

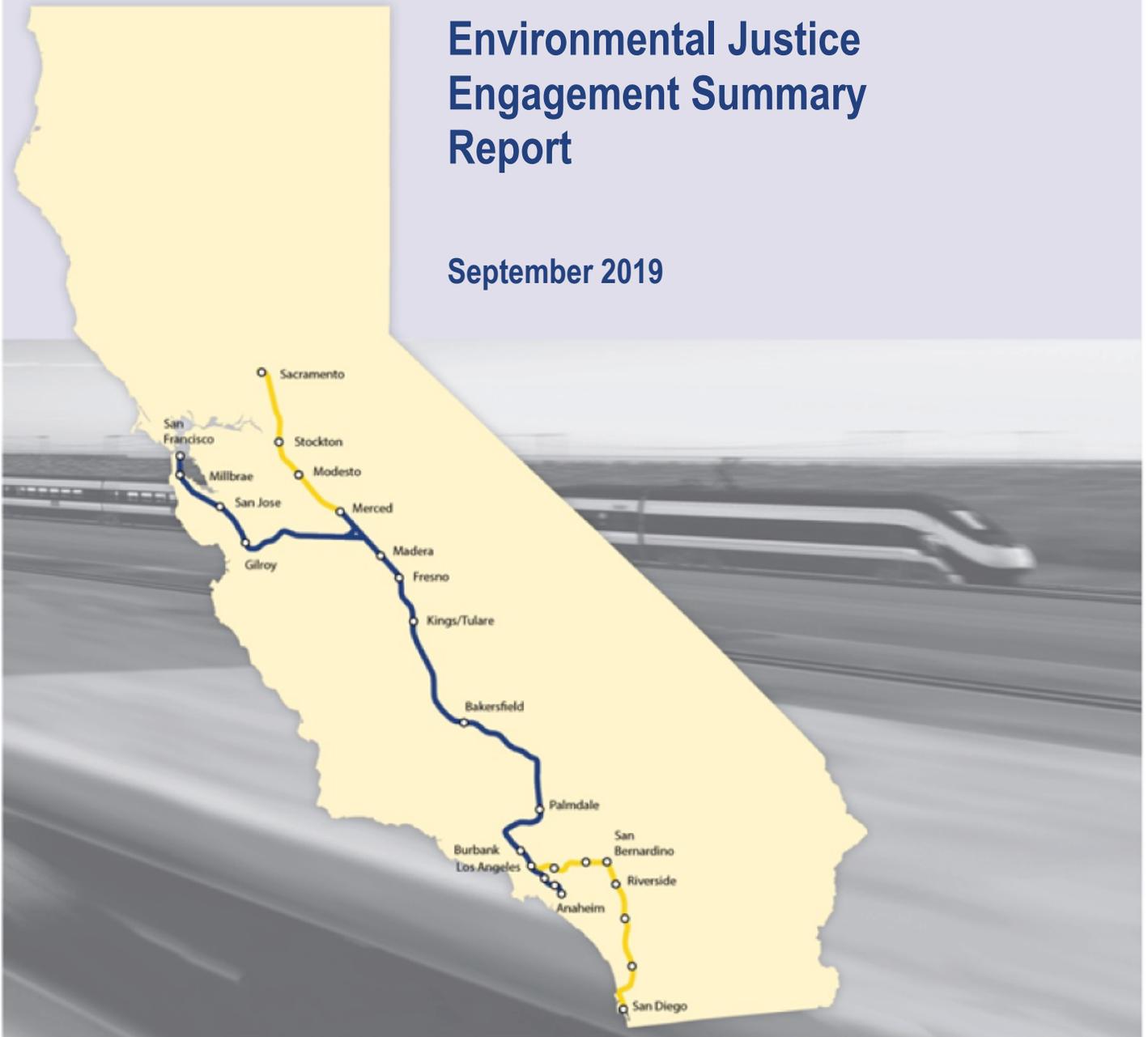
APPENDIX 5-B: ENVIRONMENTAL JUSTICE ENGAGEMENT SUMMARY REPORT

California High-Speed Rail Authority

San Jose to Merced *Project Section*

Environmental Justice Engagement Summary Report

September 2019



The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, and executed by the Federal Railroad Administration and the State of California.

TABLE OF CONTENTS

1	INTRODUCTION	1-1
2	FEDERAL AND STATE LAWS, REGULATIONS, AND ORDERS	2-1
2.1	Federal.....	2-1
2.1.1	Title VI of the Civil Rights Act of 1964	2-1
2.1.2	U.S. Presidential Executive Order 12898 and Accompanying Presidential Memorandum	2-1
2.1.3	U.S. Department of Transportation Order 5610.2(a)	2-1
2.1.4	Federal Transit Administration Circular 4703.1	2-1
2.1.5	U.S. Presidential Executive Order 13166.....	2-2
2.1.6	Americans with Disabilities Act (42 U.S.C. §§ 12101–12213)	2-2
2.1.7	Uniform Relocation Assistance and Real Property Acquisition Act (42 U.S.C. § 61).....	2-2
2.2	State	2-2
2.2.1	California Government Code 65040.12(e)	2-2
2.2.2	California Relocation Assistance Act (Gov. Code, § 7260 et seq.)	2-3
2.2.3	California Government Code Section 11135(a), 11136.....	2-3
2.2.4	California Global Warming Solutions Act of 2006 (SB 535) (De León)	2-3
2.3	Authority Commitment.....	2-3
3	MINORITY POPULATIONS AND LOW-INCOME POPULATIONS	3-1
3.1	Definition of Reference Community and Resource Study Area.....	3-1
3.2	Methods for Identification of Minority Populations and Low-Income Populations	3-1
3.3	Minority Populations and Low-Income Populations within the Reference Community and RSA	3-1
4	OUTREACH TO MINORITY POPULATIONS AND LOW-INCOME POPULATIONS	4-1
4.1	Early Project Phase Public and Agency Outreach	4-2
4.1.1	Project Scoping and Notice of Preparation (December 2008 to March 2009)	4-2
4.1.2	Alternatives Analysis Agency and Public Participation (September 2009 to May 2010)	4-2
4.1.3	Issues Raised during Early Project Phase Outreach.....	4-3
4.2	Outreach Efforts during the Current Design Phase.....	4-4
4.2.1	Environmental Justice Outreach Plan	4-4
4.2.2	Outreach Methods and Technology	4-4
4.3	Key Issues Identified during Current Phase of Stakeholder Engagement.....	4-17
5	ONGOING ENVIRONMENTAL JUSTICE ENGAGEMENT ACTIVITIES.....	5-1
6	REFERENCES	1

Tables

Table 1 Minority Populations and Low-Income Populations (2014 Estimates)..... 3-2
Table 2 Organizations Contacted 4-6
Table 3 Interviews with Stakeholder Organizations Conducted in 2016 4-8

Appendices

- Appendix A: Environmental Justice Outreach Plan
- Appendix B: List of Outreach Meetings Held for Project
- Appendix C: Biannual Environmental Justice Outreach Reports

ACRONYMS AND ABBREVIATIONS

ACS	American Community Survey
ADA	Americans with Disabilities Act
Authority	California High-Speed Rail Authority
CEQA	California Environmental Quality Act
EIR	environmental impact report
EIS	environmental impact statement
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
Gov. Code	California Government Code
HSR	high-speed rail
I-	Interstate
LEP	limited English proficiency
NEPA	National Environmental Policy Act
Outreach Plan	Environmental Justice Outreach Plan
project	San Jose to Central Valley Wye Project Extent
Project Section	San Jose to Merced Project Section
RSA	resource study area
SB	Senate Bill
SR	State Route
UPRR	Union Pacific Railroad
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Act
US	U.S. Highway
USDOT	U.S. Department of Transportation
USEO	U.S. (Presidential) Executive Order
U.S.C.	United States Code

1 INTRODUCTION

Environmental justice is the fair treatment of people of all races, cultures, and income with respect to the development, adoption, implementation, and enforcement of environmental laws and policies. The roots of environmental justice are in Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including the denial of meaningful access for persons with limited English proficiency, in programs and activities receiving federal financial assistance. The California High-Speed Rail Authority (Authority) is committed to incorporating environmental justice considerations into its program, policies, and activities, and complies with federal, state, and other laws and regulations relevant to environmental justice.

U.S. Presidential Executive Order (USEO) 12898 (1994), Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires federal agencies to “ensure the full and fair participation by all potentially affected communities in the decision-making process; to avoid/mitigate disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects of their programs, policies and activities on low-income and minority populations; and to prevent the denial of, reduction in, or significant delay in the receipt of benefits to low-income and minority populations.” A key component of compliance with USEO 12898 is outreach to potentially affected minority populations and low-income populations. Minority populations and low-income populations are defined by U.S. Department of Transportation (USDOT) Order 5610.2(a) (May 2012) as follows:

- A *minority population* means any readily identifiable group or groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed or transient persons (such as migrant workers, students, or Native Americans). Minority includes persons who are Black, Hispanic or Latino, Asian American, American Indian and Alaska Native, and Native Hawaiian and other Pacific Islander.
- *Low-income* means a person whose median household income is at or below the U.S. Department of Health and Human Services poverty guidelines. A locally developed threshold or a percentage of median income for the area may also be used, provided that the threshold is at least as inclusive as the poverty guidelines. A *low-income population* means any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically transient persons (such as migrant workers, students, or Native Americans).

Additionally, USEO 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), issued in 2000, requires that federal agencies take reasonable steps to make sure that LEP persons have meaningful access to information about the agency’s programs and activities (including projects) and states that “each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons.”

This *San Jose to Merced Project Section Environmental Justice Engagement Summary Report* provides an overview of the identification of minority populations and low-income populations in the vicinity of the San Jose to Merced Project Section (Project Section) of the California High-Speed Rail (HSR) System. The report focuses on the portion of the Project Section between San Jose and Carlucci Road (San Jose to Central Valley Wye Project Extent, or simply project). It documents and summarizes engagement activities undertaken to involve members of minority populations and low-income populations in communities along the project alignment during the planning and design of the HSR project. It focuses on outreach and communication with these populations and documents successful efforts to engage individuals and community groups in an open dialog about project benefits and impacts, and to work cooperatively in refining the design of the project alternatives. This report does not provide an exhaustive discussion of the substantial outreach and coordination during the development of the HSR program. Additional information on the outreach and engagement activities, particularly materials related to public outreach and scoping, can be accessed via the Authority’s website, www.hsr.ca.gov.

2 FEDERAL AND STATE LAWS, REGULATIONS, AND ORDERS

This chapter provides an overview of the applicable federal and state laws, regulations, orders, and plans that are relevant to the analysis of environmental justice.

2.1 Federal

2.1.1 Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act (42 United States Code [U.S.C.] § 2000(d) et seq.) was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.

2.1.2 U.S. Presidential Executive Order 12898 and Accompanying Presidential Memorandum

USEO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directs recipients and subrecipients of federal financial funding or other assistance to develop an agency-wide strategy to achieve environmental justice in its planning and project delivery. The Presidential Memorandum accompanying USEO 12898 emphasizes the importance of existing laws, such as Title VI of the Civil Rights Act of 1964 and the National Environmental Policy Act (NEPA) of 1969, that can assist with implementation of the principles of the order. The memorandum provides that, in accordance with Title VI, “each Federal agency shall ensure that all programs or activities receiving Federal assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.” It calls for specific actions to be directed in NEPA-related activities. They include:

- Analyzing environmental effects, including human health, economic, and social effects on minority populations and low-income populations when such analysis is required by NEPA.
- Making sure that mitigation measures outlined or analyzed in environmental assessments, environmental impact statements, and Records of Decision, whenever feasible, address disproportionately high and adverse environmental effects or proposed actions on minority populations and low-income populations.
- Providing opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving accessibility to public meetings, official documents, and notices to affected communities.

2.1.3 U.S. Department of Transportation Order 5610.2(a)

The USDOT issued an update to Order 5610.2 (a), Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, on May 10, 2012. This order reaffirms the USDOT’s commitment to environmental justice and clarifies aspects of the 1997 Environmental Justice Order. It describes how the objectives of environmental justice will be integrated into planning and programming, rulemaking, and policy formulation. The order sets forth steps to prevent disproportionately high and adverse effects on minority populations and low-income populations through environmental justice analyses conducted as part of federal transportation planning and NEPA provisions. It also describes the specific measures to be taken to address instances of disproportionately high and adverse effects and sets forth relevant definitions.

2.1.4 Federal Transit Administration Circular 4703.1

The Federal Transit Administration (FTA) Circular 4703.1, Environmental Justice Policy Guidance for Federal Transit Administration Recipients, provides guidance on incorporating environmental justice principles into transportation plans, projects, and activities that receive financial assistance from the FTA. It provides recommendations on how to fully engage minority populations and low-income populations in the public transportation planning and decision-making process; how to

determine whether minority populations and low-income populations would be subjected to disproportionately high and adverse effects; and how to avoid, minimize, or mitigate these effects.

2.1.5 U.S. Presidential Executive Order 13166

USEO 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), requires each federal agency to make sure that recipients of federal financial assistance are provided meaningful access to their programs and activities, including applicants and beneficiaries with limited English proficiency. It requires that agencies examine the services they provide, identify needs for services to those with limited English proficiency, and develop and implement systems to provide those services.

2.1.6 Americans with Disabilities Act (42 U.S.C. §§ 12101–12213)

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination against persons with disability and requires equal opportunity in employment, state and local government services, public accommodations, commercial facilities, and transportation.

2.1.7 Uniform Relocation Assistance and Real Property Acquisition Act (42 U.S.C. § 61)

The Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act) of 1970 stipulates that persons displaced from homes, businesses, and farms as a result of a federal action or by an undertaking involving federal funds must be treated fairly, consistently, and equitably. This protects people so that they will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

The objectives of the Uniform Act are to:

- Provide uniform, fair, and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects.
- Make certain relocation assistance is provided to displaced persons to lessen the emotional and financial impact of displacement.
- Make certain that no individual or family is displaced unless decent, safe, and sanitary housing is available within the displaced person's financial means.
- Help improve the housing conditions of displaced persons living in substandard housing.
- Encourage and expedite acquisition by agreement and without coercion.

2.2 State

An environmental justice analysis is required by federal law but is not explicitly required by the State of California. The California Environmental Quality Act (CEQA) focuses on whether a project would have a significant impact on the physical environment and whether the environmental impacts of a project would cause substantial adverse impacts on human beings. Although specific provisions of CEQA require consideration of how the environmental and public health burdens of a project would affect certain communities (e.g., through consideration of the environmental setting and the assessment of cumulative impacts of a project), CEQA does not directly address environmental justice or the fair treatment of individuals and communities, and, as a result, CEQA determinations are not included in this report. Nevertheless, the well-established CEQA principles and provisions of California Government Code Section 11135 impose environmental justice obligations that local governments must consider when approving specific projects and planning for future development.

2.2.1 California Government Code 65040.12(e)

California Government Code (Gov. Code) Section 65040.12(e) defines *environmental justice* as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”

2.2.2 California Relocation Assistance Act (Gov. Code, § 7260 et seq.)

In parallel with the federal law, the California Relocation Assistance Act requires state and local governments to provide relocation assistance and benefits to displaced persons because of projects undertaken by state and local agencies that do not involve federal funds. However, because the HSR system receives federal funding, the Uniform Relocation Assistance and Real Property Acquisition Act takes precedence.

2.2.3 California Government Code Section 11135(a), 11136

California Government Code Section 11135(a) prohibits discrimination or the denial of full and equal access to benefits of any program or activity operated or funded by the state or a state agency based on race, national origin, ethnic group identification, religion, age, sexual orientation, color, or disability. This provision requires local agencies to consider fairness in the distribution of environmental benefits and burdens. It is enforced through Section 11136, which reduces or eliminates state funding of local government agencies determined to be in violation of Section 11135(a).

2.2.4 California Global Warming Solutions Act of 2006 (SB 535) (De León)

The California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund requires a CEQA analysis to identify disadvantaged communities for investment opportunities, as specified. The bill requires the California Department of Finance, when developing a specified 3-year investment plan, to allocate 25 percent of the available moneys in the Greenhouse Gas Reduction Fund to projects that provide benefits to disadvantaged communities, as specified, and to allocate a minimum of 10 percent of the available moneys in the Greenhouse Gas Reduction Fund to projects in disadvantaged communities. The bill requires the California Department of Finance, when developing funding guidelines, to include guidelines for how administering agencies should maximize benefits for disadvantaged communities. Senate Bill (SB) 535 also requires that the administering agencies report to the California Department of Finance, which in turn, provides a description of how these agencies have fulfilled specified requirements relating to projects providing benefits to, or located in, disadvantaged communities to the Legislature in a specified report.

2.3 Authority Commitment

The Authority has included environmental justice considerations in its planning for the California HSR System since 2000, when it commenced a programmatic environmental review. The Authority's Environmental Justice Guidance follows the best practices of the FTA Circular 4703.1 and is guided by a commitment to provide equal protection under the laws to all people.

In August 2012, the Chief Executive Officer of the Authority, Jeff Morales, signed the Policy Directive Number Poli-SB-02 related to environmental justice. The directive stated:

The California High-Speed Rail Authority (Authority) promotes Environmental Justice into its programs, policies, and activities to avoid, minimize or mitigate disproportionately high human health, environmental effects, including social and economic effects on minority [populations] and low-income populations. It is the policy of the Authority to duly emphasize the fair and meaningful involvement of all regardless of race, color, national origin or income with respect to the high-speed rail project planning, development, operations and maintenance. This policy directs the Authority to appropriately engage the public through public participation forums so that decisions are mitigated and reflects environmental justice for all communities. This commitment strives to inspire environmental justice and equal access.

Consistent with this directive, in August 2012 the Authority also published guidance that listed relevant federal and state policies and guidelines on environmental justice and provided instructions on how these policies and guidance should be interpreted and implemented in HSR

environmental analysis documents. According to the guidance, there are three fundamental environmental justice principles:

- To avoid, minimize, or mitigate disproportionately high human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To promote the full and fair participation by all affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Based on this guidance, for individual Project Sections, the identification and documentation of efforts to assess the impact of the HSR project on minority populations and low-income populations is to be included in the environmental justice chapter of each project-level environmental impact report/environmental impact study (EIR/EIS). The environmental justice chapter must document outreach events held to engage minority populations and low-income populations. The chapter must conclude with a determination of whether the project would result in disproportionately high and adverse effects on minority populations and low-income populations and provide for mitigation so that the project meets the Authority's commitments regarding environmental justice.

3 MINORITY POPULATIONS AND LOW-INCOME POPULATIONS

Environmental justice effects are evaluated by determining whether there is a potential for disproportionately high and adverse effects from the project on minority populations and low-income populations. In addition to minority populations and low-income populations, the environmental justice analysis also examines the distribution of sensitive populations, such as linguistically isolated, disabled, or elderly persons. This section defines the reference community and resource study area (RSA) for the analysis, summarizes the methods for identification of minority populations and low-income populations, and provides an overview of the minority populations and low-income populations within the reference community and RSA.

3.1 Definition of Reference Community and Resource Study Area

The reference community for the environmental justice analysis is the three-county region of Santa Clara, San Benito, and Merced Counties. This area represents the general population that could be affected adversely and beneficially by the project alternatives. Information for these three counties provides context and allows for comparison and contrast between communities within the RSA and the surrounding areas.

The RSA for direct and indirect effects on minority populations and low-income populations is defined as the census tracts partially or fully within the project alternatives' footprints and a 0.5-mile buffer zone from the project footprint for each of the project alternatives. Potentially affected communities within the RSA include portions of Santa Clara, San Jose, Morgan Hill, San Martin, Gilroy, Santa Nella, Volta, and Los Banos.

3.2 Methods for Identification of Minority Populations and Low-Income Populations

Census tract data on minority populations and low-income populations within the reference community and environmental justice RSA were collected from the U.S. Census Bureau 2010–2014 American Community Survey (ACS). The populations were mapped along the project alignment using geographic information systems, and census tracts with high percentages of minority and low-income individuals were identified.

The definition of minority populations is consistent with the USDOT Order 5610.2, as described in Chapter 1, Introduction. Minorities include persons who are Black, Hispanic or Latino, Asian American, American Indian and Alaska Native, and Native Hawaiian and other Pacific Islander. For the purposes of this analysis, low-income populations in San Benito and Merced Counties are defined as persons whose household income is at or below the U.S. Department of Health and Human Services poverty guidelines. For populations in Santa Clara County, a locally developed threshold is used to account for the substantially higher household incomes in the San Francisco Bay Area relative to other California counties. This analysis defines low-income populations within Santa Clara County to be persons with household incomes at or below 200 percent of the poverty guidelines.¹

3.3 Minority Populations and Low-Income Populations within the Reference Community and RSA

Table 1 shows the percent minority populations and percent low-income populations in the three-county reference community and in the cities and communities within the environmental justice RSA. Chapter 5, Environmental Justice, of the *San Jose to Merced Project Section Draft EIR/EIS* (Draft EIR/EIS) provides a detailed discussion and mapping of the minority populations and low-income populations with the potential to be affected by the project.

¹ This is consistent with the approach adopted by the Metropolitan Transportation Commission.

Table 1 Minority Populations and Low-Income Populations (2014 Estimates)

Characteristics	Population	Percent Minority	Percent Low-Income
Counties			
Santa Clara County	1,841,569	65.9	23.3
San Benito County	56,888	62.9	12.1
Merced County	261,609	69.5	25.6
Reference Community Total	2,160,066	66.3	23.3
Cities and Communities within the Resource Study Area			
Santa Clara	119,525	66.5	22.2
San Jose	986,320	72.5	27.6
Morgan Hill	39,875	50.7	24.4
San Martin	7,081	57.3	21.3
Gilroy	50,776	68.5	35.5
Volta	257	65.5	9.7
Los Banos	37,651	76.5	24.5

Sources: U.S. Census Bureau ACS 2010–2014a, 2010–2014b

As Table 1 shows, 23.3 percent of the population within the reference community is low-income, and 66.3 percent is minority (U.S. Census Bureau ACS 2010–2014a, 2010–2014b). Santa Clara and Merced Counties have higher rates of low-income populations than San Benito County, while the concentrations of minority populations are very similar among the three counties. The racial and ethnical makeup of the reference community varies—Asians are the largest minority group in Santa Clara County (33 percent), while Hispanics and Latinos make up the largest minority group in San Benito and Merced Counties (57 and 56 percent, respectively).

The economic conditions in the cities and communities within the RSA vary, and the percent low-income population ranges from a low of 9.7 percent low-income in Volta to a high of 35.5 percent low-income in Gilroy (Table 1). Gilroy has the highest percent low-income population, which exceeds that of the reference community by 12 percent. The percent minority ranges from 50.7 percent in Morgan Hill to 76.5 percent in Los Banos. Based on available census information and the proximity of the project alternatives, the following areas within the RSA have been identified as having concentrations of minority populations and low-income populations, or both, that are greater than the reference community:

- Santa Clara
 - Industrial area bounded by Lawrence Expressway on the west, Norman Y. Mineta International Airport on the east, U.S. Highway (US) 101 to the north, and the existing Caltrain tracks to the south, and a residential area bound by Scott Boulevard and El Camino Real, which consists of 77 percent minority and 39 percent low-income residents.
 - Residential area south of the existing Caltrain tracks, bounded by El Camino Real to the north, Pierce Street and Winchester Boulevard to the west, Newhall Street to the south, and Park Avenue and Alviso Street to the east, which ranges from 40 to 50 percent low-income residents.
- San Jose
 - Residential neighborhoods bounded by Interstate (I-) 880 to the north, Curtner Avenue to the south, State Route (SR) 87 to the west, and 10th Street and Senter Road to the east

that include Hyde Park, Jackson/Taylor, Ryland, Hensley, Horace Mann, North Campus, South Campus, East Campus, Naglee Park, Paseo, Market/Almaden, East Virginia, Spartan/Keys, Lakehouse, Park/Lorraine, Auzerais/Josefa, Gardner, Washington/Guadalupe, Tamien, Goodyear/Mastic, Alma, Monticello, Guadalupe/Almaden, Almaden/Clara Filice, Evans, and Guadalupe Canoas neighborhoods. These neighborhoods generally consist of census tracts with concentrations of minority populations more than 75 percent, with the highest concentrations in the Tamien and Goodyear/Mastic neighborhoods (94 percent minority) and the Market/Almaden and Washington/Guadalupe neighborhoods (86 percent minority). These neighborhoods also have high concentrations of low-income populations, typically more than 35 percent. The greatest concentrations of low-income populations occur in the Tamien and Goodyear/Mastic neighborhoods (58 percent low-income), Market/Almaden, Washington/Guadalupe, Spartan/Keys, and East Virginia neighborhoods (56 percent low-income), and Guadalupe/Almaden, Almaden/Clara Filice, Evans, and Guadalupe Canoas neighborhoods (52 percent low-income).

- Residential neighborhoods bounded by Curtner Avenue to the north, Blossom Hill or SR 85 to the south, Monterey Road or Snell Avenue on the west, and Senter Road or US 101 to the east. East of the Caltrain right-of-way are the neighborhoods of Kenwood, Hillsdale, Rancho, Los Arboles, Seven Trees, San Ramon, Riverview, Danna Rock, Davis, Edenvale, Sunspring, and Silver Leaf. West of the Caltrain right-of-way are the Woods, Berry Park, and Deer Run neighborhoods. The highest concentrations of minority populations occur in the neighborhoods of Los Arboles and Seven Trees (97 percent minority), while the greatest concentrations of low-income populations occur in Edenvale (58 percent low-income) and Seven Trees (52 percent low-income).
- Morgan Hill
 - Residential areas in downtown and southern Morgan Hill, located west of Monterey Road between Llagas Road and Tennant Avenue, and east of Monterey Road between Dunne Avenue to the north and Maple Avenue or Crowner Avenue to the south. These areas contain 36 to 45 percent low-income households and include a mobile home community along Monterey Road.
- Gilroy
 - Residential areas in downtown Gilroy, bounded by Buena Vista Avenue to the north, Mesa Road to the south, US 101 on the east, and Wren Avenue or Miller Avenue to the west. The highest concentrations of minority populations and low-income populations are between Las Animas Avenue, Monterey Road, and US 101 in downtown Gilroy, where between 61 and 69 percent of residents are low-income, and more than 85 percent are minority.
 - Rural agricultural areas east of Gilroy have low-income populations of approximately 40 percent.
- Merced County
 - Residential portions of northern Los Banos and rural agricultural areas north and east of Los Banos, bounded by Henry Miller Road to the north, SR 33 to the south, Badger Flat Road to the west, and Delta Road to the east. Minority population concentrations in these areas are more than 81 percent.

4 OUTREACH TO MINORITY POPULATIONS AND LOW-INCOME POPULATIONS

The Authority has conducted early and continued public and agency outreach throughout the environmental review and alternatives development processes. As part of these efforts, the Authority held the following types of meetings and outreach events, which provided opportunities for engagement with the public, including minority populations and low-income populations, sensitive populations, and regulatory agencies:

- Interagency technical working group meetings
- Community working group meetings
- Public information meetings
- Informal meetings with key community leaders, select members of the public, and local/resource agency staff
- Informal resource-specific agency meetings
- Informational open houses and informal presentations to community organizations and groups
- Letter, email, and phone requests for information and informal consultation
- Distribution of public notices, fact sheets, and a Frequently Asked Questions document with project information and updates on the ongoing studies

Chapter 9, Public and Agency Involvement, of the Draft EIR/EIS provides a detailed account of the public engagement work undertaken by the Authority and the FRA to date. In total, over 800 such meetings and public and agency involvement activities were initiated by the Authority or attended by representatives of the HSR project within the vicinity of the San Jose to Merced Project Section between December 2008 and December 2018.

The Authority also conducted targeted outreach to minority populations and low-income populations (see Chapter 5 of the Draft EIR/EIS for information on the geographic concentrations of these populations). The purpose of targeted outreach is to understand and address the unequal environmental burden often borne by minority populations and low-income populations. Understanding the location and makeup of minority populations and low-income populations near the project allowed the Authority to tailor outreach activities for effective public participation and access to information. In addition, the outreach provides these populations with early and ongoing opportunities to provide input on the HSR project and assist in identifying social, economic, and environmental effects as well as potential mitigation measures that could be used to avoid or minimize adverse effects.

The Authority has conducted this outreach to minority populations and low-income populations with the understanding that these efforts are most effective when done from the earliest opportunity and maintained over the course of the project. Outreach was also coordinated with trusted individuals and organizations, such as faith-based organizations, neighborhood associations, community centers, and schools. This approach provides a bridge between the community and the project and provides a forum to gain the input of leaders and members of communities with minority populations and low-income populations who are able to provide insights that may not otherwise be apparent. The resulting input is used to make sure the project would not result in disproportionately high and adverse effects on minority populations and low-income populations relative to the potential benefit gained by those populations from the project.

Outreach undertaken as part of the Project Section is relevant to the San Jose to Central Valley Wye Project Extent. The San Jose to Merced Project Section Draft EIR/EIS process began in 2008 and continued with public discussions through 2012 about the range of alternatives for evaluation. Various alignment and profile design options were considered in the *San Jose to Merced Section High-Speed Rail EIR/EIS, Preliminary Alternatives Analysis Report* (Preliminary

Alternatives Analysis Report) published in June 2010 and *San Jose to Merced Section High-Speed Rail EIR/EIS, Supplemental Alternatives Analysis Report* (Supplemental Alternatives Analysis Report) published in May 2011 (Authority and FRA 2010, 2011). Additional consultation with stakeholders and regulatory agencies through 2019 continued to inform the range of project alternatives being considered. During this time, a variety of outreach activities were conducted, the results of which can be reviewed in the public documents noted in this section.

4.1 Early Project Phase Public and Agency Outreach

4.1.1 Project Scoping and Notice of Preparation (December 2008 to March 2009)

The Authority initiated prescoping public outreach activities in December 2008, including the development of project information materials, establishment of a project information phone line, early engagement with interested parties, and media communications. On February 23, 2009, the Authority distributed a Notice of Preparation announcing preparation of an EIR for the Project Section. The Federal Railroad Administration (FRA) published a Notice of Intent in the *Federal Register* on March 16, 2009, announcing the preparation of an EIS for the Project Section.

The Authority and the FRA initiated scoping in March 2009, and the Authority held scoping meetings in Merced, San Jose, and Gilroy. More than 300 residents, property and business owners, agency representatives, elected officials, members of the media, and other interested parties participated in these meetings. The Authority provided information about the history of the HSR project to date, the *Final Program EIR/EIS for the Proposed California High-Speed Train System* (Authority and FRA 2005), and the environmental review process, including alternatives development and analysis.

4.1.2 Alternatives Analysis Agency and Public Participation (September 2009 to May 2010)

The Authority conducted a number of meetings throughout the alternatives analysis phase with agencies, the public, and small groups. These meetings included a series of technical working group meetings in Gilroy and Merced, eight public information meetings, a community workshop and panel discussion, and a Gilroy City Council study session, all held between September 2009 and May 2010. The purposes of these meetings were to explain the alternatives analysis process, share the results of preliminary studies, and receive feedback.

4.1.2.1 Preliminary Alternatives Analysis and Public Participation (June 2010 to March 2011)

Following the release of the Preliminary Alternatives Analysis Report on June 3, 2010, the Authority and its consultants held more than 80 meetings with elected officials and staff, other key stakeholders, and the public. These meetings included technical working group meetings in Gilroy and Merced. The San Jose to Merced Project Section team hosted meetings in Merced with representation and participation from the Merced to Fresno Project Section team. The Authority also held five public information meetings, a variety of stakeholder meetings, and two rounds of additional public outreach meetings in Gilroy and Morgan Hill between June 2010 and March 2011. More than 870 participants attended these public meetings.

4.1.2.2 Supplemental Alternatives Analysis and Public Participation (May 2011 to June 2011)

The Authority released the Supplemental Alternatives Analysis Report on May 5, 2011. This report documented additional and refined alignments and design options for the Morgan Hill and Gilroy, Pacheco Pass, and San Joaquin Valley Subsections developed in response to comments received on the Preliminary Alternatives Analysis Report.

Following issuance of the Supplemental Alternatives Analysis Report, the team held interagency meetings in Merced (May 2011) and Morgan Hill (June 2011). Public information meetings to review the report were also held in Gilroy, Merced, and Los Banos in May and June 2011.

4.1.3 Issues Raised during Early Project Phase Outreach

The following issues were consistently raised in these meetings (via verbal and written comments):

- **Consultation and outreach.** Commenters wanted to know with which local agencies the Authority was consulting. Commenters were interested in how public and agency input would be elicited and incorporated, including what type of comments were being solicited at the current stage of the study and how public and agency comments would be incorporated. Some commenters expressed concern that the engagement effort in Gilroy (particularly east of US 101), Morgan Hill, and the surrounding unincorporated area needed to be more comprehensive.
- **Support or opposition.** Commenters generally expressed support for HSR; however, some were concerned about the potential impact on homes. Some commenters expressed concern over the need for a HSR project. Some commenters indicated the Altamont Pass alignment would be a shorter route, would preserve more existing infrastructure, and would be less expensive than the route over Pacheco Pass.
- **Business plan (funding, ridership, and schedule).** Commenters expressed concerns about overall project funding, the decision-making timeline, and the age of the ridership figures. In addition, commenters wanted more information about the anticipated funding from the federal government and the cost differential of the various vertical profiles (tunnel, trench, at-grade, aerial) and horizontal profiles.
- **Right-of-way.** Commenters wanted to know the anticipated right-of-way acquisition requirements and planned coordination for right-of-way acquisition for the project as a whole.
- **Project operations.** Commenters asked for information about train operations, including hours of operation, frequency, and speed.
- **Alternatives.** In the San Jose area, commenters wanted to know the plan for coordinating the San Jose to Merced and San Francisco to San Jose Project Sections for planning and analysis of the San Jose Diridon Station. Additionally, commenters asked whether the Draft EIR/EIS would identify a preferred alternative. Commenters questioned the feasibility of the Altamont Pass crossing. Commenters requested consistency in the approach to addressing rail crossings in the San Jose to Merced Project Section and Merced to Fresno Project Section environmental documents.
- **Traffic impacts.** Commenters requested information on traffic impacts and the magnitude of the access road and temporary construction easements that would be required.
- **Environmental impacts and impacts on agricultural lands.** Commenters wanted to make sure that impacts on agricultural lands and operations would be addressed in environmental review. They expressed further concerns about impacts on wildlife and the environment.
- **Noise and vibration impacts.** Meeting attendees expressed concerns about noise and vibration impacts from both construction and operation of the project. Commenters discussed impacts of sound and electromagnetic waves on the environment and on animals.

The cities and communities along the project alignment expressed different concerns and priorities during these meetings. A summary of these concerns by city or community follows:

- San Jose
 - Noise and vibration impacts
 - Visual impacts
 - Impacts of local road closures on road network connectivity, access, and the proposed narrowing of Monterey Road
 - Eminent domain and impacts on property values

- Morgan Hill
 - Impacts on local roads, connectivity, access, and right-of-way, including specific inquiries as to whether Depot Street would be closed for the proposed grade separation between Dunne Avenue and Main Street
- Gilroy
 - Impacts on downtown Gilroy and neighborhoods
 - Impacts on local roads, connectivity, access, and right-of-way
- East of Gilroy
 - Visual impacts and changes in community character
 - Impacts on homes and quality of life
 - Impacts on agricultural lands
 - Reduced access to properties, decreased property values, eminent domain, and the property acquisition process
 - Noise mitigation
- Pacheco Pass (unincorporated Merced County)
 - Impacts on local roads, connectivity, access, and right-of-way
 - Construction impacts on Cottonwood Creek and Cottonwood Bay
- San Joaquin Valley (unincorporated Merced County)
 - Impacts on local roads, connectivity, access, and right-of-way
 - Impacts on agricultural lands and associated irrigation infrastructure
 - Impacts on dairy operations

4.2 Outreach Efforts during the Current Design Phase

Public outreach efforts were largely slowed between 2012 and 2016 as the Authority shifted priorities from the entire Project Section to accelerating a smaller subset—the Central Valley Wye Project Extent. Public outreach and targeted outreach to minority populations and low-income populations continued on the Central Valley Wye Project Extent, while limited outreach continued for the San Jose to Central Valley Wye Project Extent. The following section describes the engagement efforts during the current design phase, which was reinitiated in 2016.

4.2.1 Environmental Justice Outreach Plan

The Environmental Justice Outreach Plan (Outreach Plan) was created at the beginning of the current design phase in 2016 to “guide the Authority in engaging minority populations and low-income populations in the project study area to communicate project information, listen to and respond to community thoughts and concerns, and identify potential actions to mitigate any disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.” The Outreach Plan is provided in Appendix A, Environmental Justice Outreach Plan.

4.2.2 Outreach Methods and Technology

In locations where minority populations, low-income populations, and other sensitive populations may be affected by the project, a variety of outreach activities were conducted to inform local community members of the project and its status; solicit the thoughts and concerns of the community regarding project impacts; and gain an understanding of the potentially adverse effects of the project on minority populations and low-income populations. These outreach efforts used many formats, including public meetings, advertising and mailing of public notices, digital engagement, and direct outreach to stakeholders and community organizations through open houses, meetings, small group working sessions, and interviews. Additionally, the Authority set up information tables at community centers or events to answer community questions and sign up people to receive regular information about the project.

These outreach efforts considered all recommendations and factors for outreach included in the Authority’s Title VI and environmental justice guidance, including:

- Consideration of the time, location, and accessibility of all meetings. This effort also includes encouraging meaningful participation of sensitive populations by using other means for engagement besides meetings, such as interviews, briefings, and the use of audio devices to record comments. In addition, all meetings include multiple notification methods, provision of interpreters, venue locations that are accessible (i.e., ADA compliant) and formats that provide for different ways to learn about the project alternatives and share feedback.
- Reaching people within their own communities and during existing meetings schedules using existing community groups and their knowledge of the community to more effectively reach minority populations, low-income populations, and sensitive populations. This also effort includes selecting meeting locations that are culturally sensitive.
- Provision of interpreters to support persons with limited English proficiency at meetings. This includes provision of Spanish-speaking interpreters and translated meeting materials at Open House meetings hosted by the Authority, as well as notices in Spanish, Mandarin, Vietnamese, and Tagalog indicating interpreters can be made available by request.
- Presentations focused to specific interest groups.
- Placement of meeting announcements and flyers through different types of media and advertisement of meeting notices in Mandarin, Spanish, Vietnamese, and Tagalog to reach populations with limited English proficiency.
- Cultural sensitivity to minority and Native American tribal groups.
- Identification of barriers to public participation and ways to overcome those barriers.

4.2.2.1 Public Meetings

Numerous outreach events for the project have been held since the beginning of 2016. Outreach activities included presentations at public and stakeholder group meetings. Meeting locations were determined using the following approach:

- Coordinating with partners in the community who help with outreach and notification, and serve as a co-convenor for the meeting
- Using a venue that community members are familiar with, that is accessible by sensitive populations, and where they feel comfortable, such as neighborhood centers and community facilities
- Identifying a venue close to the HSR alignment(s) and the impacted communities
- Targeting minority populations and low-income populations by referencing census data and overlaying it with the proposed alignments/areas of anticipated impacts

These outreach meetings have taken many different formats, including providing project updates to local elected officials during their meetings (e.g., City Council meetings), open houses, and presentations to neighborhood organizations. Many of these meetings were located in minority and low-income areas. Open house meetings were advertised with flyers providing providing information in multiple languages, including English, Mandarin, Spanish, Vietnamese, and Tagalog. A complete list of all public outreach meetings where information on the project was provided by the Authority can be found in Appendix B, List of Outreach Meetings Held for Project.

4.2.2.2 Digital Technology

One of the most successful ways to engage community members in discussions about a project is the use of high-definition aerial maps that show the proximity of different project elements to areas that are important to community members, such as their homes, businesses, and recreation areas. During the Authority-led open houses held in late April and early May 2017,

freestanding digital terminals allowed community members to type in their addresses and look at the proximity of the different project alternatives.

4.2.2.3 Targeted Outreach to Stakeholder and Community Organizations

To inform the outreach efforts to minority populations and low-income populations, the Outreach Plan identified environmental justice and transportation advocacy groups that are active regionally or on a statewide scale, as well as stakeholders and community organizations that provide services to or represent minority populations and low-income populations in the environmental justice RSA. As such, several organizations that are headquartered outside of the RSA participated.

Table 2 shows the organizations specifically dedicated to environmental justice and transportation that were contacted during the reinitiated design phase. Attachment 1 of the Outreach Plan (Appendix A) presents a more extensive list of minority populations and low-income populations and organizations that serve those populations.

Table 2 Organizations Contacted

Organization Name	Description	Website
California Endowment	Statewide grant-making organization that promotes fundamental improvements in the health status of all Californians	http://www.calendow.org/
California Environmental Justice Alliance	Statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions	http://caleja.org/about-us/vision-and-history/
California Pan-Ethnic Health Network	Statewide network that promotes health equity by advocating for public policies and sufficient resources to address the health needs of communities of color	http://cpehn.org/
California Rural Legal Assistance	Statewide environmental justice and legal aid program that provides low-income rural Californians with free legal assistance	http://www.crla.org/
California Wellness Foundation	Statewide grant-making organization that addresses the particular health needs of traditionally underserved populations, including low-income individuals, people of color, youth and residents of rural areas	http://www.calwellness.org/
Center on Race, Poverty, and the Environment	San Joaquin Valley-focused environmental justice organization that seeks to achieve environmental justice and healthy, sustainable communities through collective action and the law	http://www.crpe-ej.org
Central California Environmental Justice Network	San Joaquin Valley-focused environmental justice network focusing on uniting activists and working with community members and stakeholders at local, regional, state and federal levels to eliminate environmental degradation in local communities	http://ccejn.wordpress.com/

Organization Name	Description	Website
Central Coast Alliance United for a Sustainable Economy	Community organizing and advocacy organization that seeks to build grassroots power to invoke social, economic and environmental justice for the people of California's Central Coast Region	https://causenow.org
Central Valley Air Quality Coalition	San Joaquin Valley-focused coalition working to ensure that all communities, of all races, cultures, class or creed, have the opportunity to be involved in the policy development and regulatory processes improving regional health	http://www.calcleanair.org/
Leadership Counsel for Justice and Accountability	San Joaquin Valley-focused, community-organizing advocacy group that seeks to impact land use and transportation planning, public investment priorities, environmental policy, and the provision of basic infrastructure and services	http://www.leadershipcounsel.org/
Policy Link	National research and action institute advancing economic and social equity by 'Lifting Up What Works'	http://www.policylink.org/
Rural Community Assistance Corporation	Statewide organization that provides training, technical/financial resources and advocacy for rural communities	http://www.rcac.org/home
The City Project	National organization working to ensure that all people have access to healthy, livable communities	http://www.cityprojectca.org/
TransForm	Transportation organization that seeks to transform communities and transportation with new solutions, smarter investments, and better planning as well as improve community access, health, justice, and sustainability	http://www.transformca.org/
United Farmworkers	A national farmworker's union and social justice organization that seeks to provide farm workers and other working people with the inspiration and tools to share in society's bounty	http://www.ufw.org/
Valley Improvement Projects	San Joaquin Valley-focused organization that seeks to improve the quality of life of underrepresented and marginalized residents of California's Central Valley by promoting social and environmental justice issues through youth outreach, education, technology, and art	https://valleyimprovementprojects.org/
Voices from the Valley	San Joaquin Valley-focused organization that offers a centralized media outlet for Central Valley activist organizations	http://www.voicesfromthevalley.org/

4.2.2.4 Interviews Related to Environmental Justice

An initial series of interviews was conducted in July and August 2016 with stakeholder organizations serving minority populations and low-income populations in the environmental

justice RSA to inform the Authority's outreach efforts to these populations. The primary objectives of the interviews were to:

- Better understand the interests and concerns of minority populations and low-income populations and how they relate to the HSR project
- Inform the Authority's strategy for meaningfully engaging with minority populations, low-income populations, or both, including anticipating and responding to potential challenges
- Identify specific environmental justice outreach opportunities (e.g., events, meetings, neighborhood groups) and additional stakeholders with whom to partner moving forward

Table 3 shows the stakeholders that were interviewed. Interviewees noted that because minority populations and low-income populations have historically been burdened with disproportionately high and adverse effects from infrastructure projects in comparison to other communities, causing mistrust of government and doubts as to whether community input is being taken into consideration, a certain degree of mistrust of the Authority, as a government agency, is expected. They also highlighted that much of the project information is not provided in the first language of community members, and that members of minority populations and low-income populations often do not have the ability to participate in public engagement processes because of other, higher-priority life demands. The locations of these interviews in relation to the percent minority populations and low-income populations are mapped on Figure 1.

Table 3 Interviews with Stakeholder Organizations Conducted in 2016

Organization	Focus Community	Date
Asian Americans for Community Involvement	San Jose	August 4, 2016
California Environmental Protection Agency ¹	Project Section	August 5, 2016
City of Gilroy	Gilroy	July 26, 2016
City of San Jose District Three	San Jose	August 4, 2016
Delmas Park Neighborhood Association	San Jose	August 4, 2016
Sierra Health Foundation	Project Section	July 28, 2016

¹ While not specifically an environmental justice organization, California Environmental Protection Agency has an environmental justice program and provides guidance documents and grants for related work. The agency also provides information about minority populations and low-income populations in coordination with California Office of Environmental Health Assessment in the CalEnviroScreen tool.

Results of 2016 stakeholder interviews informed the Authority's strategy to engage minority populations and low-income populations in the environmental justice RSA in 2018 and 2019. To achieve a broader reach to focus communities along the project alignment, the outreach team engaged community-based service providers representing the interests of more than 46,000 community members, with the objectives of gathering feedback on impacts the project had on the focus communities, and increasing community awareness and knowledge about the project. Stakeholders also offered suggestions on how to effectively engage communities along the project. These engagement suggestions included conducting in-language gatherings, neighborhood walks, and door-to-door canvassing in some neighborhoods; using social media and public service announcements on Spanish-language radio stations to engage Spanish-speaking residents; and providing incentives such as food and childcare at evening and weekend meetings.

These recommendations were incorporated into and continued to shape the targeted environmental justice outreach efforts conducted throughout 2018 and 2019. Authority staff made

efforts to provide accommodations to address the stakeholders’ suggestions and provide enhanced outreach whenever feasible by partnering with local organizations. For example:

- Authority staff joined local community leaders to conduct neighborhood walks and canvass door-to-door in select minority and low-income communities to answer community members’ questions and provide information about the project. In San Jose’s Gardner neighborhood, for example, the Authority coordinated the planning of an in-language community meeting with the neighborhood association. In advance of the early evening meeting held at the local community center, Authority staff canvassed in the neighborhood and informed members of the public that children and other family members were welcome. The neighborhood association provided refreshments.
- The Authority opted not to provide public service announcements on Spanish-language radio stations, but Authority staff enlisted local community organizations to translate and share information about events on the community organizations’ social media postings, via emails and newsletters, and on their websites. For example, a large Vietnamese community foundation in San Jose hosted a presentation by Authority staff. They prepared a flyer about the event in Vietnamese and also provided a meal at the event to encourage participation.
- Multilingual flyers, in-language posters and newspaper ads, and community organizations’ social media postings invited members of the public to the summer 2019 open houses regarding the preferred alternative. Based on stakeholder feedback, the outreach consulting team provided family-friendly snacks and a number of children accompanied adult members to these informal events.

Commencing in 2018, direct engagement with community members was coordinated with stakeholders serving minority populations and low-income populations with the intent of increasing awareness and participation in outreach activities conducted for HSR. Service providers served as partners and co-hosts for community outreach meetings and presentations. Several meetings included in-language material and translation services based on community members’ needs as indicated by the service providers. In addition, the Authority focused outreach in communities where interviews with service providers indicated that community members lacked awareness of the project (e.g., in Gardner).

As a result of the addition of Alternative 4 in 2018, and the resulting interest from the relevant communities, a second series of interviews were conducted beginning in October 2018 and continuing through December 2019 with stakeholders serving minority populations, low-income populations, and sensitive populations in the environmental justice RSA to continue the Authority’s outreach efforts to these populations. Table 4 identifies the stakeholders that were interviewed in 2018 and 2019.

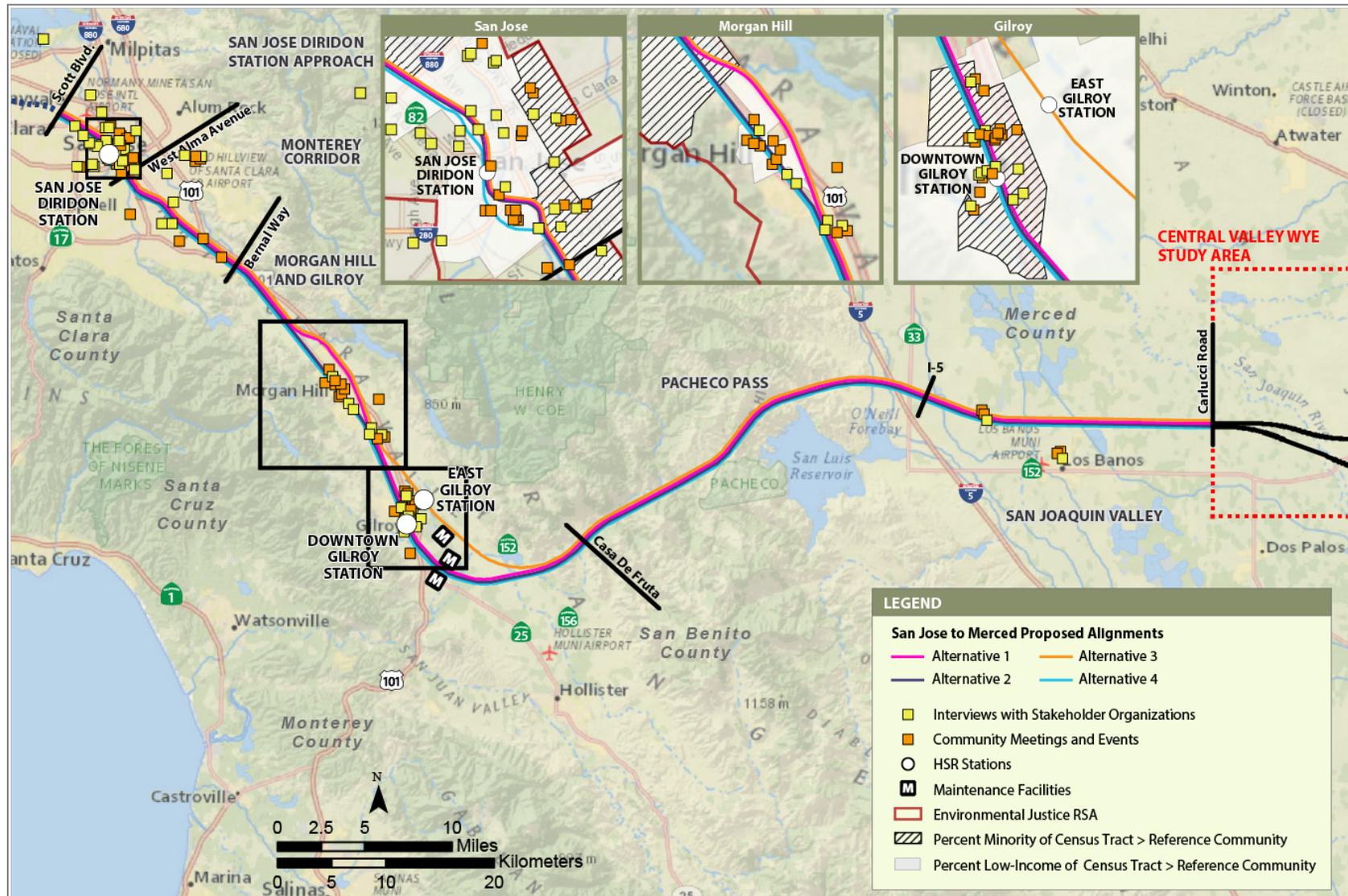
Table 4 Interviews with Stakeholder Organizations Conducted in 2018 and 2019

Organization	Focus Community	Date
Alexander Station	Gilroy	April 18, 2019
Better Tomorrow: San Jose	San Jose	October 29, 2019
Biblioteca Latinoamericana	San Jose	October 29, 2018
Biblioteca Latinoamericana	San Jose	November 9, 2018
Bill Wilson Center	San Jose	June 25, 2019
Centennial Recreation Center	Morgan Hill	November 14, 2018
Charities Housing (property manager for HomeSafe Santa Clara)	Santa Clara County	December 9, 2019

Organization	Focus Community	Date
Charities Housing (property manager for HomeSafe Santa Clara)	Santa Clara County	December 16, 2019
City of Los Banos Community Center	Los Banos	December 10, 2018
City of Morgan Hill (Office of the City Manager, Planning, and Economic Development)	Morgan Hill	November 14, 2018
City of Morgan Hill, Older Adult Services	Morgan Hill	November 14, 2018
City of San Jose Environmental Services Department	San Jose	October 18, 2019
Community Agency for Resources, Advocacy, and Services (CARAS) South County	Gilroy	February 7, 2019
Community Solutions	Santa Clara County	December 18, 2018
Compassion Center, Gilroy	Gilroy	February 28, 2019
DeBug Community and Advocacy Group	Santa Clara County	June 26, 2019
Family & Children Services of Silicon Valley	Santa Clara County	October 17, 2019
Gardner Academy	San Jose	October 29, 2019
Gardner Community Center, San Jose	San Jose	December 3, 2018
Gavilan College	Gilroy	November 8, 2018
Gilroy Compassion Center	Gilroy	February 28, 2019
Gilroy High School	Gilroy	March 14, 2019
Gilroy Unified School District	Gilroy	November 8, 2018
Gilroy Unified School District and Gilroy High School	Gilroy	March 14, 2019
Gilroy Unified School District and Gilroy Prep/Navigator School	Gilroy	December 19, 2019
Gilroy Unified School District and South Valley Middle School	Gilroy	December 3, 2018
Glen View Elementary, Gilroy	Gilroy	February 12, 2019
Guadalupe Washington Neighborhood Association	San Jose	October 29, 2019
Hope Services	Gilroy	January 29, 2019
International Children Assistance Network (ICAN)	Santa Clara County	October 24, 2019
Kings View, Los Banos	Los Banos	December 10, 2018
La Raza Radio	San Jose	December 3, 2019
La Raza Radio	San Jose	December 13, 2019
Learning and Loving Education Center	Morgan Hill	December 5, 2018
Los Banos Community Center	Los Banos	December 20, 2019
Maple Leaf Recreational Vehicle Park	Morgan Hill	November 20, 2019
Merced Community Action Agency	Merced County	November 27, 2018

Organization	Focus Community	Date
Morgan Hill Community Adult School	Morgan Hill	December 5, 2018
Morgan Hill Unified School District	Morgan Hill	November 20, 2019
Navigator Schools, Gilroy	Gilroy	December 14, 2018
Next Door Solutions	Santa Clara County	December 17, 2019
PARS Equality Center	Santa Clara County	October 30, 2019
Pacific Gas & Electric	San Francisco Bay Area and Central Valley	October 2, 2019
Rebekah Assembly	Gilroy	December 4, 2018
Rebekah Children's Services	Gilroy	December 20, 2018
Refugee and Immigrant Forum of Santa Clara County	Santa Clara County	October 16, 2019
Rocca's Market	San Martin	November 20, 2019
Sacred Heart Nativity School	San Jose	December 13, 2019
Salvation Army Family Services, San Jose	San Jose	November 27, 2018
Salvation Army's Emmanuel House	San Jose	December 4, 2018
San Andreas Regional Center	Santa Clara County	December 21, 2018
San Jose City College	San Jose	December 12, 2019
San Jose Downtown Residents Association	San Jose	February 14, 2019
San Martin/Gwinn K-8 School	San Martin	November 4, 2019
San Martin Lions Club	San Martin	February 19, 2019
Santa Clara County Department of Family and Children's Services	Santa Clara County	December 18, 2019
Santa Clara County Office of Education, Head Start	Santa Clara County	January 8, 2019
Santa Clara County Office of Immigrant Relations	Santa Clara County	February 6, 2019, February 28, 2019
Santa Clara County Office of Supporting Housing	Santa Clara County	October 31, 2018
Santa Clara County Social Services	Santa Clara County	November 14, 2018
Santa Maria Urban Ministry	San Jose	November 12, 2018
St. Joseph's Family Center	Gilroy and San Martin	April 22, 2019
St. Mary Parish	Gilroy	November 9, 2018
The Cordoba Center: South Valley Islamic Community	San Martin	November 29, 2018
Univision	San Francisco Bay Area	December 9, 2019
Univision	San Francisco Bay Area	December 13, 2019
UStar Productions	San Jose	September 10, 2019
UStar Productions	San Jose	October 4, 2019

Organization	Focus Community	Date
Vietnamese Voluntary Organization (VIVO)	San Jose	November 15, 2018
Volta Elementary School	Los Banos	December 10, 2018
Volta Elementary School	Los Banos	December 19, 2019
West Valley Community Services	San Jose	February 12, 2019



JANUARY 2020

Figure 1 Locations of Environmental Justice Outreach Activities

4.2.2.5 Environmental Justice-Focused Meetings and Other Events

The Authority scheduled and attended a number of meetings and events specifically intended to engage minority populations and low-income populations near the project to gather input on project alternatives. As a result of the addition of Alternative 4 in 2018, and the stakeholder service provider interviews detailed in Section 4.2.2.4, Interviews Related to Environmental Justice, the Authority refocused its efforts to reach minority populations and low-income populations beginning in mid-2018. The Authority also organized on-the-ground outreach, such as information tables and booths at local fairs and community events frequented by local residents. These locations were identified as an effective means to reach the minority populations and low-income populations in the environmental justice RSA and included locations such as flea markets, public libraries, and neighborhood meetings. The Authority provided the following outreach events:

- August 20, 2016: Information table at Gardner Community Flea Market, San Jose
- September 18, 2016: Information table at Viva CalleSJ community event with bilingual staff, San Jose
- October 20, 2016: Presentation to Gilroy Eliot School Community meeting, Gilroy
- October 27, 2016: Presentation at San Jose District 2 (Monterey Road area) Community Meeting, San Jose
- November 14, 2016: Meeting with local residents and City of Gilroy staff to discuss outreach strategies to communities and businesses in the downtown Gilroy area, Gilroy
- November 29, 2016: Information table at Edenvale Public Library, San Jose
- December 7, 2016: Presentation to Edenvale Great Oaks Plan Implementation Coalition, San Jose
- December 19, 2016: Information table at Gilroy Downtown Library, Gilroy
- February 1, 2017: Presentation to Seven Trees Neighborhood Association at regular meeting, San Jose
- February 13, 2017: Presentation to Gardner Neighborhood Association at regular meeting, San Jose
- March 8, 2017: Presentation to Goodyear-Mastic and Alma Neighborhood Associations at their joint meeting; the Tamien Neighborhood Association was also invited to attend, San Jose
- April 6, 2017: Information table at Gilroy Downtown Library with English-speaking staff and Spanish language translator, Gilroy
- April 17, 2017: Information table at Arteaga's Super Save Market with English-speaking staff and Spanish-language interpreter, Gilroy
- July 19, 2017: Presentation to the Gilroy Community & Neighborhood Revitalization Committee, Gilroy
- September 9, 2017: Presentation to United Neighborhoods of Santa Clara County Neighborhood Development Conference, San Jose
- September 11, 2017: Presentation to Senter Monterey Neighborhood Association, San Jose
- September 18, 2017: Presentation to Gardner Neighborhood Association, San Jose
- June 8, 2018: Gilroy right-of-way workshop, Gilroy
- July 2, 2018: Oak Grove Neighborhood Association meeting, San Jose
- August 14, 2018: Morgan Hill morning community meeting, Morgan Hill

- August 14, 2018: Morgan Hill evening community meeting, Morgan Hill
- September 20, 2018: Gilroy small business workshop, Gilroy
- September 24, 2018: Gilroy Unified School District and City Council Meeting, Gilroy
- October 18, 2018: San Martin Neighborhood Alliance meeting, San Martin
- October 23, 2018: Delmas Park Neighborhood Association meeting, San Jose
- March 6, 2019: Vietnames Voluntary Organization (VIVO) (Vietnames translation provided), San Jose
- March 26, 2019: Volta Elementary School Community Meeting (Spanish translation provided), Los Banos
- May 13, 2019: Gardner Neighborhood Association, Gardner
- May 28, 2019: Gilroy Community Meeting (Spanish translation provided), Gilroy
- May 31, 2019: Homeless Walks with HomeFirst along the Monterey Corridor, San Jose
- June 13, 2019: St. Joseph’s Family Center Homeless Dinner, Gilroy
- June 14, 2019: Homeless Walks with PATH around Diridon Station, San Jose
- July 5, 2019: Morgan Hill Chamber of Commerce Music in the Park, Morgan Hill
- August 1, 2019: Presentation to the Good Morning Morgan Hill Chamber of Commerce Breakfast, Morgan Hill
- August 9, 2019: Information table at the Downtown San Jose Farmers Market, San Jose
- September 20-21, 2019: Information table at the Vietnamese Moon Festival, San Jose
- October 16, 2019: Ground-truthing (observing) outreach in communities around the Tamien Caltrain and Santa Clara Stations, San Jose and Santa Clara
- November 6, 2019: Community meeting with Better Tomorrow: San Jose
- December 13, 2019: Presentation at Gardner Academy, San Jose
- December 13, 2019: Gardner Neighborhood Walk, San Jose

The locations of these meetings are mapped on Figure 1.

4.2.2.6 Group Stakeholder and Community Working Group Meetings

The Authority reconvened community working groups (CWG) to discuss and gather input on project alternatives with community members representing a broad range of local interests. Each of the groups includes representatives of minority populations and low-income populations in the environmental justice RSA.

As the Authority expanded environmental justice outreach efforts in 2018 and 2019, Authority staff coordinated with CWG members on how to best engage with minority populations and low-income populations in their communities. The topic of coordination served as a discussion prompt at some CWG meetings, and CWG members offered advice on coordination partners or advocated for activities and events to be conducted in specific neighborhoods.

As a result of this input, Authority staff worked closely with CWG members representing specific population groups to collaborate on environmental justice outreach activities targeting minority populations and low-income populations. For example, in San Jose, a CWG member facilitated the door-to-door canvassing and scheduling of a community meeting in the Gardner neighborhood. Another CWG member organized a meeting with representatives from the Vietnamese community.

To ensure CWGs reflect the diversity of stakeholders in the region, the Authority continues to add new CWG members by inviting contacts established through the environmental justice outreach process. As Authority staff engage with stakeholder organizations representing minority, low-income, and other marginalized populations, leaders of these organizations are invited to join the CWGs.

During the reporting period, the Authority conducted the following community working group meetings:

- April 14, 2016: Morgan Hill-Gilroy CWG
- April 18, 2016: Los Banos CWG
- August 9, 2016: Gilroy-Los Banos Technical Working Group (note: members of the Los Banos Community Working Group were invited to participate as members of this group)
- August 11, 2016: Morgan Hill-Gilroy CWG
- August 17, 2016: San Jose CWG
- January 23, 2017: San Jose CWG
- January 26, 2017: Morgan Hill-Gilroy CWG
- May 31, 2017: San Jose CWG
- July 12, 2017: San Jose CWG
- August 2, 2017: San Jose CWG
- August 30, 2017: San Jose CWG
- September 27, 2017: San Jose CWG
- October 26, 2017: San Jose CWG
- May 1, 2018: Business Plan Webinar with NorCal CWGs
- May 2, 2018: San Jose CWG
- August 16, 2018: San Jose CWG
- November 7, 2018: Morgan Hill-Gilroy CWG
- November 28, 2018: San Jose CWG
- February 21, 2019: San Jose CWG
- March 5, 2019: Morgan Hill-Gilroy CWG
- April 22, 2019: Morgan Hill-Gilroy CWG
- May 2, 2019: San Jose CWG
- July 10, 2019: Morgan Hill-Gilroy CWG
- July 16, 2019: San Jose CWG

On September 13, 2016, Authority and consultant staff participated in a small group meeting with San Jose District 2 staff and City of San Jose staff to discuss outreach to residents along the Monterey Road corridor. Throughout 2017, Authority and consultant staff continued to meet regularly with City of San Jose staff to discuss public outreach.

4.3 Key Issues Identified during Current Phase of Stakeholder Engagement

The following issues and concerns were recurring during engagement efforts, including in areas with minority populations and low-income populations:

- **HSR alignments**—Participants provided input on how different project alternatives would avoid or adversely affect different neighborhoods and communities. Additional alignment preferences, such as an at-grade alignment through downtown San Jose, an alignment along US 101, or an alignment predominately in trench, tunnel, or along existing rail tracks, were suggested to minimize property impacts and community displacements.
- **Vertical profile**—Participants noted preferences for different vertical profiles and structure types for each project alternative. For example, residents noted that retained or elevated viaducts would reduce property acquisitions related to sloped embankments. Some stakeholders expressed preference for the aerial option approaching San Jose Diridon Station as a means of reducing potential noise and traffic effects, while others raised concerns regarding aesthetic changes and loss of privacy caused by aerial structures. Some San Jose participants suggested that the Authority consider “active uses” for underpasses of aerial structures, with the potential to provide community benefits and prevent homeless encampments.
- **Project-related noise**—Participants noted concerns about operation and construction-related noise impacts and asked about the location of noise barriers. Noise was raised as a key concern in most of the communities along the project, and was particularly important to residents in San Jose, who already experience noise effects because of Caltrain operations and the Norman Y. Mineta San Jose International Airport.
- **Traffic and transportation**—Participants noted concerns about traffic congestion resulting from project construction and operations. These concerns were raised most frequently in Santa Clara and San Jose, communities most affected by current commute traffic conditions. In San Jose, the primary traffic concern was associated with the lane reduction of Monterey Road, and resulting delays and diversion of local traffic. In Los Banos, community members reported the project construction and operations impacts were of most concern for the Volta Elementary School community. As there are only two access roads (e.g., Igomar Grade and Henry Miller Avenue) for families to access the school, any road closures would disrupt school attendance and access to emergency services and any noise or other operations-related effects would interfere with the learning environment.
- **Safety and security**—Universally, participants raised concerns regarding safety associated with train speeds, road crossings, and pollution. In San Jose and Gilroy, particular concern was expressed with regards to the safety of school children crossing the respective sections of Monterey Road; some individuals expressed the need for additional safety precautions. Issues of safety and security were also a concern for communities in the context of increased homeless encampments and illicit activities around the tracks and station areas. In many instances, there was concern for safety of families crossing tracks to access community and health services.
- **Aesthetic effects**—Participants, particularly those in San Jose, noted concern about visually dominant project elements and potential for graffiti on facilities, aerial structures, and noise barriers.
- **Community cohesion and connectivity**—Participants in the Newhall neighborhood of Santa Clara, the Willow Glen, Gardner, Edenvale, and Delmas Park neighborhoods of San Jose, Morgan Hill, San Martin, and Gilroy expressed concern that the project alignment would erode community cohesion and connectivity, as well as the existing community character.
- **Community resources**— San Jose residents voiced concern regarding effects on community resources, such as the segmentation and accessibility of parks and trails,

including Fuller Park and Los Gatos Creek Trail, and noise effects at Gardner Elementary School. Residents in Morgan Hill and Gilroy were interested in property effects on schools located in minority and low-income areas within the environmental justice RSA (including the Charter School of Morgan Hill, Gilroy Preparatory School [a public charter school in the Gilroy Unified School District with both minority and low-income student percentages higher than the reference community], and South Valley Middle School). Residents in Gilroy were also concerned about potential effects of project-induced growth on Gilroy schools. Some Gilroy residents were concerned with effects on downtown Gilroy's historic district (under Alternatives 1 and 2), while others were concerned with effects on historic resources in Old Gilroy (under Alternative 3).

- **Displacements**—Participants voiced concerns related to the number and type of residential displacements, particularly in San Jose, Morgan Hill, and Gilroy. Participants raised concerns regarding the displacement of low-income rental housing, particularly in Gilroy and Morgan Hill, and the ability of low-income or unemployed community members who rent their housing to relocate if affected by HSR. Others expressed concern about whether adequate replacement housing and other zoned properties exist to relocate those affected. The Gilroy community is particularly concerned about Alternatives 1 and 3 impacts of complete displacement of schools, community and health resources and city facilities on IOOF Avenue, off of Monterey Road. The community has made efforts to find real estate to relocate the schools, resources, and facilities, and was unable to find suitable locations.
- **Affordable housing**—Gilroy and San Jose participants raised concerns regarding the effect of HSR on housing prices in the vicinity of stations and encouraged the Authority to adopt policies that protect and advocate for affordable housing in station areas.
- **Gilroy station location options**—Some Gilroy area residents were concerned with potential urban sprawl and induced-growth associated with a station in east Gilroy, which would have the potential to change the community character in the station area.
- **Construction effects on downtown Gilroy businesses**—A key concern raised by community members in downtown Gilroy was that construction effects would result in negative effects on the operation and margins of businesses in downtown Gilroy.
- **Property values**—Participants in all communities expressed concerns regarding project effects on property values and appropriate relocation compensation.
- **Agricultural business and employment effects**—Participants in unincorporated Santa Clara and Merced Counties expressed concern regarding the loss of useable farmland, parcel severance, and effects on farm operations and infrastructure (e.g., wells and irrigation systems). Concern was also expressed for the corresponding loss of agricultural employment opportunities because of the projects' effects on agriculture.
- **Cumulative neighborhood effects**—Participants expressed concerns over neighborhoods that have been historically affected by other transportation projects (e.g., the Gardner and Auzerais/Josefa neighborhoods and the construction of I-880 and US 101 freeways and subsequent widening; and the Silver Leaf and Sunspring neighborhoods, which are bordered by the Caltrain/Union Pacific Railroad (UPRR) railway and US 101). Morgan Hill participants expressed concern that the safety, noise, access to transportation and services and other impacts on the City's priority development areas or affordable housing projects built around the existing Caltrain station, greatly outweigh the benefits that the project would offer the community given that there is no station. This is especially the case for the Morgan Hill community, as one of the eligibility criteria for residents of Morgan Hill's priority development areas is that they are a no-vehicle household and are wholly reliant on public transportation for their mobility.

For more information about these public engagement meetings and activities, see Appendix C, Biannual Environmental Justice Outreach Reports, which contains twice-yearly reports

summarizing these meetings. Also, see Chapter 5 of the Draft EIR/EIS for analysis of impacts on minority populations and low-income populations and proposed mitigation.

5 ONGOING ENVIRONMENTAL JUSTICE ENGAGEMENT ACTIVITIES

The Authority has been engaging and is continuing to engage with minority populations and low-income populations as well as services that serve these populations to identify the concerns of individuals about the effects of the project. The Authority will continue to engage with these communities between the release of this Draft EIR/EIS and the release of the Final EIR/EIS to identify potential specific measures to reduce harm associated with the remaining effects summarized in Chapter 5, Environmental Justice, that the Authority can implement or support to improve conditions for minority populations and low-income populations so as to reduce those otherwise disproportionately high and adverse effects resulting from the project. Separate from the outreach associated with the enhancement planning process, the Authority will continue to engage with populations affected by the project from release of the Draft EIR/EIS and through the release of the Final EIR/EIS.

6 REFERENCES

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