

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: John Ristow
SUBJECT: HIGH-SPEED RAIL
DRAFT ENVIRONMENTAL
IMPACT STATEMENT
DATE: June 22, 2020

Approved

D. DSYL

Date

6/22/2020

INFORMATION

This memorandum provides the City Council with information on the California High-Speed Rail Authority's Draft Environmental Impact Report and Study (EIR/EIS) for the San José to Merced Project Section. It also provides preliminary analysis of how the impacts documented in the EIR/EIS relate to the City position on High Speed Rail (HSR) adopted August 20, 2019.

BACKGROUND

Approximately 21 miles of the California High-Speed Rail (HSR) project is within San José City limits, extending from the Santa Clara Caltrain station in the north along the Caltrain line through Diridon Station, Tamien Station, Communications Hill, and along Monterey Corridor through South San José and Coyote Valley. San José is included under the San José to Merced Project Section. The Draft Environmental Impact Report / Statement (EIR/S) was released on April 24, 2020 and will be available for a 60-day public review period ending June 23, 2020. The Final EIR/S is expected to be released in May 2021.

The City of San José has supported the HSR project for over a decade and worked with the HSR Authority to explore the benefits and impacts of various alternatives through San José.

The HSR Authority has also been a partner to advance the Diridon Integrated Station Concept (DISC) Plan – a plan for integrating BART, commuter rail, high-speed rail, light rail, supporting bus and other access options, and surrounding development at Diridon Station. The initial stage of the DISC planning efforts produced a preferred “Concept Layout” for the station, which City Council adopted in January 2020. Realizing the Concept Layout will require collaboratively implementing a “program of interrelated projects,” ranging from a rail maintenance facility to right-of-way needs and designs. Rail corridor planning and infrastructure needs – including critical elements like grade separation and maintenance facilities – are essential parts of this program of projects.

On August 20, 2019 City Council heard an item on the State's Preferred Alternative for the San José to Merced Project Section. The associated staff memorandum and attachments (Attachment A) summarize the history of City – HSR communications, the four alternatives for the Draft EIR/EIS, and an initial review of benefits and concerns with Alternative 4, the state's preferred alternative. A memorandum by the Mayor and four Councilmembers (Attachment B) was adopted by City Council on August 20, 2019 outlining three positions:

1. The need for HSR to continue to support and participate in development of the Diridon Integrated Station Concept (DISC) Plan and to commit to supplementary environmental work, as applicable, once the DISC program has been sufficiently developed for environmental clearance purposes.
2. The need to “fully grade-separate train and vehicular/pedestrian traffic at key San Jose locations.”
3. The HSR Authority's continued engagement in DISC and associated Rail Corridor Planning work.

When analyzing and responding to the Draft EIR/EIS, it is important to be aware of the steps in the environmental review process. By August 2019, the HSR Authority solidified the proposed designs of four alternatives included in the environmental review process. Since that time, the HSR Authority has completed the analysis of the impacts of those alternatives and published the Draft EIR/EIS. The current comment period is the opportunity for the City, residents, and other stakeholders to comment on the impacts and proposed mitigations, and to recommend changes to the proposed project to reduce or mitigate impacts.

ANALYSIS

Comparison of Proposed Project (Alternative 4) and other Alternatives

While a full review of the Draft EIR/EIS is still underway, several important differences between the proposed project and Alternatives 1, 2, and 3 are clear.

- **Fewer Property Impacts:** Alternative 4 impacts far fewer properties in San José (27) than the other alternatives (127 – 215). This is due to staying mostly within the current Caltrain alignment rather than building a new alignment in the Diridon approaches, and by using the Union Pacific alignment rather than building a new parallel alignment along Monterey Rd.
- **Transportation Impacts:** Alternative 4 would have the highest impacts on intersection traffic delay/level of service, but it would have the lowest impacts related to travel time delays along Monterey Rd in San José. Since Alternatives 1-3 remove two lanes on Monterey Rd, and Alternative 4 does not, Alternative 4 has fewer impacts on Monterey Rd and 101. With Alternative 4, additional gate down time at at-grade crossings would increase travel times between Bernal and Capitol Expressway by 4 to 8 minutes in the PM

peak hours and add to east-west travel times across Monterey Rd (e.g., Skyway, Branham, Chynoweth). Impacts to VTA bus speeds are proposed to be mitigated by installing transit priority at signals near Diridon Station and along Monterey Rd from Capitol Expy to Blossom Hill.

- **Noise and Vibration Impacts:** The at-grade crossings included in Alternative 4 would contribute to noise impacts at many more properties before mitigation (460 Moderate, 404 Severe) than for the other Alternatives (299 – 400 Moderate, 46 – 66 Severe). Many of these noise impacts would stem from HSR trains sounding their horns at grade crossings and Caltrain stations. Vibration impacts are also far higher for Alternative 4 before mitigation (786 vs. 71 – 140), particularly along Monterey Rd in southern San José. Noise and vibration impacts are considered “Significant and Unavoidable” in all project alternatives, but they impact more properties in Alternative 4. Adding grade separations to Alternative 4 would significantly reduce the number of properties impacted by noise and vibration.
- **Safety and Security Impacts:** The at-grade crossings included in Alternative 4 would also create safety impacts as measured in the Draft EIR. In San José, these would increase response times to properties west of the rail tracks that are served by the fire station at 4430 Monterey Rd. The HSR Authority analysis of the safety risks at at-grade crossings under “**Impact S&S#12: Permanent Exposure to Rail-Related Hazards**” found them to be less than significant. This finding is at odds with the City’s experience with grade crossings and trespassing along Monterey Rd and the Caltrain corridor. Based on the City’s experience, we believe that the significant increase in train service and speeds would have safety impacts, even with new fencing along the corridor and improvements at street crossings.

Consistency of HSR Project and adopted City Council Positions

On August 20, 2019, the City Council adopted three positions on HSR (Attachment 2) asking HSR to: integrate DISC outcomes, build key grade separations, and remain engaged in DISC and Rail Corridor Planning work. Below is staff’s analysis of progress towards these adopted positions.

Authority’s engagement and integration of DISC and Rail Corridor Planning into HSR Project

The HSR Authority has continued to be a fully engaged partner in the DISC process. Moreover, the DISC Partner Agencies are proposing to extend the Inter-Agency Cooperative Agreement as described in Item 2.32 on the June 23, 2020 City Council agenda. The expansion of the Cooperative Agreement adds time and expands the geographic scope of the DISC program. Through the first phase of the DISC process, the Partner Agencies determined that realizing the full potential of Diridon Station and the Concept Layout requires implementing a full “program of interrelated projects.” This program of projects and the revised Cooperative Agreement incorporate the key elements of the Rail Corridor Plan identified by the City and partners in May of 2019, including critical elements such as grade separation and new maintenance facilities.

HSR Alternative 4 proposes relatively small changes to Diridon Station compared to DISC. From Taylor St to Bird Ave the designs are in conflict, as DISC “Concept Layout” would rebuild Diridon Station and associated tracks 20’ to 30’ above the current grade level, while the HSR EIR proposes an at-grade design. East of Bird Ave, the designs for DISC and HSR differ, but these could be reconciled once the DISC design advances.

The HSR Authority proposes a two-step process for aligning the HSR and DISC projects. HSR would first complete environmental review for the HSR project. A DISC EIR would follow to clear the impacts of the larger DISC station and track reconstruction. However, the HSR EIR is scheduled to be finalized before the DISC program begins its environmental clearance. This would create a multi-year period during which the HSR station design has been cleared environmentally *prior* to the finalization and environmental clearance of the ultimate station vision developed through the DISC process. Construction of the HSR project at Diridon before construction of DISC would result in additional construction impacts, costs, and property impacts. Conversely, if DISC planning and environmental can be completed and construction of the Diridon Concept Layout happen simultaneous to the construction of the rest of the HSR system, it would reduce cost, construction impacts, and property impacts.

In order to minimize construction disruption and “throwaway” costs, any construction between Diridon and Tamien should proceed after the DISC design has been environmentally cleared. Improvements west of Bird Ave should be deferred as much as possible until after the DISC Concept Layout has been constructed. The City staff is requesting that HSR add a design option to their Final EIR that would minimize construction between Taylor and Bird and align and harmonize the design with the DISC’s preliminary designs north of Taylor and east of Bird.

Planning for regional rail corridor needs has started with ACE, Caltrain, Capitol Corridor, HSR, and ACE. Initial service modeling by Caltrain and Capitol Corridor has begun and will be foundational to future work. Much of the corridor planning work south of Communications Hill is waiting for the HSR Authority to finish negotiating an agreement with Union Pacific for the right of way. These delays and uncertainties mean that unlike the Diridon area, where DISC is well underway and can supersede HSR’s EIR, the City cannot rely on rail corridor planning to cure deficiencies in the HSR project in southern San José. The geographic and scope expansion of the DISC Cooperative Agreement is expected to help address these concerns in the mid-term.

Grade Crossings and fully grade-separating train and vehicular/pedestrian traffic at key San Jose locations: Auzerais, West Virginia, Branham, Skyway, and Chynoweth

Of the 10 at-grade crossings on the Caltrain/UPRR corridor in San José, five have been identified as key locations where grade separations are a city priority. In the HSR Alternatives 1, 2, and 3, HSR trains are grade separated at all five. HSR’s own analysis of Alternative 4 in the Draft EIR/EIS supports the City’s request for grade separation at these five locations by showing the significant noise, emergency response, and transportation impacts from at-grade crossing at these locations.

HSR's Alternative 4 does not raise Diridon Station 20 to 30 feet above the current elevation and therefore leaves the at-grade crossings at Auzerais and West Virginia in place. This creates over 200 moderate and severe noise impacts in the neighborhoods south of Diridon before proposed mitigation measures are applied.

Along Monterey Rd, multiple feasible and practicable alternatives exist for grade separating the rail lines at Skyway, Branham, and Chynoweth. Alternative 2 in the Draft EIR/EIS grade separates the three streets by lowering them and sections of Monterey Rd while the Union Pacific (UP) and HSR tracks remain at grade. At \$20.8 billion, Alternative 2 is the second lowest cost of the four alternatives. Over the last two years, the City examined the feasibility of additional grade separation configurations along Monterey Rd.

- (1) Elevating the rails while all streets remain at grade
- (2) A hybrid partially raising the rails and partially lowering the cross streets
- (3) Lowering the rails into a trench while the streets remain at grade

Preliminarily, these grade separations are estimated to cost roughly \$400 million to \$1.4 billion. Since Alternative 4 costs over \$4.3 billion less than the next cheapest alternative (Alternative 2), adding even the highest cost grade separation configuration would still result in a capital cost nearly \$3 billion less than Alternative 2, holding all other parts of the project constant.

The Draft EIR/EIS shows the at-grade crossings at Branham, Skyway, and Chynoweth contribute to multiple environmental impacts under CEQA and/or NEPA.

- **Noise:** 129 moderate impacts and 16 severe impacts after installation of noise barriers mitigation.
- **Emergency Response:** From the Fire station at 4430 Monterey Rd, access to properties west of the rail tracks could experience response times increases of up to 180 seconds before mitigation.¹
- **Safety:** Four-quadrant gates are not foolproof. People and vehicles can and do bypass gates, whether by accident or not, and are killed in collisions with trains, taking lives, damaging property, and halting trains for hours. Incidence rates at grade crossings are correlated with higher: train volumes, traffic volumes, number of tracks, and having an intersection near a grade crossing all of which are part of the three key intersections.² Moreover, the HSR trains will travel up to 110 miles per hour – the legal maximum for four-quadrant gates and much higher than today's maximum of 79 miles per hour. Severe injuries and fatalities are already a problem along the train tracks today, and the increased

¹ Delays to emergency response after mitigations are applied is not quantified in the Draft EIR.

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

and high speed will exacerbate safety concerns. This raises questions about the Draft EIR/EIS findings that safety impacts are less than significant (Impact S&S#12: Permanent Exposure to Rail-Related Hazards).

- ***Delay/Congestion:*** Although an environmental impact only under NEPA, the gate downtime at Branham, Skyway, and Chynoweth would cause roadway delays.

Leaving at-grade crossings through southern San José adds the above significant environmental impacts to disproportionately low-income and minority communities. This raises the question of whether Alternative 4, as currently designed, is consistent with California and Federal statutes and regulations. California Public Resource Code section 21002 prohibits approval of projects if feasible mitigation measures are available.³ USDOT Order 5610.2(a) addresses environmental justice issues. Per the Order, if disproportionately high and adverse effects are identified, the action will only be carried out if the HSR Authority determines that “further mitigation measures or alternatives that would avoid or reduce the disproportionately high and adverse effect are not practicable.” Both the design of grade separations under Alternative 2 and the City’s preliminary configurations show that grade separations are feasible. The fact that adding any of the grade separation configurations the City examined to Alternative 4 results in a capital cost several billion dollars lower than Alternative 1, 2, or 3 shows that grade separations are practicable. Therefore, the City will ask the HSR Authority to add grade separations and/or a fair share of those separations to the project at Skyway, Branham, and Chynoweth as alternative mitigations for noise, emergency response, circulation, and safety impacts.

CONCLUSION

Planning for an integrated Diridon Station and associated rail corridor through San Jose is underway, but incomplete at present. The HSR Authority’s environmental review assesses alternatives for the HSR project in isolation, but not the broader set of changes that will be required to implement HSR alongside other anticipated changes to rail and access in San Jose. This presents complexities and confusion for city residents, businesses, and decision-makers alike.

Last year City Council articulated three policy positions: advancing DISC through environmental, grade separations through San José, and HSR involvement in DISC and Rail Corridor Planning. HSR’s Draft EIR analysis shows the continued importance of those three policy positions. The new information from the Draft EIR raises several important policy and environmental impact concerns for the City. In summary:

1. The environmental process for DISC will follow final approval of the HSR EIR. Given that two-step process, the HSR Authority should make substantive commitments to

³ § 21002 “The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.”

proportionally fund and participate in advancing DISC clearance and construction as part of their Final EIR approval.

2. The Draft EIR analysis reinforces the importance of grade separating the five key intersections.
 - a. HSR should commit their fair share contribution toward the grade separation of Auzerais and West Virginia, as part of the DISC project, as part of and/or as an alternative to their proposed mitigations.
 - b. HSR should commit to finding a solution for the grade separation of Branham, Skyway, and Chynoweth as part of the HSR project, in partnership with the City and regional agencies.
3. Continued cooperative multi-agency planning is critical to the success of all rail operators, the City and its residents and businesses, but it is not yet complete. The HSR Authority's commitment to proportionally fund and participate in the extension and expansion of the multi-agency DISC Cooperative Agreement to cover the full program of projects is essential as HSR completes the environmental process.

The City will post its comment letter from the Directors of the Planning, Building, and Code Enforcement and Transportation Departments online for community information.

/s/

JOHN RISTOW

Director of Transportation

For questions, please contact Brian Stanke, Rail Planning Manager, at (408) 795-1834.

Attachment A: Staff Report dated August 5, 2019

Attachment B: Council Memo dated August 16, 2019



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: John Ristow

SUBJECT: HIGH-SPEED RAIL
STAFF RECOMMENDED
PREFERRED ALTERNATIVE

DATE: August 5, 2019

Approved

Date

8/9/19

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

RECOMMENDATION

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

OUTCOME

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

BACKGROUND

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

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

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

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

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

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

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

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

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

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

ANALYSIS

Brief Overview of Alternative 4

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

At Diridon:

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

North of Diridon:

- Adds a fourth mainline track for UPRR (extends it north from Diridon)
- The addition of a fourth track results in a sliver of property impacts on the east side of the railroad corridor from Santa Clara St to just north of Taylor St¹
- Reconstructs College Park Caltrain platform

South of Diridon:

- Adds a third mainline track (extends it south from the Los Gatos Creek bridge)
- The addition of a third track results in property impacts¹:
 - On the west side of the railroad corridor to the north and south of Auzerais Ave
 - To two residential properties in the Gardner/N. Willow Glen neighborhood
- Uses retaining walls to minimize impacts to Fuller Park
- Installs additional gate arms (four-quadrant gates for automobiles, and gate arms for pedestrians) at the Auzerais Ave crossing and the Virginia St crossing
- Does not make changes to Tamien Caltrain Station

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

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

In the Monterey corridor:

- Adds a third mainline track (mostly within the existing rail corridor)
- Impacts two residential properties for power and communications facilities¹
- Rebuilds Capitol Caltrain Station, adds pedestrian overpass
- Rebuilds Blossom Hill Caltrain Station, adds pedestrian overpass
- Installs additional gate arms (four-quadrant gates for automobiles, and gate arms for pedestrians) at Skyway Dr, Branham Ln, Chynoweth Ave, Blanchard Rd, Palm Ave, and Live Oak Ave at-grade crossings
- Closes Emado Rd and Fox Ln private at-grade crossings
- Adds several wildlife crossings from Metcalf Rd to the southern city limit

Benefits of Alternative 4

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

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

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

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

Concerns with Alternative 4

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CSJ-HSR Communication on Alternative 4

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

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

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

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

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

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

EVALUATION AND FOLLOW-UP

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

PUBLIC OUTREACH

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

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

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

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CEQA

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

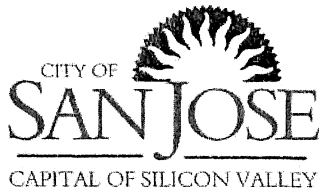
/s/

JOHN RISTOW

Director of Transportation

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

Attachments



Sam T. Liccardo

MAYOR

February 5, 2018

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

Dear Chair Richard,

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

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

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

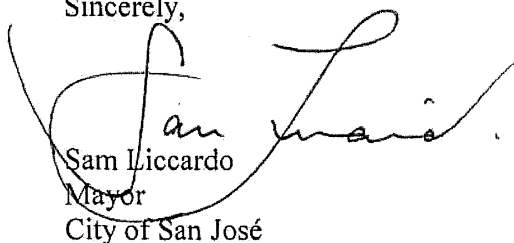
The next few months will be crucial for the future of HSR in San José and will establish the tone and direction of the conversation in San José and Santa Clara County among residents and elected officials at all levels.



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

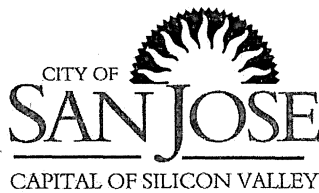
Furthermore, in the interest of the timely completion of environmental review of the San José – Merced segment, the City has several requests. First, the City asks the Authority to complete its preliminary feasibility review of the CGO in the February/March timeframe and begin the work of incorporating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

Sincerely,



Sam Liccardo
Mayor
City of San José

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



Sam T. Liccardo

MAYOR

May 7, 2018

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

SUBJECT: California High Speed Rail Authority Draft 2018 Business Plan

Dear Chair Richard and CEO Kelly:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

California High Speed Rail Authority Draft 2018 Business Plan
Page 6
May 7, 2018

Attachment 2
High-Speed Rail Staff Recommended Preferred Alternative
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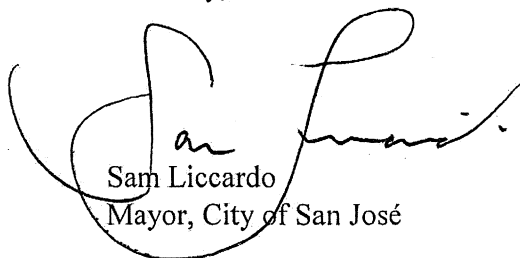
review phase. San José also asks the Authority to collaborate with the City to develop a well-defined environmental review schedule that incorporates the proposed new alignments, and the outputs of both the DISC Plan and Caltrain Business Plan into the Authority's planning and EIR process going forward. The projected completion of the first phase of DISC, selecting a Preferred Spatial Scenario, in mid-2019 provides the Authority sufficient time to incorporate the scenario from the DISC in the environmental review and clearance for HSR before the federal deadline in 2022.

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


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

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

Sincerely,



Sam Liccardo
Mayor, City of San José



David Sykes
City Manager, City of San José

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

COUNCIL AGENDA: 8/20/2019
ITEM: 6.3



Memorandum

TO: CITY COUNCIL

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

SUBJECT: CALIFORNIA HIGH SPEED
RAIL UPDATE

DATE: August 16, 2019

Approved

Date

RECOMMENDATION

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

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

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

DISCUSSION

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

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

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

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

Brown Act Disclaimer

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