9 PUBLIC AND AGENCY INVOLVEMENT

Since publication of the Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS), the following substantive changes have been made to this chapter:

- This chapter was updated throughout to describe the circulation of the Draft EIR/EIS and the circulation of the San Francisco to San Jose Project Section Revised Draft EIR/Supplemental Draft EIS (Revised/Supplemental Draft EIR/EIS). It was also updated to describe the release of the Final EIR/EIS (including revisions to Section 9.5, Notification and Circulation of the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS, and Release of the Final EIR/EIS).
- This chapter was updated to provide any additional public and agency meetings that have occurred since circulation of the Draft EIR/EIS, including revisions to Table 9-2.
- Section 9.4.2.3, Agreements and Memoranda of Understanding, was updated to include mention of additional agreements related to funding commitments between the California High-Speed Rail Authority (Authority) and the Peninsula Corridor Joint Powers Board (PCJPB) in 2016 and 2018.
- Section 9.4.2.8, Agency Meetings and Consultation, was updated to reflect revisions to the federal and state agencies involved with the environmental review or that served as California Environmental Quality Act (CEQA) responsible agencies.
- Section 9.4.2.9, Section 106 Consultation, National Historic Preservation Act, was updated to state that the City and County of San Francisco was added as a Section 106 consulting party.
- Section 9.4.2.10, Section 404 of the Clean Water Act and Section 14 of the Rivers and Harbors Act, was updated to reflect the status of Checkpoint C.
- Section 9.4.2.11, Section 7 Consultation, Federal Endangered Species Act, was updated to reflect the status of the biological assessment and biological opinion.

Pursuant to the requirements of the National Environmental Policy Act (NEPA) and CEQA, a public and agency involvement program has been implemented as part of the environmental review process. This chapter describes the public and agency involvement efforts conducted for the preparation of the Draft EIR/EIS, the Revised/Supplemental Draft EIR/EIS, and this Final EIR/EIS for the San Francisco to San Jose Project Section (Project Section, or project).

This chapter is organized chronologically, following the iterative alternatives development and consideration process, including the initial planning for a four-track system from 2009 through 2010, the transition to planning for a two-track blended system beginning in 2011, and the re-initiation of planning for the two-track blended system in 2016. This chapter summarizes the public and agency involvement for the planning phases prior to 2016, and provides detailed information for the project starting with reinitiated public scoping outreach activities for the two-track blended system in April 2016 and continuing through the release of this Final EIR/EIS. For additional information on the planning phases of the project, see Chapter 2, Alternatives.

The public and agency involvement program includes the following efforts:

- **Public involvement and outreach**—Informational materials, including fact sheets; informational and scoping meetings, including open houses, public and agency scoping meetings, meetings with individuals and groups, presentations, and briefings
- **Agency involvement**—Scoping meetings, interagency working group meetings, meetings with agency representatives, and other agency consultation
- **Publication and distribution—**Notification and circulation of the Draft EIR/EIS and the Revised/Supplemental Draft EIR/EIS, and notification of release of this Final EIR/EIS

The Authority posts meeting notices and public documents on its website, www.hsr.ca.gov. The website provides information about the California High-Speed Rail (HSR) System and the proposed Project Section. It also houses the Authority's most recent biennial business plans,

newsletters, press releases, Authority Board of Directors meeting materials, recent developments, environmental review status updates, Authority contact information, and related links. Authority meetings are open to the public, and one of the first items on each meeting agenda offers an opportunity for public comment, questions, or discussion.

The Authority posted the Draft EIR/EIS on its website (www.hsr.ca.gov). Printed and/or electronic copies of the Draft EIR/EIS were available at the Authority's Northern California Regional Office at 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113; and the Authority's Headquarters at 770 L Street, Suite 620 MS-1, Sacramento, CA 95814. The Summary and Notice of Availability (NOA), which included information on how to participate in the public comment period, were also available on the Authority's website and in the Authority's Northern California Regional Office and the Authority's Headquarters in English, Spanish, Mandarin, Vietnamese, and Tagalog. The Authority has posted the Revised/Supplemental EIR/EIS and this Final EIR/EIS on its website. Additional information is provided in Section 9.5.

Throughout the environmental review process, questions were received during a variety of means, including public information meetings and workshops, as well as emails, phone calls, and one-on-one discussions with landowners. Some of the most frequently asked questions were related to right-of-way acquisition and compensation and the process for accessing property to conduct environmental surveys. Other common comments related to alignment and station planning; design and public safety, including grade crossings, signaling, and train speeds; traffic; noise; the project's relationship to the ongoing Caltrain electrification process; grade separations; project funding; impacts on other projects and transportation connectivity; construction impacts; home values; location of the light maintenance facility (LMF); and the proposed use of passing tracks. The Authority addressed these and other questions, often referring to the environmental analysis already underway. Outreach staff logged unanswered questions for direct follow-up with the individual or organization that had inquired or as items to be addressed at future meetings. Upon request, the Authority offered to provide meetings and briefings.

9.1 Environmental Justice Outreach

The Authority has conducted specific outreach efforts to low-income populations and minority populations and to communities of concern. The purpose of this outreach is to increase the Authority's understanding of potential project effects on these populations. Minority populations and low-income populations were identified using the U.S. Census Bureau 2010 Decennial Census and the 2010–2014 U.S. Census Bureau American Community Survey 5-Year Estimates. Volume 2, Appendix 5-A, Environmental Justice Engagement Summary Report, and the *San Jose to Merced Project Section Environmental Justice Engagement Summary Report* (Authority 2019a) contain lists of environmental justice–related interest groups that have been engaged through outreach efforts. The Authority has also contacted groups with interest in environmental and economic social justice issues and established minority organizations, such as Asian Americans for Community Involvement, San Mateo County Health Department, SF Environment, Sustainable San Mateo County, and the Vietnamese Voluntary Organization.

An Environmental Justice Outreach Plan (Volume 2, Appendix 5-A, Attachment 1, Environmental Justice Outreach Plan) was prepared in June 2016, which has and continues to guide the Authority in engagement with minority populations and low-income populations living or working near the project for the purpose of consistently communicating project information, actively listening to and responding to community concerns, and identifying potential actions to mitigate any disproportionately high and adverse human health and environmental effects on minority populations and low-income populations.

Following reinitiating project scoping in 2016, and as a result of interest of the communities on potential effects of the proposed Brisbane LMF and the passing tracks under Alternative B, the outreach team intensified environmental justice outreach in 2018 and 2019. This effort included interviewing community-based service providers representing the interests of more than 53,000 community members to gather feedback and identify opportunities for additional outreach. The full list of these events is provided in Volume 2, Appendix 5-A.

To aid populations with limited English proficiency, the Authority translated selected public meeting materials into Spanish, including public notices, right-of-way handouts, and Permission to Enter Process handouts. For the 2016 scoping meetings, the Authority provided interpreters for languages commonly spoken (i.e., 5 percent or more of the population speaks the language as its first language) in each community (Spanish, Mandarin/Cantonese Chinese, and Tagalog for San Francisco, and Spanish for San Mateo and Mountain View). The 2016 scoping meeting invitation flyer was translated and made available in English, Spanish, Mandarin, Vietnamese, and Tagalog. Additionally, public notices for other public meetings held throughout project planning, as well as the notification of the availability of the Draft EIR/EIS, the Revised/Supplemental Draft EIR/EIS, and this Final EIR/EIS, included similar translated statements in Spanish, Mandarin, Vietnamese, and Tagalog.

For additional information about outreach to minority populations, low-income populations, and sensitive populations, see Chapter 5, Environmental Justice; Volume 2, Appendix 5-A; and the *San Jose to Merced Project Section Environmental Justice Engagement Summary Report* (Authority 2019a).

9.2 Initial Planning for Four-Track System (2009 to 2010)

In 2009, the Authority and Federal Railroad Administration (FRA) began the project-level environmental review process. At that time, the proposed project consisted of a four-track system (fully grade-separated) between San Francisco and San Jose with HSR sharing the corridor with Caltrain express commuter trains. This section provides an overview of the scoping process, meetings, and comments received during the 2009 scoping and 2009–2010 alternatives analysis phases. Section 9.4, Current Planning for Two-Track Blended System (2016 to Present), describes the scoping process and subsequent outreach activities for the two-track blended system currently under consideration.

9.2.1 Public and Agency Scoping (2009)

Public and agency scoping is an important element in the process of determining the focus and content of an EIR/EIS and provides an opportunity for public and agency comment. Scoping helps identify the range of actions, alternatives, environmental impacts, and mitigation measures to be analyzed in depth. It also helps focus detailed study on those issues pertinent to the final decision on the proposed project. The Authority initiated public scoping outreach activities for a fully grade-separated, four-track system in 2009. The initial efforts included the development of project information materials, establishment of a project information phone line, early engagement with interested parties, and media communications.

9.2.1.1 Notices of Preparation, Notices of Intent, and Public Information Materials

On December 22, 2008, the Authority distributed a Notice of Preparation (NOP) to the State Clearinghouse (SCH No. 2008122079); elected officials; local, regional, and state agencies; and the interested public to notify them of the Authority's intention to prepare an EIR for the Project Section. The FRA published a Notice of Intent (NOI) in the *Federal Register* on December 29, 2008, notifying the public of the FRA's intention to prepare an EIS for the Project Section. The NOP and NOI stated the purpose of the project, the project limits, a description of the alternatives to be considered, the need for public and agency input, potential environmental impacts of the project, points of contact for additional information, and the dates and locations of the scoping meetings. On January 8, 2009, the Authority issued a revised NOP clarifying that the comment period would end on March 6, 2009. The comment period was later extended through April 6, 2009.

9.2.1.2 Scoping Meetings

During the scoping period, the Authority held formal scoping meetings for the project's Draft EIR/EIS in January 2009. A meeting was held in each of the three counties encompassing the project—San Francisco, San Mateo, and Santa Clara. These scoping meetings were an important component of the scoping process for both state and federal environmental review and

provided an opportunity for the public to provide input on the project and issues for consideration in the Draft EIR/EIS.

Nearly 400 participants attended the scoping meetings. The dates, places, and number of participants at the scoping meetings were as follows:

- January 22, 2009: SamTrans Auditorium, 1250 San Carlos Avenue, San Carlos, 65 attendees
- January 27, 2009: San Francisco State University, 835 Market Street, 6th Floor, Rooms 637 & 674, San Francisco, 166 attendees
- January 29, 2009: Santa Clara Convention Center, 5001 Great America Parkway, Great America Meeting Rooms 1 & 2, Santa Clara, 151 attendees

The Authority held two sessions at each scoping meeting location—the first from 3:00 to 5:00 p.m. and the second from 6:00 to 8:00 p.m.—to allow representatives from agencies and the public the opportunity to participate. Agendas, fact sheets, and comment sheets were distributed at the scoping meetings. Each scoping meeting session began with a 1-hour open house, during which the Authority and its technical team were available to respond to questions and discuss the informational materials distributed or displayed on boards around the meeting room. The displays covered pertinent topics such as environmental issues, engineering plan drawings, HSR system maps, aerial maps of project corridor cities, and methods for commenting during the scoping period.

Following the open house, the Authority provided a formal presentation to give an overview of the statewide HSR system, information on the proposed four-track system in the Project Section, and issues and topics to be considered in the environmental analysis. At the end of the formal presentation, the Authority responded to questions from meeting attendees. A court reporter documented verbal testimony provided by attendees. Comments received at the meetings are summarized in Section 9.2.1.3, Scoping Comments, and in the *Draft Scoping Report for the San Francisco to San Jose High-Speed Train Project-Level EIR/EIS* (Authority and FRA 2009).

Members of the public, businesses, organizations, and government agencies were invited to attend the scoping meetings and submit comments. The following outreach efforts announced the meetings and solicited public interest (Authority and FRA 2009):

- Display and legal ads were placed in 12 major market/daily, community, and ethnic papers in the project corridor publicizing the scoping meetings. All newspaper ads ran between January 15, 2009, and January 20, 2009. The papers included the *San Francisco Chronicle*, *San Francisco Bayview, Sing Tao Daily* (Mandarin-language newspaper), *San Mateo County Times*, *San Jose Mercury News*, *Palo Alto Daily News, Redwood City News, San Mateo Daily News, Burlingame News, Rose Garden Resident, Sunnyvale Sun*, and *El Observador* (Spanish-language newspaper).
- Scoping meeting notices were sent to nearly 16,500 property owners adjacent to the Caltrain right-of-way and to property owners within a 500-foot radius of the proposed stations.
- Informational mailings about the scoping meetings were distributed to over 800 parties, including local, state, and federal elected officials; agency planning and community development directors; business leaders; and community residents, community-based organizations, environmental groups, labor organizations, transportation advocacy groups, homeowners associations, and other interested parties.
- The email-only version of the meeting notice was sent to nearly 90 individuals, based on their past meeting attendance and other requests for information.
- A press release was distributed to nearly 80 local television, radio, and newspapers.
- Press kits were prepared and distributed to media representatives attending each scoping meeting. These press kits included meeting materials, project fact sheets, and a press release.

- Planning directors and community development directors were asked to place additional copies of the notice in high-traffic public locations to inform citizens about the scoping meetings.
- Information about the scoping meetings was posted on the Authority's website.

9.2.1.3 Scoping Comments

Feedback received during the scoping comment period, including over 950 comment submissions, helped the lead agencies identify general environmental issues to be addressed in the EIR/EIS. The scoping process identified issues with the proposed alignments and stations, suggestions for new or modified alignments and stations, and issues of potential concern related to the project.

The scoping comments received from the public, agencies, and organizations are available in appendices to the *Draft Scoping Report for the San Francisco to San Jose High-Speed Train Project-Level EIR/EIS* (Authority and FRA 2009) by request via the Authority's website. The general topics and issues raised can be summarized as follows:

- **Protection of the environment**—Comments concerned the effects of construction and operations of the project on the physical and socioeconomic environments, including community character and quality of life, noise and vibration, air quality and climate change, safety and security, biological resources, historical and cultural resources, and transportation.
- **Alignment and station alternatives**—Comments suggested changes to the route, vertical profile, or station locations.
- **Connectivity and coordination with other transportation facilities**—Comments concerned connections to transit systems, airports, and existing or proposed intermodal facilities.
- **Alternative technologies**—Comments suggested consideration of methods of providing high-speed, intercity travel service.
- **Project funding and cost**—Comments concerned the project costs and the means to pay for the capital and operating costs of the system, as well as the effects of construction and operations of the project on fiscal conditions of local jurisdictions.
- **Land use and property acquisition**—Comments concerned land valuations, land acquisition, and compensation to property owners whose land may be acquired or whose residence or business may be relocated.
- **Public outreach**—Comments concerned the need for adequate notification and maintaining a high level of public involvement and transparency throughout the environmental process.
- **Support for the project**—Comments generally favored the project.
- **Opposition to the project**—Comments generally were unfavorable to the project.
- **Project description**—Comments concerned the planning, design, and operations of the project; some requested that the Authority evaluate the opportunity to operate a two-track system within the existing Caltrain right-of-way rather than the proposed four-track system.

9.2.1.4 Additional Public Meetings Held during Scoping

In addition to these formal scoping meetings, public input on the scope of the environmental review was sought through other means, including presentations, briefings, and workshops with local governments, agencies, stakeholder organizations, and community organizations.

Among these meetings, the Authority held three public project information meetings in the cities where a potential mid-Peninsula HSR station location was under consideration: Millbrae (February 25, 2009), Palo Alto (February 26, 2009), and Redwood City (March 4, 2009). These meetings provided opportunities for interested parties to provide comments and to focus the discussion on the potential station locations. More than 350 members of the public participated in these meetings, including 10 elected officials and representatives from 15 public agencies. These

meetings were advertised on the Authority website. Targeted San Francisco Bay Area (Bay Area) media received a notice prior to each meeting.

9.2.1.5 Tribal Coordination

The Authority conducted Native American outreach and consultation at key milestones during the scoping and alternatives analysis process beginning in 2009. Both federally recognized tribes and non–federally recognized tribes were notified of the initiation of the Section 106 process and were consulted during initial scoping in 2009.

The Authority and FRA initiated consultation with the Native American Heritage Commission (NAHC) for a search of their Sacred Lands File and lists of Native American contacts in April 2009. In September and October 2009, consultation request letters were sent to all contacts provided by NAHC. Additional tribal coordination and Section 106 consultation conducted for the updated two-track blended system is detailed in Section 9.4.

9.2.2 Alternatives Analysis Process (2009 to 2010)

During 2009 and 2010, the alternatives analysis process for the proposed four-track system used conceptual planning, environmental, and engineering information to identify a range of feasible and practicable alternatives to carry forward for additional planning, preliminary engineering design, and environmental evaluation in the EIR/EIS.

City and county transportation, land use, and planning information, along with public and agency input on the range of alternatives, provided valuable information during the alternatives analysis process. With consideration of the public and agency comments received during the planning and initial scoping processes, various design options for the alternatives for HSR alignment, stations, and LMF sites were considered, as detailed in the *Preliminary Alternatives Analysis Report for the San Francisco to San Jose Section* (PAA) (Authority and FRA 2010a), and the subsequent *Supplemental Alternatives Analysis Report for the San Francisco to San Jose Section* (SAA) (Authority and FRA 2010b).

The intent of the PAA and SAA was to identify the range of potentially feasible alternatives to analyze in the EIR/EIS. They documented the preliminary evaluation of alternatives, indicating how each of the alternatives would meet the purpose for the project; how evaluation criteria were applied and used to determine which alternatives to carry forward for preliminary design and detailed environmental analysis; and which alternatives should not be carried forward for further analysis. Alternatives not advanced for detailed study had greater direct and indirect environmental effects, were impracticable, or failed to meet the project's purpose. More information on the PAA and SAA can be found in Section 2.5, Alternatives Considered during Alternatives Screening Process, of this Final EIR/EIS.

The PAA and SAA were presented to the Authority Board of Directors during their regular, monthly Board meetings. These meetings provided members of the public with the opportunity to provide comments directly to the Board of Directors regarding the Project Section and alternatives analysis. The PAA was presented and discussed at the April 8, 2010, Board meeting and the SAA was presented and discussed at the August 5, 2010, Board meeting. Members of the public may address the Board of Directors at the beginning of any Board meeting with a topic related to this Project Section.

9.2.2.1 Public Outreach during the Alternatives Analysis Process

Numerous informational meetings were held during the alternatives analysis process to inform the public about the project alternatives recommendations. Various meeting formats, such as open houses, formal presentations, and question-and-comment sessions, were used to present information and provide opportunities for participants to give input. Project information and announcements were posted on the Authority's website.

The PAA and SAA provided information to the public regarding the alternatives analysis process, the initial range of alternatives considered, and the criteria for evaluating those alternatives (Authority and FRA 2010a, 2010b). Detailed information about the alternatives analysis process

was displayed at the public meetings, one-on-one briefings, and small group meetings. Another element of the outreach was to provide updates and presentations to clubs, organizations, and business owners, as well as local cities and counties, to facilitate an inclusive and transparent process.

Throughout the alternatives analysis process, the Authority held more than 125 meetings with agencies, elected officials, the public, and small groups. These meetings included technical working group (TWG) meetings, a series of policymaker working group meetings, three open house meetings, and several community workshops, all held between June 2009 and August 2010. The TWG meetings and policymaker working group meetings are described in more detail in the next section. These meetings were intended to explain the alternatives analysis process, share the results of preliminary studies with the public and agencies, and receive feedback.

The following is a list of the issues consistently raised during the alternatives analysis process:

- **Land use and property acquisition**—Commenters expressed concern about potential impacts on properties along the right-of-way, especially in those areas where the right-of-way is narrow.
- **Protection of the environment**—Commenters expressed concern about the potential noise and visual impacts caused by the project, especially as it relates to above-grade alternatives.
- **Alignment and station alternatives**—Commenters suggested variations to the route, vertical profile, or station locations, such as the following:
  - Numerous comments expressed a preference for below-grade alternatives.
  - Several communities requested that below-grade options be added for further consideration.
  - A commenter requested that the use of elevated retained-fill berms be minimized.
- **Project funding and cost**—Commenters raised concerns about the overall cost of the HSR system.

9.2.2.2 Technical Working Group Meetings during the Alternatives Analysis Process

Throughout development of these early project alternatives, the Authority held a series of TWG meetings. The TWG was initially separated into two groups. The first group was composed of representatives of city and county governments and transportation agencies, and the second group comprised other resource agencies. The purpose of this group was to facilitate the exchange of information and ideas during the alternatives analysis.

The initial series of TWG meetings were held after the scoping period ended in early April 2009. The initial meeting with the city, county, and transportation agency representatives was held on June 23, 2009 and the meeting resource agency representatives was held on June 26, 2009. The groups each met a second time in September 2009. Beginning in March 2010, the TWG representatives from the cities, counties, resource agencies, and transportation agencies all participated in the same meeting. This joint TWG met several times in 2010. The purpose of each of these meetings was to receive input on the preliminary alternatives. These TWGs provided input on the alternatives and information about city and county land use, transportation, and other planning projects; identified potential physical and environmental impacts to existing assets; identified potential community impacts; and provided updates to their boards or councils on the current conceptual alternatives options.

The Authority also established a policymaker working group to invite the collaboration and input of local elected officials and their representatives in the environmental process, provide opportunities for coordination with TWG representatives, and facilitate additional interface with the project technical and outreach staff. This policymaker working group was composed of elected officials from the cities and counties in the Project Section. The policymaker working group met eight times between October 2009 and November 2010.

9.3 Transition to a Two-Track Blended System (2011 to 2016)

The four-track system that was proposed during 2009 scoping and further refined in 2009 and 2010 generated concerns from communities along the Caltrain rail corridor between San Francisco and San Jose because of the magnitude of potential impacts on environmental and community resources along this highly developed urban corridor. In response to these concerns, the Authority suspended further work on the Draft EIR/EIS in mid-2011 so that it could consider blended operations for Caltrain and HSR services in a smaller project footprint and determine the HSR service to be studied in the Draft EIR/EIS.

In November 2011, the Authority proposed blended operations in the Caltrain corridor, which would provide HSR service between the two cities and a "one-seat ride" to San Francisco by sharing track with Caltrain, without requiring a dedicated four-track system (Authority 2011). This blended system approach would minimize impacts on surrounding communities, reduce project cost, improve safety, and expedite implementation.

Several important legislative actions and implementation decisions followed the Authority's proposal for blended operations for the Project Section in 2011. The framework for blended operations along the San Francisco Peninsula (Peninsula) was formalized in 2012 through four separate but related actions:

- **Adoption of the *California High-Speed Rail Revised 2012 Business Plan* (2012 Business Plan) (Authority 2012)**—The Authority's 2012 Business Plan proposed a blended system for the Peninsula, described as primarily a two-track system that would be shared by Caltrain and HSR service, and other current passenger and freight rail tenants. Key improvements of the blended system included electrification and infrastructure upgrades to be implemented by Caltrain. The 2012 Business Plan further concluded that the HSR project to be studied in the Project Section Draft EIR/EIS would be the blended system.
- **Adoption of Metropolitan Transportation Commission (MTC) Resolution No. 4056 Memorandum of Understanding (MOU)**—The MOU is a nine-party agreement to establish a *Funding Framework for a High-Speed Rail Early Investment Strategy for a Blended System in the Peninsula Corridor* (MTC 2012). The early investment strategy identifies an interrelated program of projects to upgrade existing commuter rail service and prepare for a future HSR project with infrastructure that remains substantially within the existing Caltrain right-of-way. It would primarily utilize the existing track configuration on the Peninsula. The two interrelated projects funded by the early investment strategy are the installation of electric traction power infrastructure and purchase of electric passenger train equipment for commuter services, and positive train control.
- **Passage of Senate Bill 1029**—In July 2012, the legislature further defined the blended system by mandating that any funds appropriated for projects in the San Francisco to San Jose corridor, consistent with the blended system strategy identified in the 2012 Business Plan, would not be used to expand the blended system to an independently dedicated four-track system.
- **Passage of Senate Bill 557**—In September 2013, the legislature required that any bond funds appropriated pursuant to Senate Bill 1029 be used solely to implement a primarily two-track blended system located substantially within the existing Caltrain right-of-way. It also stipulates that any track expansion beyond the blended system approach will require the approval of all nine parties that signed MTC Resolution No. 4056.

This framework for pursuing a blended system in the Project Section provided the foundation for a new planning effort focusing on a predominantly two-track blended system using existing Caltrain track and remaining substantially within the existing Caltrain right-of-way.

Between 2011 and 2016, the Authority coordinated with Caltrain to establish agreements, funding, and a general path for advancing the Caltrain Modernization Program and the blended system.

9.3.1 Alternatives Analysis Process for Two-Track Blended System

After establishing the framework for blended system operations in 2012, the Authority and Caltrain studied the feasibility of different blended system operations scenarios, including the utility of passing tracks. Based on public and agency input during the 2009 scoping period and subsequent alternatives analysis, the primary considerations when developing project alternatives included avoiding and minimizing community and environmental resource impacts and minimizing impacts on the existing passenger and freight rail systems operating in the Caltrain corridor. The Authority and FRA balanced these considerations with the objectives of predictable and consistent travel times. During this period, the Authority worked extensively with Caltrain to prepare studies assessing the feasibility of different blended system operations scenarios and passing track options that led to the recommendation of options for further consideration in the Draft EIR/EIS.

9.3.2 Public Outreach during the Transition to the Two-Track System

From the transition to a two-track blended system in 2012 through early 2016, the Authority continued to provide updates on the Project Section and coordinate with local elected officials, Native American organizations, and stakeholders. Broader public outreach efforts were largely on hold during this time.

9.4 Current Planning for Two-Track Blended System (2016 to Present)

The process for project-level environmental review of the two-track blended system was initiated in April 2016. At this time, the Authority and FRA submitted a new Purpose and Need Statement to the U.S. Environmental Protection Agency (USEPA) and U.S. Army Corps of Engineers (USACE). The proposed project—a predominantly two-track blended system using existing Caltrain track and remaining substantially within the existing Caltrain right-of-way—reflected the public and agency feedback received during the initial project-level scoping and alternatives analysis for a four-track system in 2009 and 2010, as well as extensive Caltrain consultation through 2016.

9.4.1 Public and Agency Scoping (2016)

In April 2016, the Authority and FRA initiated new public scoping outreach for project-level environmental review of the two-track blended system. These outreach activities included pre-scoping briefings, development of updated project information materials, early engagement with interested parties, and publication of newspaper ads and distribution of press releases. This outreach is detailed in the following sections.

9.4.1.1 Notices of Preparation, Notices of Intent, and Public Information Materials

New NOP and NOI notices for the two-track blended system were published in May 2016. On May 9, 2016, an NOP was distributed to the State Clearinghouse (SCH No. 2016052019); elected officials; local, regional, and state agencies; and the interested public to notify them of the Authority's intention to prepare an EIR for the Project Section. An NOI was published in the *Federal Register* on May 9, 2016, notifying the public of the FRA's intention to prepare an EIS for the Project Section. The 2016 NOP and NOI rescinded the 2009 NOP and 2008 NOI, respectively, and described the two-track blended system for the Project Section. The new NOP and NOI presented a revised project purpose, the project limits, a description of alternatives to be considered, and potential environmental impacts of the project, and solicited public and agency input. In addition, the NOP and NOI listed points of contact for additional information and the dates and locations of the upcoming scoping meetings, and requested that comments be submitted before the end of the comment period on July 20, 2016.

9.4.1.2 Scoping Meetings

Three public and agency scoping meetings were held between May 23 and May 25, 2016, in San Francisco, San Mateo, and Mountain View. These meetings were an important component of the scoping process for both state and federal environmental review.

All scoping meetings were held between 5:00 and 8:00 p.m. to allow representatives from agencies and the public the opportunity to participate. Each scoping meeting began with a 1-hour information forum during which meeting attendees could talk to members of the project team. Following the information forum, a formal PowerPoint presentation introduced the scoping meeting and agenda, shared the current understanding of the Project Section, walked through the project alignment, discussed how people could provide effective comments, and provided ground rules for presenting oral comments. A 45-minute period for participants to provide oral comments, which were recorded by a court reporter, followed the presentation. Throughout the remainder of the meeting, participants visited information stations and provided additional comments, both written comments and oral comments provided to a court reporter, at the comment station. Agendas, fact sheets, and scoping period comment sheets were distributed at the scoping meetings. The comments received at the meetings are summarized in Section 9.4.1.3, Scoping Comments, and in the *San Francisco to San Jose Project Section Scoping Report* (Authority and FRA 2016b).

Notices for the scoping meetings were mailed to over 17,600 property owners, residents, and business tenants within a 0.25-mile radius of the proposed stations, and to property owners adjacent to the Caltrain right-of-way. Notifications were also sent to various federal, state, and local agencies; elected officials; and other stakeholders. An electronic version of the meeting notice was emailed to approximately 17,100 contacts identified in the Authority's Project Section stakeholder database. This database includes contact information from individuals, elected officials, agency representatives, and others that was collected and updated from initial project scoping in 2009. The Authority also distributed copies of the scoping meeting flyers to 75 libraries, 28 community and civic centers, offices of elected officials, and city halls.

The Authority's website also announced the meetings, as did the Authority's Facebook and Twitter accounts. Notification of the scoping meetings was published in display ads in nine local newspapers with a combined circulation audience of over 1 million. The newspaper ads were all published between May 9, 2016, and May 20, 2016, in the following publications: *San Francisco Examiner, Bay Area News Group, Daily Post, San Mateo Daily Journal, Sing Tao* (Mandarin-language newspaper), *Vietnam Daily News* (Vietnamese-language newspaper*), El Observador* (Spanish-language newspaper), *The Almanac*, and *Mountain View Voice*. Additionally, press releases were distributed to local media outlets, resulting in a number of articles published prior to and during the scoping period covering the scoping meetings along the project corridor.

Approximately 150 participants attended the three scoping meetings. The dates, places, and summary of participants at the public and agency scoping meetings were:

- May 23, 2016: University of California, San Francisco Mission Bay, 1500 Owens Street, San Francisco; 38 attendees, including 6 public agencies
- May 24, 2016: San Mateo Marriott, 1770 South Amphlett Boulevard, San Mateo; 58 attendees, including 10 public agencies and four elected officials/staff
- May 25, 2016: SFV Lodge, 351 Villa Street, Mountain View; 57 attendees, including 5 public agencies and 2 elected officials/staff

In addition to these three formal scoping meetings, public input on the scope of the environmental review was sought through other means, including presentations, briefings, and workshops. In total, there were more than 45 other meetings held (from pre-scoping briefings in April 2016 through the end of the scoping period on July 20, 2016) with members of the public, businesses, organizations, government, and transit agencies. Table 9-1 shows the meetings held as part of this outreach effort. Additional detail on each of these meetings can be found in Volume 2, Appendix 9-A, Public and Agency Meeting List.

Table 9-1 Public and Agency Meetings Summary, April 2016–July 2016

Organization/Individual	Number of Meetings Held	Meeting Dates
#iwillride student tour of the Transbay Transit Center	1	4/8/2016
BART	1	7/19/2016
Bay Area Chapter of Disabled Veteran Business Alliance	1	4/12/2016
Bay Area Council Transportation Committee	1	4/5/2016
Belmont City Council	1	6/14/2016
Burlingame City Councilmember Emily Beach	1	6/22/2016
Caltrain Blended Infrastructure Working Group	5	4/29/2016, 5/27/2016, 6/10/2016, 6/24/2016, 7/1/2016
Caltrain Joint Powers Board	1	7/7/2016
Caltrans District 4 Calmentor Program	1	5/5/2016
City Age Summit	1	4/5/2016
City of Mountain View	1	4/5/2016
City of San Mateo	2	4/12/2016, 7/5/2016
City/County of San Francisco	1	7/6/2016
City/County Staff Coordinating Group	3	5/18/2016, 6/15/2016, 7/20/2016
Community Overcoming Relationship Abuse (CORA)	1	7/5/2016
Community Working Group, San Jose	1	4/12/2016
Diridon Station Meeting	1	4/14/2016
General Services Administration	1	7/18/2016
Local Policy Maker Group	1	5/26/2016
Millbrae Station Area Intermodal Working Group	1	7/7/2016
Millbrae Station Area Planning	1	7/7/2016
Mountain View City Council	1	4/26/2016
Northern California Legislative Briefing	1	4/13/2016
Palo Alto Farmers Market	1	7/13/2016
Palo Alto Mayor Pat Burt	1	6/20/2016
Peninsula City Managers	1	7/20/2016
San Jose City Council District 6	1	6/7/2016
San Jose Mayor Sam Liccardo	1	6/10/2016
Scoping meetings	3	5/23/2016, 5/24/2016, 5/25/2016
Silicon Valley Leadership Group	1	6/10/2016
South Bay Transportation Officials Association	1	6/14/2016

Organization/Individual	Number of Meetings Held	Meeting Dates
SPUR: Progress on Beyond the Tracks events	1	6/30/2016
Town of Atherton Rail Committee	1	6/7/2016
Transbay Transit Center	1	7/6/2016
TransForm – Let's Get Moving! 2016 Silicon Valley Transportation Choices and Healthy Communities Summit	1	5/7/2016
VTA Business Diversity Expo event	1	6/13/2016
VTA Meet the Primes Event, San Mateo	1	5/3/2016

BART = Bay Area Rapid Transit
Caltrans = California Department of Transportation
SPUR = San Francisco Bay Area Planning and Urban Research Association
VTA = Santa Clara Valley Transportation Authority

9.4.1.3 Scoping Comments

The scoping period for the environmental process lasted from May 9 to July 20, 2016, and the many comments received helped the lead agencies identify general environmental issues to be addressed in the EIR/EIS. The scoping process identified issues with project elements and stations, community concerns, environmental concerns, technical and engineering concerns, and project costs and operations concerns. Over 150 written and verbal comments were received. The *San Francisco to San Jose Project Section Scoping Report* (Authority and FRA 2016b) is available by request via the Authority's website or by calling (800) 435-8670 and provides a more comprehensive discussion of the scoping comments. In summary, the issues raised in scoping comments addressed the following resource topics and other concerns:

- Project elements and stations, including grade crossings, storage and maintenance facilities, train route, track alignment, and station design concerns
- Project's relationship to local and regional roadway and rail track grade separation efforts
- Community concerns, including environmental justice, urban growth and socioeconomic impacts, and effects on community connectivity
- Environmental concerns[1] including:
  - Aesthetics and visual resources
  - Air quality and climate change
  - Biological resources and wetlands
  - Cultural resources
  - Hydrology and water resources
  - Land use and development
  - Noise and vibration
  - Parks and recreational areas and facilities
  - Public utilities and energy
  - Safety and security
  - Traffic and transportation
- Technical and engineering concerns, including technology options and advancements
- Project cost, construction, and operations

[1] One of the environmental concerns raised during scoping was regarding agricultural farmland and forested lands. However, as there are no agricultural farmlands or forested lands in the project area, this topic was not carried forward for analysis in the Draft EIR/EIS.

9.4.2 Further Outreach, Consultation, and Alternatives Refinement (2016 to Present)

Following scoping, and throughout the development of the EIR/EIS for the two-track blended system, the Authority held meetings to consult with federal, state, and local agencies and to provide project updates and obtain feedback from the public. The Authority also continued to consult with environmental regulatory agencies, Native American stakeholders, and other stakeholders during this time. In total, the Authority hosted or participated in more than 490 meetings between July 2016 and publication of this Final EIR/EIS. The following subsections provide details of these activities.

9.4.2.1 Refinement of Alternatives for Two-Track Blended System

Since the recommendation of options for further consideration in the Draft EIR/EIS in 2016, the alternatives under consideration for the two-track system have continued to be refined using conceptual planning and environmental and engineering information to identify feasible and practicable alternatives consistent with the blended system framework and the overall project's Purpose and Need. The *San Francisco to San Jose Project Section Checkpoint B Summary Report* (Authority 2019b) identifies the range of project alternatives to be carried forward for detailed evaluation in the Draft EIR/EIS and the preliminary engineering design effort. It also summarizes the rationale for dismissal of alternatives previously considered in the two-track system.

Table 9-2 lists all public and agency meetings held to discuss alternatives development throughout the preparation of the Draft EIR/EIS, Revised/Supplemental Draft EIR/EIS, and Final EIR/EIS. Details of these meetings, including general topics discussed, are located in Volume 2, Appendix 9-A.

Table 9-2 Public and Agency Meetings Summary, July 2016–March 2022

Organization/Individual	Number of Meetings Held	Meeting Dates
#iwillride students	1	11/18/2016
25th Ave Ribbon Cutting Event	1	9/17/2021
4th and King Street Station rail yard workshop	1	8/30/2017
4th and King Street Station meeting	1	2/23/2017
American Planning Association Event, Redwood City	1	5/14/2019
American Society of Civil Engineers	2	3/23/2018, 10/14/2020
Asian Pacific Islander (API) Council	1	10/7/2019
Associated General Contractors Public Works Night, Redwood City	1	9/7/2016
Atherton Rail Committee	4	2/6/2018, 10/2/2018, 6/2/2020, 6/1/2021
Authority Board Meeting	1	9/17/2019
BART	7	7/19/2016, 8/1/2016, 10/15/2020, 2/22/2021, 5/4/2021, 5/20/2021, 6/28/2021
Bay Area Council Transportation Committee	5	7/9/2018, 7/24/2019, 7/28/2020, 2/25/2021, 7/1/2021
Baylands Development Incorporated	2	3/4/2021, 4/1/2021
Bayview Citizens Advisory Committee	1	12/7/2016

Organization/Individual	Number of Meetings Held	Meeting Dates
Bayview Hill Neighborhood Association	1	3/6/2017
Belmont City Council	1	7/11/2017
Belmont Mayor Charles Stone	1	6/26/2017
Breakfast of Champions Oakland	1	1/12/2017
Brisbane Baylands Community Advisory Group	2	5/19/2020, 8/18/2020
Brisbane Baylands public hearing	1	6/7/2017
Brisbane City Council	1	7/19/2018
Brisbane Mayor Terry O'Connell	1	4/27/2020
Burlingame Farmers Market Tabling Event	1	11/14/2021
Burroto, Dave	1	9/26/2019
California Department of Fish and Wildlife	2	6/28/2017, 3/28/2019
California State Assembly Candidate Alex Lee	1	8/28/2020
California State Assemblymember David Chiu	1	7/19/2018
California State Assemblymember Kansen Chu	1	7/20/2018
California State Assemblymember Ash Kalra	1	7/20/2018
California State Assemblymember Kevin Mullin's staff	2	12/9/2019, 10/28/2021
California State Assemblymember Evan Low	2	7/20/2018, 11/19/2019
California State Assemblymember Phil Ting	1	7/19/2018
California State Senator Jerry Hill	2	12/9/2019, 10/28/2020
California State Senator Bill Monning	1	12/9/2019
California State Senator Scott Wiener	1	7/19/2018
California State Water Resources Control Board	2	6/28/2017, 3/28/2019
California Urban Forests Council	1	4/20/2019
Caltrain	30	8/1/2016, 10/13/2016, 2/23/2017, 6/8/2017, 6/22/2017 (2), 6/28/2017, 9/8/2017, 9/25/2017, 6/5/2018, 6/21/2018, 7/5/2018, 8/1/2018, 9/5/2018, 9/27/2018, 10/25/2018, 11/29/2018, 12/20/2018, 1/29/2019, 2/28/2019, 8/23/2018, 4/25/2019, 5/23/2019, 6/27/2019, 7/25/2019, 10/24/2019, 6/5/2020, 10/12/2020, 5/4/2021, 6/28/2021
Caltrain Blended Infrastructure Working Group	19	7/22/2016, 9/23/2016, 1/13/2017, 1/27/2017, 2/10/2017, 2/24/2017, 3/10/2017, 3/24/2017, 4/28/2017, 5/12/2017, 6/1/2017, 6/9/2017, 7/7/2017, 8/11/2017, 8/25/2017, 11/10/2017, 11/24/2017, 12/8/2017, 12/12/2017

Organization/Individual	Number of Meetings Held	Meeting Dates
Caltrain Business Plan Workshop	1	9/20/2017
Caltrain Business Plan—Project Partner Committee	1	6/25/2018
Caltrain/City of San Mateo	2	9/17/2021, 9/17/2021
Caltrain Citizens Advisory Committee	1	8/18/2021
Caltrain/TJPA 4th and Townsend Workshop	1	5/25/2017
Caltrain/TJPA Coordinating Group	7	7/28/2016, 1/25/2017, 2/23/2017, 8/30/2017, 9/28/2017, 8/23/2018, 10/26/2018
Caltrans Calmentor Program	1	5/5/2017
Caltrans District 4	5	223/2017, 3/23/2017, 4/27/2017, 9/28/2017, 10/26/2018
Caltrans Native American Advisory Committee	1	11/16/2016
Capitol Corridor	1	7/28/2016
Central Valley Community Foundation	1	10/18/2019
City and County of San Francisco	3	10/19/2016, 3/23/2017, 8/1/2017
City of Belmont	1	7/11/2017
City of Brisbane	8	9/21/2017, 6/19/2018, 2/26/2019, 7/18/2019, 10/10/2019, 4/27/2020, 11/10/2020, 12/28/2020
City of Burlingame	3	5/3/2017, 8/8/2018, 8/20/2020
City of Burlingame Vice Mayor Donna Colson	1	8/8/2018
City of Millbrae	10	2/10/2019, 10/11/2019, 10/25/2019, 6/18/2020, 10/23/2020, 10/29/2020, 11/6/2020, 3/23/2021, 5/13/2021, 10/28/2021
City of San Carlos	1	6/7/2017
City of San Francisco	5	2/20/2020, 12/7/2020, 12/10/2020, 3/23/2021, 10/19/2021
City of San Jose	5	7/27/2016, 12/9/2016, 3/24/2017, 6/22/2017, 9/25/2017
City of San Jose Councilmember Sergio Jimenez	2	6/30/2017, 11/13/2019
City of South San Francisco	2	4/20/2019, 10/13/2021

Organization/Individual	Number of Meetings Held	Meeting Dates
City/County Staff Coordinating Group	36	9/14/2016, 11/9/2016, 2/15/2017, 4/19/2017, 5/17/2017, 6/21/2017, 8/16/2017, 10/18/2017, 12/6/2017, 2/14/2018, 4/18/2018, 6/20/2018, 7/18/2018, 8/15/2018, 9/19/2018, 11/14/2018, 12/12/2018, 2/20/2019, 3/20/2019, 6/19/2019, 7/17/2019, 8/21/2019, 10/16/2019, 1/15/2020, 2/19/2020, 3/18/2020, 5/20/2020, 6/17/2020, 7/15/2020, 7/30/2020, 8/19/2020, 2/17/2021, 8/18/2021, 9/15/2021, 10/20/2021, 2/16/2022
Committee for Renewable Energy in the Baylands	1	8/4/2020
Community Working Group, San Francisco	12	8/4/2016, 10/26/2016, 2/2/2017, 10/24/2018, 3/18/2019, 5/28/2019, 7/22/2019, 3/26/2020, 8/12/2020, 11/17/2020, 3/2/2021, 11/1/2021
Community Working Group, San Mateo County	10	7/25/2016, 10/6/2016, 1/30/2017, 10/22/2018, 3/12/2019, 5/20/2019, 7/24/2019, 3/26/2020, 8/12/2020, 11/1/2021
Community Working Group, South Peninsula (formerly Santa Clara County CWG)	8	8/2/2016, 10/13/2016, 1/31/2017, 10/15/2018, 3/14/2019, 5/7/2019, 8/12/2020, 11/1/2021
Concord Rotary Club	1	2/21/2020
Construction Management Association of America NorCal Chapter	1	9/17/2020
Council General of Japan	1	7/9/2018
Cupertino Chamber of Commerce	1	5/5/2017
Day on the Bay Multicultural Festival	1	10/9/2016
Debra Horen	1	4/29/2020
Delmas Park Neighborhood Association	1	10/23/2018
DISC Outreach Committee	1	4/30/2020
Diridon Intermodal Working Group	1	6/1/2017
Draft EIR/EIS Public Hearing	1	8/19/2020
East Palo Alto City Council	1	11/15/2016

Organization/Individual	Number of Meetings Held	Meeting Dates
FRA	52	2/1/2017, 4/25/2017, 5/9/2017, 5/23/2017, 5/24/2017, 6/13/2017, 6/27/2017, 6/28/2017, 7/25/2017, 8/8/2017, 8/22/2017, 8/23/2017, 9/12/2017, 9/26/2017, 9/27/2017, 10/24/2017, 11/7/2017, 11/22/2017, 12/5/2017, 12/19/2017, 1/9/2018, 2/13/2018, 3/13/2018, 4/10/2018, 4/24/2018, 5/8/2018, 6/12/2018, 6/26/2018, 6/27/2018, 7/24/2018, 8/14/2018, 8/28/2018, 10/23/2018, 11/28/2018, 12/18/2018, 3/28/2019, 5/7/2019, 7/24/2019, 9/10/2019, 9/24/2019, 9/25/2019, 11/27/2019, 12/10/2019, 2/26/2020, 3/25/2020, 4/22/2020, 5/27/2020, 6/24/2020, 7/22/2020, 9/23/2020, 10/14/2020, 2/24/2021
Friendly Acres—Centennial Neighborhood Association	1	2/16/2017
Garden Alameda Village Association	1	9/3/2020
Gardner Academy PTO	1	12/13/2019
Gardner Neighborhood Association	3	2/13/2017, 9/18/2017, 5/13/2019
Global Climate Action Summit	1	9/12/2018–9/14/2018
Goodyear-Mastic Neighborhood Association	1	3/8/2017
Harbor Industrial Association	1	3/1/2018
HNTB Mega Project Planning Brown Bag Webinar	1	5/15/2020
HSR small business workshop, San Jose	1	3/10/2017
Integral Group	1	9/28/2017
Joint Disadvantaged Business Enterprise Business Community Meeting, San Carlos	1	8/2/2016
Joint Peninsula Corridor Scheduling Working Group	1	10/14/2016
Kinder Morgan	1	12/20/2018
La Raza Radio	1	12/13/2019
LifeMoves Homeless Walks	5	3/26/2019, 3/28/2019, 4/4/2019, 6/20/2019, 6/24/2019
Little Hollywood Neighbors	1	1/18/2017

Organization/Individual	Number of Meetings Held	Meeting Dates
Local Policy Maker Group	36	9/22/2016, 11/17/2016, 2/23/2017, 4/27/2017, 5/25/2017, 6/29/2017, 8/24/2017, 11/30/2017, 2/22/2018, 4/26/2018, 6/28/2018, 7/26/2018, 8/23/2018, 11/29/2018, 12/20/2018, 1/25/2019, 2/26/2019, 2/28/2019 (2), 3/28/2019, 4/25/2019, 6/27/2019, 7/25/2019, 8/22/2019, 10/24/2019, 1/23/2020, 2/27/2020, 5/28/2020, 6/25/2020, 7/23/2020, 8/27/2020, 2/25/2021, 8/26/2021, 10/28/2021, 11/18/2021, 2/24/2022
Megaregional Rail Leadership Workshop hosted by Capitol Corridor JPA	1	6/21/2017
Menlo Park Chamber Business Issues & Transportation Committee	1	1/13/2022
Menlo Park Councilmemeber Wolosin	1	2/12/2021
Menlo Park Rail Subcommittee	1	8/4/2020
Menlo Park Rotary Club	1	1/11/2017
Millbrae City Council	3	1/24/2017, 2/14/2017, 7/23/2019
Millbrae Community Meeting	1	8/11/2021
Millbrae Farmers' Market (information table)	1	7/31/2021
Millbrae Mayor Holber	1	6/18/2020
Millbrae resident Nathan Chan	2	9/28/2020, 10/27/2020
Millbrae Station (information table)	2	7/27/2021, 8/3/2021
Millbrae Station Area Intermodal Working Group	14	8/2/2016, 9/21/2016, 10/25/2016, 11/16/2016, 12/15/2016, 1/25/2017, 4/26/2017, 5/31/2017, 7/6/2017, 9/4/2019, 1/23/2020, 4/15/2020, 5/24/2021, 6/28/2021
Mineta Transportation Institute National HSR Leadership Summit	1	9/11/2018–9/13/2018
Mountain View Chamber of Commerce	2	4/12/2017, 10/10/2018, 10/13/2021
Mountain View Farmers Market Tabling	1	11/7/2021
MTC	3	6/8/2017, 7/9/2018, 11/5/2020
Music in the Park, Mountain View	1	7/18/2019
Muslim Community Association of San Francisco Bay Area	1	9/22/2020
National Marine Fisheries Service	2	6/28/2017, 3/28/2019
North Fair Oaks community mural unveiling (information table)	1	5/19/2019

Organization/Individual	Number of Meetings Held	Meeting Dates
North Fair Oaks Community Council	3	8/25/2016, 7/27/2017, 4/25/2019
North Terminal stakeholders	1	7/27/2017
Northern California (combined) Community Working Groups and Technical Working Groups	1	5/1/2018
Northern California Legislative Briefing	12	10/13/2016, 3/28/2017, 4/9/2019, 7/2/2019, 10/24/2019, 3/4/2020, 7/1/2020, 9/30/2020, 12/17/2020, 2/24/2021, 9/29/2021, 1/26/2022
Northern California Professional Environmental Marketing Association	1	6/25/2019
Northern California Virtual Tour from Salesforce Tower	1	9/15/2021
Norwegian Delegation	1	5/4/2017
Oak Grove Neighborhood Association	1	7/2/2018
Office Hours, Draft EIR/EIS	3	7/22/2020, 7/29/2020, 8/12/2020
Old Quad Residents Association	1	3/14/2017
Open House meetings	6	4/5/2017, 4/11/2017, 4/13/2017, 8/6/2019, 8/12/2019, 8/19/2019
Open House Webinars, Draft EIR/EIS	3	7/202/2020, 7/30/2020, 8/5/2020
P3 Summit	1	9/27/2016
Pacific Gas & Electric	1	12/12/2019
Palo Alto Rail Committee	1	4/26/2017
Parkside and Shoreview Community Picnic, San Mateo	1	6/29/2019
PATH Homeless Walk, Diridon Station	1	6/14/2019
Preliminary Engineering for Project Definition Office Hours—meeting held with Town of Atherton, City of Santa Clara, City of Palo Alto, City of Redwood City, City of Brisbane, City of Menlo Park, City of San Bruno, City of San Carlos, VTA, City of Belmont, City and County of San Francisco, San Francisco County Transit Authority, City of Burlingame, City of San Mateo, City of Mountain View, City of Millbrae, San Francisco International Airport, San Mateo County, and City of Sunnyvale	17	7/24/2018, 7/25/2018 (3), 7/26/2018 (5), 8/1/2018, 8/2/2018, 8/8/2018 (4), 8/28/2018, 8/30/2018
Rail Alignment and Benefits Workshop, San Francisco	1	5/29/2018
Rail~Volution, San Francisco	1	10/12/2016
Reddit Ask Me Anything	1	12/18/2019
Redwood City Council	4	11/10/2016, 10/23/2017, 2/18/2021, 3/11/2021
Redwood City Farmers Market Tabling Event	1	11/13/2021
Redwood City—San Mateo County Chamber of Commerce	7	12/9/2016, 3/9/2017, 6/14/2018, 6/13/2019, 3/12/2020, 4/16/2020, 7/9/2020

Organization/Individual	Number of Meetings Held	Meeting Dates
Refugee and Immigrant Forum of Santa Clara County, San Jose	2	3/20/2019, 10/16/2019
Resource agencies tour (including CDFW, DWR, SWRCB, NMFS, STB, USACE, USEPA, and USFWS)	1	10/25/2016
Sacred Heart Nativity, San Jose	1	12/13/2019
Salesforce Transit Center grand opening (information table)	1	8/11/2018
San Bruno City Council	1	12/13/2016
San Bruno Mountain Watch, Mission Blue Nursery	1	3/3/2021
San Bruno Rotary Club	1	4/12/2017
San Carlos City Council	2	6/26/2017, 10/24/2017
San Carlos Museum (information table)	1	10/14/2018
San Francisco Chamber of Commerce	5	2/23/2017, 7/10/2018, 11/14/2018, 9/23/2020, 3/2/2021
San Francisco City/County Supervisor Shamann Walton	2	7/30/2020, 3/4/2021
San Francisco Councilmembers Eddie Flores and James Coleman	1	3/15/2021
San Francisco County Transportation Authority	2	4/25/2017, 7/23/2019
San Francisco Bay Conservation Development Commission	3	8/30/2019, 12/11/2019, 3/24/2020
San Francisco Public Utilities Commission	1	1/6/2022
San Francisco Sunday Streets Phoenix Day Tabling Event	1	10/17/2021
San Francisco Transit Riders Union, Thea Selby	1	11/9/2021
San Jose City Council	1	8/20/2019
San Jose City Councilmember Ash Kalra and residents of the Monterey Road neighborhood	1	10/27/2016
San Jose City Councilmember Dev Davis	1	7/27/2020
San Jose City Councilmember Raul Peralez	1	11/8/2019
San Jose Diridon Joint Policy Advisory Board	2	12/16/2016, 2/26/2021
San Jose Mayor Sam Liccardo	3	3/19/2021, 4/14/2021, 7/7/2021
San Jose State University	1	9/3/2019
San Mateo Area Chamber of Commerce Presentation	1	11/3/2021
San Mateo City Council Member Betsy Nash	1	3/13/2020
San Mateo County Board of Supervisors	2	9/6/2016, 7/9/2019
San Mateo County Chamber of Transportation & Housing Committee	1	1/13/2022
San Mateo County Economic Development Association	7	2/14/2017, 4/10/2018, 6/9/2020, 11/10/2020, 3/9/2021, 10/15/2021, 11/9/2021

Organization/Individual	Number of Meetings Held	Meeting Dates
San Mateo County Supervisor David Pine	2	8/8/2018, 11/12/2020
San Mateo Elks Lodge	1	8/3/2017
San Mateo Farmers Market	1	9/7/2019
San Mateo Transit District	2	10/12/2020, 2/22/2021
Santa Clara City Council	2	2/19/2019, 9/4/2019
Santa Clara County Board of Supervisors	1	11/15/2016
Santa Clara County Parks	1	3/2/2020
Santa Clara County Supervisor Dave Cortese's staff	1	10/2/2019
Santa Clara County Supervisor Cindy Chavez	1	10/3/2019
Seattle Metropolitan Chamber of Commerce, San Francisco	1	6/2/2017
Senator Josh Becker District Director, Nicole Fernandez	1	10/7/2021
Senator Josh Becker staff	1	3/1/2022
SFO	3	8/1/2016, 10/22/2020, 7/19/2021
Sierra Club Conservation Committee	1	2/24/2021
Silicon Valley Business Journal event	1	7/26/2016
Silicon Valley Leadership Group	2	5/6/2020, 3/30/2021
Small and disadvantaged business workshop, Menlo Park	1	8/23/2016
Society of American Military Engineers	1	9/8/2016
Sons in Retirement San Jose	2	5/11/2017, 9/21/2021
Sons in Retirement City of San Mateo	1	7/27/2016
Sons in Retirement Walnut Creek	1	10/15/2018
Southern Pacific Retired Executives Club	1	10/5/2016
SPUR	8	10/25/2016, 6/27/2017, 9/28/2017, 3/28/2018, 4/19/2018, 2/20/2020, 7/1/2021, 8/3/2021
SPUR Station Symposium	1	10/11/2018
Stanford	1	10/14/2020
Station Area Advisory Group	1	8/22/2019
STB	2	6/28/2017, 3/28/2019
Streetsblog – Talking Headways	1	5/7/2020
Sunnydale Family Day	1	5/18/2019
Sunnyvale City Council	1	1/23/2018
Sunnyvale State of the City (information table)	1	9/15/2018
TJPA	2	8/8/2019, 7/31/2020
TJPA Citizens Advisory Committee	3	11/12/2019, 3/10/2020, 5/11/2021

Organization/Individual	Number of Meetings Held	Meeting Dates
Town of Atherton Rail Committee	2	2/6/2018, 10/2/2018
Town of Atherton staff	2	8/3/2016, 8/10/2016
Traffic Mitigation Meetings—meetings held within: Burlingame, Menlo Park, Millbrae, Redwood City, San Francisco, San Bruno	6	10/12/2021, 10/19/2021, 10/21/2021, 10/25/2021, 10/26/2021, 10/28/2021
Transportation Equity Allied Movement Coalition	1	3/26/2019
Transportation Museum, San Carlos	1	10/27/2019
TransportCA, Mineta Transportation Institute	1	4/28/2017
United Neighborhoods of Santa Clara County	1	9/9/2017
Univision	1	12/13/2019
U.S. Congressman Ro Khanna's staff	1	11/12/2019
U.S. Congresswoman Anna Eshoo's staff	1	3/7/2019
U.S. Congresswoman Jackie Speier's staff	1	6/9/2017
U.S. Congressman Jim Costa	1	4/24/2020
U.S. Congresswoman Zoe Lofgren	1	7/9/2018
U.S. Congresswoman Zoe Lofgren's staff	1	12/11/2019
University of California Berkeley Symposium	1	5/22/2017
Universal Paragon	1	11/14/2018
USACE	3	6/28/2017, 3/28/2019, 8/9/2019
USEPA	2	3/28/2019, 8/9/2019
USFWS	2	6/28/2017, 3/28/2019
Visitacion Valley community leaders	2	5/30/2019, 11/14/2019
Visitacion Valley NeighborUp (information table)	1	4/9/2019
Visitacion Valley Planning Alliance	1	11/19/2016
Visitacion Valley Service Providers Collaborative	2	3/7/2019, 8/1/2019
Visitacion Valley/Sunnydale Community Health Fair	1	8/3/2019
Viva Calle SJ	1	9/18/2016
Viva Calle Tabling Event	1	9/19/2021
VTA	4	6/8/2017, 6/22/2017 9/8/2018, 9/25/2017
VTA Disadvantaged Business Enterprise Study Workshop, San Francisco	1	7/23/2016
West San Jose Kiwanis Club	1	4/11/2019
Young Professionals in Infrastructure	1	7/16/2020
Youth United for Community Action	1	6/24/2019

BART = Bay Area Rapid Transit
Caltrans = California Department of Transportation
CDFW = California Department of Fish and Wildlife
CWG = community working group

DISC = Diridon Integrated Station Concept
DWR = California Department of Water Resources
FRA = Federal Railroad Administration
HSR = high-speed rail
JPA = Joint Power Authority
NMFS = National Marine Fisheries Service
MTC = Metropolitan Transportation Commission
SAMCEDA = San Mateo County Economic Development Association
SFO = San Francisco International Airport
SPUR = San Francisco Bay Area Planning and Urban Research Association
STB = Surface Transportation Board
SWRCB = California State Water Resources Control Board
TEAMC = Transportation Equity Allied Movement Coalition
TJPA = Transbay Joint Power Authority
USACE = U.S. Army Corps of Engineers
USEPA = U.S. Environmental Protection Agency
USFWS = U.S. Fish and Wildlife Service
VTA = Santa Clara Valley Transportation Authority

9.4.2.2 Outreach, Involvement, and Communications Guidance

During the development of the Draft EIR/EIS, Revised/Supplemental Draft EIR/EIS, and Final EIR/EIS, the Authority held meetings with federal, state, and local agencies to provide project updates and obtain feedback from stakeholders and the public. Among the meetings were community working group (CWG) meetings, City/County Staff Coordinating Group meetings, and Local Policy Makers Group (LPMG) meetings to discuss the range of alternatives and gather input from community members. These meetings are further detailed in the following sections.

Public outreach and agency involvement specific to several resource areas was conducted throughout the development of the Draft EIR/EIS, Revised/Supplemental Draft EIR/EIS, and Final EIR/EIS. Additional information on coordination efforts is described in Sections 3.2, Transportation; 3.7, Biological and Aquatic Resources; 3.8, Hydrology and Water Resources; 3.11, Safety and Security; 3.12, Socioeconomics and Communities; 3.14, Parks, Recreation, and Open Space; 3.16, Cultural Resources; and Chapter 5.

Additionally, as part of the environmental review process, the Authority conducted a Preliminary Engineering for Project Definition review in July and August 2018 with jurisdictions located along the corridor. A total of 17 meetings were held, as documented in Table 9-2. The objective of the review was for local jurisdictions to better understand the design elements, provide feedback to the regional design team on the preliminary designs, and discuss areas of interest or concern for each jurisdiction.

Based on comments received during the refinement of alternatives, the project team focused on holding additional meetings with communities along the project alignment and in areas with higher concentrations of minority populations and low-income populations. Table 9-2 shows the number of meetings held with stakeholders from the close of the scoping period in July 2016 through publication of this Final EIR/EIS.

Common comments received during the alternatives refinement phase included the following concerns:

- Alignment and station planning, which are considered in Section 3.13, Station Planning, Land Use, and Development
- Relationship of the project to the Caltrain electrification process, which is discussed in Chapter 2
- Right-of-way and impacts on property values, which are considered in Section 3.12 and Section 3.13
- Community quality of life and connectivity, which are considered in Section 3.12
- Location of the LMF and potential passing track, which are discussed in Chapter 2

- Noise and vibration, which are considered in Section 3.4, Noise and Vibration
- Visual impacts, which are considered in Section 3.15, Aesthetics and Visual Quality

9.4.2.3 Agreements and Memoranda of Understanding

In addition to agency meetings discussed in the sections below, throughout the planning process the Authority and FRA entered into agreements with environmental resource agencies to facilitate the environmental permitting required during final design and construction. These agreements are intended to identify the Authority's responsibilities in meeting the permitting requirements of the federal, state, and regional environmental resource agencies.

In December 2010, the Authority and FRA prepared an MOU with USEPA and USACE to integrate NEPA (42 United States Code [U.S.C] § 4321 et seq.), Clean Water Act (33 U.S.C. § 1241 et seq.), and Rivers and Harbors Act Section 14 (33 U.S.C. § 408) processes for the HSR system. The Authority and FRA also executed the National Historic Preservation Act Section 106 Programmatic Agreement in June 2011 with the California State Historic Preservation Officer and the Advisory Council on Historic Preservation (FRA et al. 2011). This agreement was amended in July 2021, and the Surface Transportation Board was added as an invited signatory (Appendix 3.16-D, Programmatic Agreement). The Section 106 Programmatic Agreement provides an overall framework for conducting the Section 106 process for this Project Section and includes interested party and tribal consultations. Section 9.4.2.6, Tribal Coordination Meetings, summarizes agency coordination activities associated with the Section 106 Programmatic Agreement.

The 2011 *Memorandum of Understanding for Achieving an Environmentally Sustainable High-Speed Train System in California* established a framework under which the signatory agencies committed to working together to achieve an environmentally sustainable HSR system (Authority et al. 2011). Signatories to the MOU include the Authority, FRA, the U.S. Department of Housing and Urban Development, the Federal Transit Administration, and USEPA. This MOU defines common goals, identifies key areas for collaboration, and defines expectations and terms for signatory agencies.

Consistent with the MOU, the Authority recognizes the need to build the project using sustainable methods that accomplish the following goals:

- Promote sustainable housing and development patterns.
- Integrate station access and amenities into the fabric of surrounding neighborhoods.
- Stimulate multimodal connectivity and increase options for affordable, convenient access to goods, services and employment.
- Reduce passenger transportation emissions across California, thereby reducing associated environmental and health impacts.
- Promote energy efficiency and renewable energy.
- Encourage best practices for water efficiency and conservation.
- Protect ecologically sensitive and agricultural lands.

Additional investments in the Peninsula Corridor (as the MTC refers to the Caltrain corridor) were established through MTC Resolution No. 4056 (MTC 2012) and the associated MOU to prepare the corridor for implementation of blended Caltrain and HSR operations in the future. MTC Resolution No. 4056, adopted in March 2012, and its associated MOU summarize the agreement among the Authority, MTC, Peninsula Corridor Joint Powers Board, San Francisco County Transportation Authority, San Mateo County Transportation Authority, Santa Clara Valley Transportation Authority (VTA), City of San Jose, City and County of San Francisco, and Transbay Joint Powers Authority. Additional agreements related to funding commitments were made between the Authority and PCJPB in 2016 and 2018. These agreements are further described in Section 1.3.4, Authority Agreements with PCJPB and Other Agencies Regarding Blended Service in the Caltrain Corridor.

9.4.2.4 Public Information Materials and Meetings

The Authority and FRA held informal and formal public meetings during preparation of the EIR/EIS. Various meeting formats, such as open houses, formal presentations, question-and-comment sessions, and informational tables at community events, were used to present information and provide opportunities for input by participants. The Authority's website provided project information and announcements. Table 9-2 shows the public meetings held during this process.

Among the public meetings held during development of the Draft EIR/EIS were a series of three community open house meetings held in April 2017 in San Francisco (April 5), Mountain View (April 11), and San Mateo (April 13). A second series of open house meetings was held in August 2019 in the City of Santa Clara (August 6), San Francisco (August 12), and Redwood City (August 19). Open house meetings were announced through direct mail to those in the stakeholder database, advertisements in local newspapers, and postings on the Authority's website. Open house meetings allowed the public to receive updates on the statewide program and the environmental review process for the Project Section, learn about the range of alternatives, and ask questions and provide input. Open house materials included meeting presentations, display exhibits, and maps.

The Authority participated in additional public meetings hosted by other agencies, such as a VTA Small Business event on June 13, 2016; San Carlos City Council Meeting on June 26, 2017; Sunnyvale State of the City on September 15, 2018; and Visitacion Valley Service Providers Collaborative on August 1, 2019, to provide project information and obtain feedback. Table 9-2 shows the dates of these meetings.

Meetings of the Authority Board of Directors also provided an opportunity for the public to learn about the statewide program and project sections and to provide feedback. Meetings of the Board of Directors and of its committees are noticed and conducted in compliance with the Bagley-Keene Open Meeting Act.[2] Board of Directors meetings are generally held once a month. Special Board of Directors meetings may be held as needed to address Authority business, and those meetings are announced 10 days in advance. Meeting agendas are published on the Authority's website in advance of the meetings, notifying the public of the topics being considered, and include an opportunity for public comment on both agenda and non-agenda items.

9.4.2.5 Community Working Group Meetings

The Authority held a series of CWG meetings during development of the Draft EIR/EIS, Revised/Supplemental Draft EIR/EIS, and Final EIR/EIS. A CWG is a voluntary group of community members who represent various constituencies along the San Francisco to San Jose project corridor and local interest groups involved in transportation, environmental sustainability, and social issues in the region. Three CWGs were established: San Francisco CWG, San Mateo County CWG, and South Peninsula CWG (originally called Santa Clara County CWG). All three CWGs met from 2016 through 2021. Table 9-2 shows the CWG meetings.

The purpose of the CWGs was to enable informal information exchange between community members and Authority representatives, including engineering, environmental, and planning. CWG meetings were conducted in a small group meeting format (approximately 15 to 20 members) to allow members to voice concerns and identify local projects for Authority consideration. Authority staff members collected information about community values, considerations, projects, and programs. CWG members validated this information to confirm their feedback was accurately captured by Authority staff. Potential stakeholder projects were evaluated to determine whether there was a connection with the HSR project and to allow the

[2] The Bagley-Keene Open Meeting Act implements a provision of the California Constitution that declares that "the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny," and mandates open meetings for certain California state agencies governed by multi-member boards and commissions.

Authority to consider such projects in preliminary engineering or in developing project mitigation measures.

9.4.2.6 Tribal Coordination Meetings

Pursuant to the Section 106 Programmatic Agreement, the Authority and FRA continued coordination with the federally recognized and nonfederally recognized tribes throughout the preparation period of this Final EIR/EIS. Coordination included ongoing correspondence with tribal entities. The Authority also participated in meetings with the California Department of Transportation Native American Advisory Committee as well as meetings with several tribes. At these meetings, the Authority provided a program update and an overview of tribal involvement, and discussed potential effects of the project on cultural resources and potential mitigation of the impacts. Section 3.16 and Volume 2, Appendix 3.16-B, Tribal Outreach Consultation—San Francisco to San Jose Project Section Tribal Outreach and Consultation Efforts 2009–2019, provide more information on Native American outreach efforts. Tribes may also contribute to, review, and comment on the development of cultural resources technical reports.

9.4.2.7 Technical Working Group Meetings

During the development of the Draft EIR/EIS, Revised/Supplemental Draft EIR/EIS, and Final EIR/EIS, several TWGs met regularly to facilitate information exchanges and collaborate on project alternatives carried forward for analysis in the EIR/EIS, HSR station planning, and identification of potential resource impacts and avoidance alternatives. These groups included the following:

- **Caltrain Blended Infrastructure Working Group**—Met regularly in 2016 and 2017 to discuss technical issues related to the two-track blended system.
- **LPMG**—Consists of elected officials and their representatives from cities and counties along the project alignment. The LPMG met regularly from 2016 to 2022. The LPMG provides input on the Caltrain Business Plan, Caltrain modernization, and the HSR blended system, and participants provide information back to their communities.
- **City/County Staff Coordinating Group**—Includes staff representatives of the cities, counties, and other public agencies along the project alignment. Like the LPMG, the City/County Staff Coordinating Group met monthly, with alternating meetings hosted by the Authority and Caltrain. And, like the LPMG, the City/County Staff Coordinating Group provides a venue for dialogue of similar issues at the staff level.
- **Millbrae Station Area Intermodal Working Group**—Consists of representatives from the City of Millbrae, the Authority, San Francisco International Airport, the City and County of San Francisco, and Caltrain. This group discussed issues related to the HSR configuration and integration of the Millbrae Station.

The Caltrain Blended Infrastructure Working Group and Millbrae Station Area Intermodal Working Group meetings, as well as those LPMG and City/County Staff Coordinating Group meetings hosted by the Authority, are shown in Table 9-2 and Volume 2, Appendix 9-A.

9.4.2.8 Agency Meetings and Consultation

The Authority consulted with federal cooperating agencies under NEPA; with trustee and responsible agencies under CEQA regarding specific resource areas associated with these agencies; and with other interested state, federal, and local agencies.

Two cooperating agencies participated in the NEPA review process—USACE and the Surface Transportation Board. Other federal agencies have been involved and contributed to the environmental review, including:

Cooperating and Responsible Agencies:

- Cooperating Agency—Any agency invited by the lead federal agency that has agreed to participate in the NEPA process, and has legal jurisdiction over, or technical expertise regarding, environmental impacts associated with a proposed action.
- Responsible Agency—A public agency other than the lead agency that has discretionary approval power over the project.

- FRA
- USEPA
- U.S. Fish and Wildlife Service (USFWS)
- National Marine Fisheries Service (NMFS)
- Federal Aviation Administration

A number of California agencies (state and regional) served as CEQA responsible agencies for this Final EIR/EIS, including:

- California Department of Fish and Wildlife
- State Historic Preservation Office
- California Public Utilities Commission
- California State Lands Commission
- Peninsula Corridor Joint Powers Board (Caltrain)
- State Water Resources Control Board
- Bay Area Air Quality Management District
- San Francisco Bay Conservation and Development Commission (BCDC)
- Bay Area Rapid Transit District

Meetings with representatives of federal, state, regional, and local agencies throughout the environmental review process are documented in Table 9-2 and Volume 2, Appendix 9-A. During this coordination, environmental resource agencies expressed concerns about construction and operations impacts on species and their habitat, as well as impacts on wetlands, other waters, and riparian habitat. BCDC, a state agency that has been granted authority by the state, pursuant to the McAteer-Petris Act, to plan and regulate activities and development in and around San Francisco Bay, raised concerns about encroachment of the project within its jurisdiction, particularly near the Brisbane LMF sites. Following publication of the Draft EIR/EIS, the Authority modified the design of both project alternatives to realign Lagoon Road further north to avoid the priority use area within BCDC's jurisdiction.

The Authority also conducted outreach to public transit agencies with facilities located within 0.5 mile of the project footprint, including MTC, San Francisco County Transportation Authority, VTA, Bay Area Rapid Transit District, Caltrain, and Capitol Corridor Joint Power Authority.

9.4.2.9 Section 106 Consultation, National Historic Preservation Act

As a framework for achieving compliance with Section 106 of the National Historic Preservation Act, the Section 106 Programmatic Agreement (amended in July 2021) includes stipulations regarding the identification, evaluation, and treatment of historic properties; delineation of the area of potential effects; consultations with tribal governments, local agencies, and interested parties; and standards for technical documentation.

To the extent possible, the cultural resources outreach requirements for CEQA, NEPA, and Section 106 have been coordinated to identify interested parties early to achieve maximum participation in identifying cultural resources, addressing impacts on cultural resources, and developing appropriate mitigation measures. The primary goals of this outreach are to identify

any cultural resources of concern to these parties and to provide them an opportunity to become Section 106 consulting parties and participate in the development of significance findings, assessments of impacts, and mitigation measures. For this reason, cultural resources outreach for the project began in the early scoping phase of the process, as described in Section 9.2.1.4, Additional Public Meetings Held during Scoping.

The Authority contacted potentially interested parties including local government planning departments, historic preservation organizations, historical societies, libraries, and museums. In accordance with Section 106 Programmatic Agreement Stipulation V.A, these interested agencies, groups, and individuals were invited to comment on the significance findings and treatments proposed, and those with demonstrated interest in the project were invited to participate as consulting parties in the preparation of the memorandum of agreement (MOA). The Authority contacted 18 tribes and individuals as part of this effort. Four Native American groups and six local government agencies or organizations requested to be Section 106 consulting parties for the cultural resources investigation and the preparation of the MOA. Based on responses received from invitees, the consulting parties are as follows:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Indian Canyon Mutsun Band of Costanoan (Costanoan Indian Research, Inc.)
- The Ohlone Tribe
- Northern Valley Yokuts Tribe
- City and County of San Francisco
- Burlingame Historical Society
- Redwood City Historic Resources Advisory Committee
- City of Brisbane, Planning Department
- City of San Jose, Planning Division, Department of Planning, Building, and Code Enforcement
- VTA
- City of San Jose Historic Landmarks Commission

Additional information on the Section 106 consultation and compliance is in Section 3.16 and Volume 2, Appendix 3.16-B.

9.4.2.10 Section 404 of the Clean Water Act and Section 14 of the Rivers and Harbors Act

The MOU signed by the Authority, FRA, USEPA, and USACE in December 2010 requires completion of three milestones prior to submittal of Section 404 permit applications to comply with the Section 404(b)(1) Guidelines, to provide the basis for a future Section 401 water quality certification, and to integrate NEPA analysis and the Section 404(b)(1) analysis:

- Checkpoint A, Purpose and Need—USACE agreed with the Purpose and Need statement on May 3, 2016 and USEPA agreed with the Purpose and Need statement on May 5, 2016 (Authority and FRA 2016a).
- Checkpoint B, Range of Alternatives for Considerations—On July 26, 2019, and August 14, 2019, USEPA and USACE provided letters concurring with the range of alternatives to be carried forward in the Draft EIR/EIS (Authority 2019b).
- Checkpoint C, Determination of the Preliminary Least Environmentally Damaging Practicable Alternative—USEPA and USACE provided concurrence on the preliminary Least Environmentally Damaging Practicable Alternative determination in June 2020.

Additional information on Section 404 of the Clean Water Act and Section 14 of the Rivers and Harbors Act is described in Section 3.8 of this Final EIR/EIS.

9.4.2.11 Section 7 Consultation, Federal Endangered Species Act

When a federal agency takes action subject to the federal Endangered Species Act, it must comply with Section 7(a)(2) of that act, which describes the two duties for a federal action agency: (1) an independent, substantive duty to ensure its proposed actions would not jeopardize

the continued existence of an endangered species, and (2) an independent, substantive duty to ensure its proposed actions would not result in the destruction or adverse modification of critical habitat. To meet these duties, the federal agency taking action must use the best available scientific and commercial data to assess the effects of the proposed action, and it must consult with USFWS and NMFS for assistance. Through these formal consultations, federal agencies determine whether a proposed action is likely to jeopardize the continued existence of a listed species and/or result in the destruction or adverse modification of its critical habitat.

The Authority has initiated Section 7 consultation with USFWS and NMFS. The Authority submitted the biological assessment or draft biological opinion with a request to initiate formal Section 7 consultation with USFWS in December 2021 and with NMFS in September 2021. On March 18, 2022, NMFS issued the Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response, concluding formal consultation. Formal consultation with the USFWS is ongoing, with completion of the biological opinion process anticipated prior to the Record of Decision. More information on the Section 7 consultation process can be found in Section 3.7.

9.5 Notification and Circulation of the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS, and Release of the Final EIR/EIS

In July 2020, public notice regarding the availability and the circulation of the Draft EIR/EIS was provided pursuant to NEPA and CEQA requirements, and the text of the public notice was prepared in English, Spanish, Mandarin, Vietnamese, and Tagalog. Notice included publication of an announcement in newspapers with general circulation in areas potentially affected by the proposed project. The announcement indicated that the Draft EIR/EIS was available via the Authority's website for review. It also noted the dates, times, and locations of community open houses and the public hearing; where the document could be viewed; and the period during which public comments would be received. The announcement was advertised in the following newspapers:

- *San Francisco Chronicle*
- *San Mateo Daily Journal*
- *San Jose Mercury News*
- *El Observador* (Spanish-language newspaper)
- *Sing Tao* (Mandarin-language newspaper)
- *Vietnam Daily News* (Vietnamese-language newspaper)

A letter and NOA were provided in English, and in Spanish, Mandarin, Vietnamese, and Tagalog where required, with brief summary statements and contact information translated into Spanish, Mandarin, Vietnamese, and Tagalog. These were distributed by direct mail to elected officials; local, regional, state and federal agencies; school districts with schools within 0.25 mile of the project footprint; public transit agencies and schools with facilities within 0.5 mile of the project footprint; and the stakeholder database, which has been updated throughout preparation of the EIR/EIS to include members of the public who subscribed to the project mailing list, had attended project events (e.g., scoping, public meetings, etc.), or had sent comments or questions via email or the Authority's website. In addition, notice was sent to property owners adjacent to the two project alternatives. In addition, this information was distributed through the Authority's social media accounts. Emails were also sent to stakeholders who had previously registered to receive information via email about the EIR/EIS.

On July 10, 2020, the USEPA published the NOA for the Draft EIR/EIS in the *Federal Register*, indicating a 45-day public review period ending on August 24, 2020. On July 31, 2020, the Authority notified USEPA that the review and comment period was being extended to end on September 9, 2020, and the USEPA published the revised notice in the *Federal Register* on August 7, 2020. The NOA included dates, times, and locations for three community open houses and a public hearing, planned to occur in July and August 2020. However, due to public health and safety requirements related to COVID-19, limited access in compliance with Governor Newsom's Executive shelter-in-place order (N-33-20), and applicable County Health Officer

directives, the community open houses and public hearing were held as online teleconference meetings. Virtual public meeting and hearing dates were also posted on the Authority's website.

The USEPA published the NOA for the Revised/Supplemental Draft EIR/EIS in the *Federal Register* on July 23, 2021, for a 45-day public review period ending on September 8, 2021. No community open houses or public hearing were held for the Revised/Supplemental Draft EIR/EIS. Advertisements were placed in the same newspapers (with the addition of the San Francisco Bay View) and materials were distributed in the same manner and to the same recipients as was done for the Draft EIR/EIS.

Additional notices for both the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS publications included the following:

- Notices of Completion (NOC) indicating the availability of both documents were filed with the State Clearinghouse, and printed and electronic copies were sent to state agencies.
- The NOAs were filed electronically with the County Clerks Offices in San Francisco, San Mateo, and Santa Clara Counties.

The entire Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS were made available on the Authority's website (www.hsr.ca.gov), and electronic copies of these documents and associated technical reports were available upon request by phone or email from the Authority.

The Authority identified 19 repository locations, listed in Chapter 10, including public libraries, county clerk offices, and Authority offices, where printed and electronic versions of the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS would be made available to the public during the review and comment periods. However, because of public health and safety requirements related to the COVID-19 pandemic, hardcopy materials were not distributed to the libraries or county clerk offices, given they were closed or operating with limited access in compliance with state and local COVID-19 directives (N-33-20). As a result, printed and electronic versions were only available at the Authority's Headquarters at 700 L Street, Suite 620, Sacramento, CA 95814 and Northern California Regional Office at 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113.

During the public review period on the Draft EIR/EIS, the Authority received a total of 151 comment submissions through a combination of letters, emails, comment cards, and oral comments provided at the public hearing. The 151 submissions yielded a total of 2,121 discrete comments. During the public review period on the Revised/Supplemental Draft EIR/EIS, the Authority received a total of 25 submissions. These submissions yielded a total of 136 discrete comments. All comments received on the Draft EIR/EIS and the Revised/Supplemental Draft EIR/EIS are presented and responded to in Volume 4, Response to Comments on the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS, of this Final EIR/EIS.

On June 10, 2022, the USEPA published the NOA for the Final EIR/EIS in the *Federal Register*. The NOA also provided notice to the public that the Authority's Board of Directors would hold a board meeting to consider approval of the Preferred Alternative under CEQA and NEPA. The Final EIR/EIS was made available on the Authority's website (www.hsr.ca.gov/). Printed and electronic versions of the Final EIR/EIS were made available at the public libraries identified in Chapter 10, county clerk offices (during the hours the facilities were open in compliance with coronavirus public health and safety directives), and at the Authority's Headquarters and Northern California Regional offices. Electronic copies were available upon request by phone or email from the Authority. Advertisements were placed in the same newspapers and materials were distributed in the same manner and to the same recipients as was done for the previous publications of the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS. In addition, the NOC was filed with the State Clearinghouse and the NOAs were filed electronically with the County Clerks Offices in San Francisco, San Mateo, and Santa Clara Counties.