

## **APPENDIX H: COMMENTS RECEIVED AFTER THE PUBLICATION OF THE FINAL EIR/EIS**



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When a comment letter is received after the close of the public comment period, neither a California Environmental Quality Act (CEQA) nor a National Environmental Policy Act (NEPA) lead agency has an obligation to respond. (Pub. Resources Code, § 21091, subd. (d)(1); Pub. Resources Code, § 21092.5, subd. (c); 40 Code of Federal Regulations [C.F.R.] 1503.4.) However, a lead agency may, in its discretion, choose to respond. Consistent with that discretion, this appendix summarizes written comments received outside the comment period and the California High-Speed Rail Authority's (Authority) response.

This summary will be updated after Authority Board consideration of the San Jose to Merced Project Section Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS), if the document and the project section are approved. Any such update will be posted alongside final decision documents on the Authority's website.

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#	First Name	Last Name	Business/ Organization	Summary of Stakeholder Comments/Issues	Response/Status Update
001	Kathy	Robinson	Charities Housing	Commenter expressed interest in potential impacts on Charities Housing property at 611 El Camino Real, Santa Clara, as well as the status of the design.	The Authority coordinated with the commenter and provided information about the property in question, as well as the current status of the project.
002	David	McFeely	Individual	Commenter asked about how to access an electronic copy of the Final EIR/EIS, as well as the costs for a printed copy.	The Authority provided the link to the Authority's website where the commenter can download the Final EIR/EIS and offered to send a USB drive if desired. The Authority followed up with detailed information for the cost of printing each volume and how to place an order via Copymat.
003	Benoit	Mercier	Individual	Commenter asked if the final alignment would go through Morgan Hill.	The Authority directed the commenter to Chapter 2 of the Final EIR/EIS, where all four project alternatives are described in detail, and explained that the Preferred Alternative (Alternative 4) would operate mostly within the current Caltrain right-of-way in Morgan Hill.
004	Christophe	Rebboah	Rebekah Children's Services	Commenter requested additional information regarding at-grade crossings in Gilroy, specifically IOOF Avenue, and the environmental enhancements relevant to Rebekah Children's Services.	The Authority coordinated with the commenter and provided information regarding a pedestrian overcrossing at IOOF Avenue, offsetting mitigation measures included in Chapter 5 of the Final EIR/EIS, and a security fence that would be installed at the Rebekah Children's Services facility.
005	Eliyahu	Kamisher	Bay Area News Group	Commenter identified a discrepancy in the Final EIR/EIS Summary related to the number of residential displacements.	The Authority confirmed that the text in question was a typo and corrected it in the Errata to the Final EIR/EIS.
006	Paul	Welka	Individual	Commenter does not support Alternative 3, specifically the viaduct to East Gilroy, which they worry would bypass the transportation network in downtown Gilroy.	The Authority acknowledges the commenter's opposition to Alternative 3. As described in Chapter 8 of the Final EIR/EIS, the Authority's Preferred Alternative is Alternative 4, which would include a station in downtown Gilroy.
007	Danny	Garza	Individual	Commenter expressed an interest in funding for Gardner residents to use the community pool at Biebrach Park.	The Authority acknowledges the comment. For more information on impacts on environmental justice communities and proposed offsetting mitigation measures, please refer to Chapter 5 of the Final EIR/EIS.
008	Michelle	Wendler	Watry Design, Inc	Commenter requested guidance to interpret the design plans included in Volume 3, specifically in relation to the SAP Center parking and the Diridon design variant.	The Authority met with the commenter and provided clarifications.
009	Gene	Zanger	Casa de Fruta	Commenter requested guidance to interpret the design plans included in Volume 3, specifically related to a viaduct on a specific property.	The Authority staff met with the commenter and provided information about the proposed design through the property in question.

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010	Yvonne	Arroyo	Santa Clara Valley Water District	Commenter requested an electronic copy of the Final EIR/EIS to avoid having to download each individual file separately.	The Authority provided the Final EIR/EIS to the commenter via a Dropbox link on March 3, 2022.
011	Joseph	Coughlan	Individual	Commenter requested a single PDF for the entire Final EIR/EIS.	The Authority explained that due to file size the Final EIR/EIS is not available as a single PDF but offered to send a thumb drive to the commenter if desired.
012	Linda	Barbosa	Individual	Commenter suggests the route be revised to go over Altamont Pass.	The Authority acknowledges the commenter's preference for an alternative over Altamont Pass. Please refer to Standard Response SJM-Response-ALT-1: Alternatives Selection and Evaluation Process in Volume 4 of the Final EIR/EIS which explains that the Authority previously considered the Altamont Pass in the Program EIR/EIS for the Bay Area to Central Valley portion of the HSR System and selected the Pacheco Pass for the reasons disclosed in the prior document.
013	Emily	Chen	Individual	Commenter requested to be removed from the mailing list.	The Authority removed the commenter from the mailing list, as requested.
014	Pat	Mapelli	Graniterock Construction	Commenter requested information on the right-of-way acquisition timeline and the location for where acquisition would begin.	The Authority coordinated with the commenter and provided information about the status of the project and the timing of potential right-of-way acquisition.
015	Ben	Leech	Individual	Commenter requested an electronic copy of the Historic Architectural Survey Report and the Section 106 Findings of Effect Report.	The Authority provided the requested material on March 16, 2022. Confidential information was redacted as necessary.
016	Karen	Uyeda	Individual	Commenter requested a USB drive of the Final EIR/EIS.	The Authority mailed the Final EIR/EIS on a USB drive to the address provided.
017	Amer	Iqbal	Los Banos Unified School District	Commenter requested a follow-up discussion with the Authority regarding a play area and shade structure at Volta Elementary School and the timeline for the project.	The Authority's coordination with the commenter began in fall 2021 regarding the location for a play area and shade structure at the school. The Authority continued coordination and provided information about the status and timing of the project.
018	Carmel	de Bertaut	Individual	Commenter requested an electronic copy of the Final EIR/EIS.	The Authority provided the Final EIR/EIS to the commenter via a Dropbox link on March 15, 2022.
019	Kristin	King	Individual	Commenter does not support the project based on the cost and timeline and suggests highway improvements instead.	The Authority acknowledges the commenter's opposition to the project.

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020	Edmund	Sullivan	Santa Clara Valley Habitat Agency	Commenter expressed support for the California High-Speed Rail project and the San Jose to Merced Project Section and appreciates the ongoing coordination with the Authority.	The Authority acknowledges the commenter's support and appreciates the Santa Clara Valley Habitat Agency's effort throughout the environmental review to provide input as part of the consultation process for this project.
021	Naomi	Torres	Juan Bautista de Anza National Historic Trail, National Park Service	Commenter provides a description of the Juan Bautista de Anza National Historic Trail history and resources and acknowledges the information presented in the Final EIR/EIS related to this trail. The commenter also expressed interest in continuing coordination with the Authority.	The Authority acknowledges the information provided by the commenter and will coordinate in the future with National Park Service as necessary concerning the national historic trail.
022	Connell	Dunning	Environmental Protection Agency	Commenter expressed appreciation for the collaborative approach taken by the Authority throughout the EIR/EIS process, especially related to wildlife movement and associated mitigation developed in the Final EIR/EIS. Commenter also commended the extensive community outreach and the proposed improvements to offset adverse effects on minority communities and low-income communities.	The Authority acknowledges the comment and appreciates the Environmental Protection Agency's efforts throughout the environmental review to provide input as part of the consultation process for this project.
023	Kelly	Woburn	Individual	Commenter requested a method to download the Final EIR/EIS faster to avoid having to download each individual file separately.	The Authority explained that due to file size the Final EIR/EIS is not available as a single PDF. The Authority provided the Final EIR/EIS to the commenter via a Dropbox link on March 29, 2022, and offered to send a USB drive to the commenter if desired.
024	Lesley	Miles	Weston Miles Architects	Commenter asked for a link to the comment area of the document.	The Authority provided the link to Volume 4 of the Final EIR/EIS.

Authority = California High-Speed Rail Authority; Final EIR/EIS = San Jose to Merced Project Section Final Environmental Impact Report/Final Impact Statement.