



MORGAN HILL-GILROY COMMUNITY WORKING GROUP

MEETING SUMMARY

March 9, 2020

Summary

Introductions & Agenda Review

Joey Goldman, facilitator, welcomed Community Working Group (CWG) members and thanked them for joining the meeting being conducted via webinar due to COVID-19. He reviewed the meeting agenda: overview of the Draft 2020 Business Plan, preparation for the release of the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS), and an update on outreach activities.

A participant list is in Appendix A. The presentation is available on the Authority's website: https://www.hsr.ca.gov/docs/events/202003_San_Jose_to_Merced_CWG_Presentation.pdf.

Draft 2020 Business Plan

Boris Lipkin, Northern California Regional Director, shared highlights from the Draft 2020 Business Plan. Key points included:

- To date, \$6.4 billion has been invested in the project. The range of capital costs has remained constant after accounting for inflation.
- Construction in the Central Valley is ramping up quickly and employing over 700 people per week.
- Draft 2020 Business Plan highlights include the following:
 - Environmental clearance for the entire Phase 1 system will be complete by 2022.
 - Business case analyses by the Authority's Early Train Operator and Financial Advisor, KPMG, recommend extending construction to Bakersfield and Merced to allow for interim service.
 - Representative Jim Costa introduced federal legislation to authorize \$32 billion to support high-speed rail projects throughout the country over the next four years.
 - After completion of environmental clearance in Northern California in 2021, next steps will include strategic right-of-way acquisitions, third-party agreements to move utilities and pre-construction work, engineering review for procurement, geotechnical analysis for tunneling through the Pacheco Pass, and closing the funding gap to begin construction.

Questions, Comments, and Responses

- A member asked how much the estimated cost of the project has increased compared to the baseline cost outlined in the 2018 Business Plan.
 - Authority staff responded that the estimated cost range has not changed since the 2018 Business Plan. The baseline cost was updated to reflect changes in implementation assumptions.
- A member asked if the baseline cost accounted for inflation.



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- Authority staff responded that the costs are shown in year of expenditure dollars to account for inflation and that the change in base cost from the 2018 Business Plan accounts for two new assumptions that are part of the Draft 2020 Business Plan. First, the Valley to Valley line would open a year later and second, there will be interim service between Merced and Bakersfield with associated inflation impacts.
- A member asked for clarification on the difference between National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) requirements and whether CEQA was more stringent than NEPA.
 - Authority staff responded that the project is required to complete both NEPA and CEQA processes and the next section of the presentation will summarize the differences between the two.
- A member asked if construction of Virgin Rail's high-speed rail line from Victorville to Las Vegas will be subject to California's prevailing wage requirements.
 - Authority staff responded that the Authority is not aware of the labor agreements for Virgin Rail but would follow up on this question.
 - *Note: Following the meeting, Authority staff consulted colleagues who lead coordination with Virgin Trains and found that this has not been a subject of conversation between the Authority and Virgin Rail.*
- A member asked about the status of negotiations with Union Pacific Railroad (UPRR).
 - Authority staff responded that reaching an agreement with UPRR is a key component of the Preferred Alternative, and that these conversations are progressing. The Draft 2020 Business Plan references the Authority's coordination with UPRR and progress is being made.
- A member asked how adhering to California's prevailing wage requirements might affect the overall cost of the Virgin Rail project.
 - Authority staff reiterated that the Authority has an MOU for collaboration with Virgin Trains but does not have decision-making power in that project.
- A member asked for elaboration on the Victorville to Las Vegas high-speed rail line and the Authority's partnership with Virgin Rail.
 - Authority staff responded that the Virgin Rail high-speed rail project is separate from the Authority's Phase 1 system. The Authority will collaborate with Virgin Rail to review technological standards to ensure system compatibility and interoperability. The public-private partnership with Virgin includes Caltrans and CalSTA because the rail line will require public land and is being helped with lower cost financing by the State.
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- A member indicated their support for coordination between the Authority and Virgin Rail.

Prepare for the Draft EIR/EIS

Rich Walter, Environmental Manager with ICF, presented an overview of the environmental review process (including distinctions between NEPA and CEQA). He provided a summary of the format and content of the Draft EIR/EIS, and shared ways to access and comment on the document once it's released.



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- The tentative release date of the San Jose to Merced Project Section Draft EIR/EIS is April 24, 2020. Comments will be accepted through June 8, 2020.
- The 45-day comment period for the Draft EIR/EIS is an important time to provide feedback on the project. Outreach is underway to prepare stakeholders to comment on the document.
 - The Draft EIR/EIS is lengthy and technical. Authority staff are developing supporting materials to help stakeholders navigate and understand the document.
 - The number of times a particular comment is submitted on the Draft EIR/EIS does not elevate or diminish the importance of that comment.
 - All comments will be responded to in the Final EIR/EIS.
 - Comments may be submitted via email, by mail, in writing at the Authority office or Open Houses, or verbally at the Public Hearing.

Questions, Comments, and Responses

- A member asked how CEQA and NEPA requirements relate to one another.
- Authority staff responded that NEPA and CEQA are cumulative: both sets of requirements are binding and one does not void the other. A key difference is that NEPA includes socioeconomic effects along with environmental effects while CEQA is mostly focused on the environmental effects of projects. A member shared a letter (Appendix B) expressing concerns regarding potential safety, access, noise, and construction impacts in Morgan Hill.
 - Authority staff responded that these issues will be addressed in the Draft EIR/EIS, and encouraged the member to share their concerns as a comment on the document.
- A member asked how community members were invited to participate in the Morgan Hill walk with Authority leadership.
 - Authority staff responded that the walk was organized by the City of Morgan Hill.
- A member asked if the Authority would adopt the Final EIR/EIS if there are impacts that cannot be mitigated.
 - Authority staff responded that the Draft EIR/EIS will describe the project's effects. Some effects can be fully mitigated, and some cannot. Staff could not comment on the Authority's position regarding overriding considerations, since this is a future step that is part of the Final EIR/EIS.
- A member commented that grade separations were not a feature of the Preferred Alternative, and that the public should be mindful that the Authority may move forward without mitigation.
 - Authority staff encouraged members to share their concerns by submitting comments on the Draft EIR/EIS during the public comment period.

Outreach Update

Morgan Galli, Northern California Regional Stakeholder Manager, provided an update on Community Working Group (CWG) outreach and upcoming opportunities for engagement. Three open houses and a public hearing will occur during the 45-day period. Authority staff will also offer office hours for members of the public to ask questions about the document or provide written comments. Authority staff also mentioned the consideration of potential changes to meeting formats due to COVID-19.

Questions, Comments, and Responses

- A member asked why the term "at-grade" was mentioned twice in the word cloud yet the term was not bolded.



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- Authority staff acknowledged that at-grade crossings are an important topic for many community members, and this was a product of the formatting of the word cloud, which is not fully representative.
- A member asked if the Draft EIR/EIS includes the segment from Gilroy to Merced.
 - Authority staff responded that the Draft EIR/EIS will evaluate the San Jose to Central Valley Wye Project Extent, which begins at Scott Boulevard in Santa Clara and ends at Carlucci Road in Merced County. The Central Valley Wye was evaluated separately through a Supplemental EIR/EIS for the Merced to Fresno Project Section.
- A member commented that the Gilroy to Merced alignment had never been discussed at a CWG meeting and they were interested in learning about the proposed route.
 - Authority staff responded that the alternatives were discussed in their entirety during the July 2019 CWG meetings, though CWG meetings often focus on local issues and offered additional information about the Pacheco Pass alignment from the materials on the preferred alternative.
- A member asked when the EIR/EIS will be certified.
 - Authority staff responded that the Final EIR/EIS is scheduled for completion in mid-2021. Staff acknowledged that there was some delay in the completion of the Draft EIR/EIS which has also affected the release date for the final environmental document.
- A member asked if any additional delays were anticipated.
 - Authority staff responded that they are working hard to meet project deadlines.
- A member asked when and how the public will be able to see visualizations.
 - Authority staff responded that Draft EIR/EIS will have a section that includes photographic simulations of key viewpoints throughout the corridor. Other visualizations can be accessed at the Authority website and more may be developed over time.
- A member expressed appreciation for the Authority's visit to Morgan Hill and commented that the Authority should coordinate closely with Caltrain to ensure both rail systems can effectively serve the Bay Area.

Action Items and Next Steps

- CWG members were asked to share their feedback on the webinar meeting format.
- Authority staff will develop and distribute a meeting summary to CWG members.
- Authority staff will inquire if the Virgin Rail project connecting Southern California to Las Vegas will use California's prevailing wage.



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Appendix A – Participants

Morgan Hill-Gilroy Working Group Members:

Affiliation	Name	Present
Bicycle and Pedestrian Commission	Eldon Chappell	No
CalFire	Mike Marcucci	No
Casa de Fruta	Gene Zanger	No
City of Gilroy	Amanda Rudeen	No
City of Morgan Hill	Edith Ramirez	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 Historical Society/Gilroy Growing Smarter	Connie Rogers	No
Greenbelt Alliance	Kiyomi Yamamoto	No
Morgan Hill Chamber of Commerce	John Horner	No
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	Jennifer Carman	No
Morgan Hill Property Owner	John Kent	No
Planning Commission & Tourism Alliance/Morgan Hill Downtown Association	John Mckay	No
San Benito COG	Regina Valentine	No
San Benito County Farm Bureau	Rich Bianchi	No
San Martin Neighborhood Alliance	Trina Hineser	No
San Martin Neighborhood Alliance	John Sanders	No
Santa Clara County Farm Bureau	Jess Brown	No
Santa Clara Valley Water District	John Varela	No
Visit Gilroy	Jane Howard	No

Authority Staff: Boris Lipkin, Morgan Galli, Dave Shpak, Yvonne Chan, Rich Walter, Joey Goldman, Mary Beth Day, Kai Walcott



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Appendix B – Letter from CWG Member Lesley Miles

This letter was sent in January 2020 in response to our onsite get-together and downtown walk re the High Speed Rail

March 9, 2020

Mr. Brian Kelly, CEO
Mr. Henry Perera, Board Member
Mr. Boris Lipkin
Ms. Morgan Galli

Brian, Henry, Boris and Morgan,

Thank you so much for coming and visiting us in Morgan Hill. I know that the City and the School District have both reached out but I wanted to reiterate just a few of our discussion points from my point of view with the understanding that the current option is for the at-grade line.

Morgan Hill is a great example of a small unique community that has redeveloped itself into a vital and thriving town with a happening downtown. The existing Caltrain stop is used very heavily and the VTA parking lot is typically full. Our personal contribution to the downtown along Depot was the California RDA "Commercial project of the year in 2009 Award Winner" and LEED Gold certified 28,000 sq. ft. Granary space with 16 adjacent condominium units.

As we think about HSR coming through our town the following issues and concerns arise:

1. Access from one side of the tracks to the other. There are seven major road crossings and the concern is both safety and access from one side of the tracks to the other.
 - a. At the minimum three grade separations are essential to provide safety for pedestrians at the Caltrain stop as well as regular and emergency vehicles traveling from one side of town to the other.
2. The EIR should consider all potential trains and the ultimate coordination of those trains.
 - a. HSR trains
 - b. Caltrain
 - c. Amtrak
 - d. Freight trains
 - e. Proposed commuter train to San Jose from Monterey and Salinas
 - f. Any other future transportation- additionally there are track maintenance vehicles
3. The valley is very narrow as the tracks pass through the downtown and the acoustics amplify the train noise.
 - a. The EIR should consider this very real and unique topography and address the concern on how best to mitigate noise for not just the HSR trains but all rail partners.



4. Construction sequencing awareness and development of a plan to mitigate construction impacts.
 - a. Based on my visits to the Central Valley large swaths of commercial space were demolished and are now being rebuilt as the overall design and construction process was not well thought-out.
 - b. Maintain existing businesses and provide an early on liason more than a project manager to assist in thinking through this process.

If all of these items are thought through, there is an opportunity for Morgan Hill to be an example of What to Do and How to Do it.

Thank you again for coming and visiting us. I know you will keep our special community in your thoughts as this process proceeds.

Lesley

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

Lesley Miles AIA, LEED AP
Principal, Weston Miles Architects
Owner and Developer, The Granary and Barley Place

Current photos below of the downtown construction projects that you saw under construction 2 months ago now nearing completion. 80 more residential units with comercial nearing completion and new retail office.



