

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

SUMMARY

Introductions, Agenda Review, and Prior Meeting Summary Review

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

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

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

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

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

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

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

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

The following comment was recorded following the presentation:

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

Characteristics of Alternatives

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

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

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

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

Identifying a State’s Preferred Alternative

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

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

UPRR Negotiations

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

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

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

Methodology

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

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

Other

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

Outreach Updates

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

Discussion of the Staff-Recommended State’s Preferred Alternative

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

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

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

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

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

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

PUBLIC COMMENT

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

ATTENDANCE

Working Group Members

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

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

City staff: Stan Ketchum (City of Gilroy)

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

ACTION ITEMS AND NEXT STEPS

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

APPENDIX A

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

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

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

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

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

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

APPENDIX B

DIVIDEND HOMES, INC
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July 3, 2019

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

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

Director:

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

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

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

Respectfully,



Richard B. Oliver

Cc: Leslie Miles