will affect the lives of the people and communities it effects. The safety and livability of our neighborhoods should be a high priority of your planning process. That's why I hope that High Speed Rail staff stays engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. With projected rail service to increase dramatically, I support grade separations that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to my North Willow Glen neighborhood. I appreciate your consideration of my input (assisted by my friend who are much more informed on the matter) on making High Speed Rail a better project through public engagement. Sincerely, Greg Yoder1624 Juanita Ave. San Jose CA 951251</p>
8/26/19	Dennis Young			<p>Dear High Speed Rail Authority Board members: As a resident of San Jose, I want to share my concerns for High Speed Rail's willingness to integrate input from our City's process during the Diridon Integrated Station Concept (DISC) Plan. If a high speed train is being designed to help people live better lives and get places quicker, it also must consider how construction and operation of the rail will affect the lives of the people and communities it will serve. The safety and livability of our neighborhoods should be a main priority of your planning process. That's why we insist that High Speed Rail staff remains engaged in the DISC process and find funding and make the needed changes during HSR planning to accommodate the Diridon Station Plan and grade separations. Based on the article - in the Spotlight : <a href="https://sanjosespotlight.com/ca-high-speed-rail-recommends-a-route-through-san-jose/">https://sanjosespotlight.com/ca-high-speed-rail-recommends-a-route-through-san-jose/</a> I have a few concerns:1) Since, I live nearby does this plan affect surface traffic (after and during construction)?2) What is the additional noise level?3) Since some of the route is aerial are there privacy issues in any of the neighborhoods?4) Based on comments from Dev (Dist 6 Council person) the City Council has NOT approved of the plan , contrary to what the article alludes.5) Is there going to be any presentations of the proposal in San Jose residents of the affected neighborhoods soon? With the amount of projected rail service to increase dramatically, I fully support grade separations</p>

## Stakeholder Comments Received Continued...

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				that help keep all modes of transportation safe (walking, biking, driving). Please find ways to minimize negative impacts to the Gregory/Gardner/ North Willow Glen neighborhoods through alignment over 280/87 or separate train traffic at Auzerais and West Virginia south of Diridon Station. I appreciate your consideration of my input on making High Speed Rail a better project through public engagement. Sincerely, Dennis