

Submission I001 (Eric Kapan, August 31, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #137 DETAIL

Status : Action Pending
Record Date : 8/31/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 8/31/2012
Submission Method : Website
First Name : Eric
Last Name : Kapan
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Encinitas
State : CA
Zip Code : 92024
Telephone :
Email : eric@kapankent.com
Email Subscription : Statewide Planning Only
Cell Phone :
Add to Mailing List : Yes
Stakeholder Comments/Issues : I cannot believe the route as planned!!!! Why did you, do you not listen to the French!! This is the most stupid planning I have ever seen!@ Unbelievable. really disappointing... Should have followed I-5 route straight up into the bay area with an offshoot to Sacramento. all other valley cities could have made short commutes to stations on I5. you really think all those crap cities are going to generate that much income or ridership??? your markets are san diego, Los Angeles and San Fran!!! frick!
EIR/EIS Comment : Yes
Official Comment Period : Yes

I001-1

Response to Submission I001 (Eric Kapan, August 31, 2012)

I001-1

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-17, FB-Response-GENERAL-24.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the 2005 Statewide Program EIR/EIS for the California HST System. The Statewide Program EIR/EIS considered alternatives on I-5 and SR 99 as well as on the BNSF corridor. The Record of Decision for the Statewide Program EIR/EIS rejected those routes and selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. Further engineering and environmental studies within the broad BNSF corridor have resulted in practicable alternatives that meet most or all project objectives, are potentially feasible, and would result in certain environmental impact reductions in comparison to one another. Accordingly, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor. The I-5 corridor was again considered during the environmental review of the Fresno to Bakersfield Section (see Section 2.3.2) and was eliminated from further consideration, as described in FB-Response-GENERAL-02.

SNCF, the French national railroad company, informally suggested to the Authority that the HST System should use the I-5 corridor. This suggestion was rejected because it was not consistent with prior decisions of the Authority or Proposition 1A. Further undercutting this proposal: SNCF is not familiar with, nor do they have experience with, the complex set of state and federal environmental review and permitting laws and regulations that apply to approving a new HST line in California. Further, they are not bound by the purpose and need statements adopted by the Authority and Proposition 1A (see Public Resources Code Section 2704.04(a)) requiring that the HST System serve the Central Valley, as well as its northern and southern termini. Given this, SNCF was not in a position to offer an informed opinion regarding the practicability of the I-5 alternative.

Submission I002 (Karen Kendall, October 5, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #741 DETAIL

Status : Unread
Record Date : 10/25/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/5/2012
Submission Method : Project Email
First Name : Karen
Last Name : Kendall
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Fresno
State : CA
Zip Code : 00000
Telephone :
Email : karen_kendall@hotmail.com
Email Subscription :
Cell Phone :
Add to Mailing List :

**Stakeholder
 Comments/Issues :**

From: Baily, Thomas
 Sent: Thursday, October 25, 2012 2:35 PM
 To: Giglini, Megan
 Subject: FW: HSR

From: stephanie.perez@dot.gov [mailto:stephanie.perez@dot.gov]
 Sent: Friday, October 05, 2012 5:02 AM
 To: porter@pbworld.com; Baily, Thomas
 Subject: FW: HSR

Please add this to the record as a comment on the draft REIR/SEIS.

Thanks.

From: Karen Kendall [mailto:karen_kendall@hotmail.com]
 Sent: Friday, October 05, 2012 12:29 AM
 To: Perez-Arrieta, Stephanie (FRA)
 Subject: HSR

Ms Perez,

Please immediately release for public review in public places, the missing 14,000 pages of Technical Reports that are referenced within the California High-Speed Train Project's current federal Environmental Impact Statement review process.

Immediately STOP the California High-Speed Train Project's current federal Environmental Impact Statement review process.

Extend the federal Environmental Impact Statement review period by 6 months to allow the public adequate time to review the missing 14,000 pages of Technical Reports.

Coordinate federal rail project activities meaningfully and in the public interest with local governments and local communities affected by the California High Speed Train Project, in accordance with the National Environmental Policy Act requirements.

Karen Kendall
 Fresno, CA

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I002-1

I002-2

I002-3

EIR/EIS Comment :
Official Comment Period : Yes

Response to Submission I002 (Karen Kendall, October 5, 2012)

I002-1

Refer to Standard Response FB-Response-GENERAL-07.

I002-2

Refer to Standard Response FB-Response-GENERAL-07, FB-Response-GENERAL-16.

I002-3

The Authority and FRA are committed to working with local, regional, and federal agencies to ensure consensus as the project progresses.

Submission I003 (Mary Knept, August 26, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #117 DETAIL

Status : Action Pending
Record Date : 8/26/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 8/26/2012
Submission Method : Website
First Name : Mary
Last Name : Knept
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City :
State : CA
Zip Code : 93710
Telephone :
Email : neptune2g@juno.com
Email Subscription :
Cell Phone :
Add to Mailing List :
Stakeholder Comments/Issues : "In 2008, California voters approved Proposition 1A authorizing the state to issue bonds to help pay for a \$45 billion statewide High-Speed Rail System. But what they have now is nothing like what they were told they would get. California owes the voters the SAME system they approved for the SAME price they were told it would cost."
EIR/EIS Comment : Yes
Official Comment Period : Yes

I003-1

Response to Submission I003 (Mary Knept, August 26, 2012)

I003-1

The California HST System planned by the Authority is basically the same system put forth in Proposition 1A. Costs of this system have evolved with further engineering design.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the 2005 Statewide Program EIR/EIS for the California HST System. The Statewide Program EIR/EIS considered alternatives on I-5 and SR 99 as well as on the BNSF corridor. The Record of Decision for the Statewide Program EIR/EIS rejected

those routes and selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. Further engineering and environmental studies within the broad BNSF corridor have resulted in practicable alternatives that meet most or all project objectives, are potentially feasible, and would result in certain environmental impact reductions in comparison to one another.

Accordingly, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

Streets and Highways Code Section 2704.04(a), enacted by Proposition 1A, provides that:

"(a) It is the intent of the Legislature by enacting this chapter and of the people of California by approving the bond measure pursuant to this chapter to initiate the construction of a high-speed train system that connects the San Francisco Transbay Terminal to Los Angeles Union Station and Anaheim, and links the state's major population centers, including Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego *consistent with the Authority's certified environmental impact reports of November 2005 and July 9, 2008.*" (emphasis added)

Submission I004 (Bob Koelewyn, October 18, 2012)



Fresno to Bakersfield High-Speed Train Section **La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**
 Revised Draft Environmental Impact Report/ Proyecto Revisado de Informe de Impacto Ambiental/
 Supplemental Draft Environmental Impact Statement/ Declaración de Impacto Ambiental Proyecto Suplementario
 (Revised Draft EIR/Supplemental Draft EIS) (Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to: Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The comment period is from July 20 to September 20, 2012. Comments must be received electronically, or postmarked, on or before September 20, 2012. El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: Bob Koelewyn
 Organization/Organización: Homeowner
 Address/Domicilio: 8206 13th Ave
 Phone Number/Número de Teléfono: 559-592-7053
 City, State, Zip Code/Ciudad, Estado, Código Postal: Hamford CA 93230
 E-mail Address/Correo Electrónico: ~~bkoelewyn@yahoo.com~~
 (Use additional pages if needed/Usar paginas adicionales si es necesario)

- 1004-1 The EIR/s fails to describe critical information on the effect the vibrations of a passing train will have on a property owners well and pressure system. Excessive vibrations can cause cracks in the well casing causing the homeowner excessive expensive repairs.
- 1004-2 - Excessive lighting along the rail line can disrupt the environment
- 1004-3 - Possible electronic interference with cell phones, satellite transmissions, televisions etc.
- 1004-4 - Rail noise will disrupt ones sleeping pattern causing possible health issues

Response to Submission I004 (Bob Koelewyn, October 18, 2012)

I004-1

Wells currently located adjacent to the existing BNSF tracks are subject to vibration levels substantially higher than the vibration levels that would be generated by HST operations. If the wells are not currently experiencing any of these problems under existing conditions, they would not be expected to experience these problems with the addition of HST operations.

I004-2

Besides train headlights, the only other types of project night lighting would be lighting at stations and temporary construction lighting.

Night lighting at stations is unavoidable, but impacts from such lighting would be minimized through standard design measures such as limiting direct lighting to within the project boundaries and avoiding all upward lighting. Station lighting would have to conform with local lighting ordinances.

Potential impacts from construction lighting are addressed in Mitigation Measure AVR-MM#1b in Section 3.16. Aesthetics and Visual Resources. This mitigation measure calls for shielding lights, directing lights downward so that the lights are not visible offsite, and limiting direct lighting to within the project site.

I004-3

The Authority is implementing an Electromagnetic Compatibility Program Plan (EMCPP) during project planning, construction, and operation to achieve and ensure electromagnetic compatibility (EMC) with neighboring systems and equipment, including radio communications. The EMCPP purpose is to ensure that the HST System, including its trains, traction power system, and communications systems, does not interfere with neighbors or with other HST equipment.

During the planning stage through the 30% system design, the Authority will perform EMC/EMI safety analyses to identify existing radio systems at nearby uses, will specify and design systems to prevent EMI with identified neighboring uses, will require compliance with international standards limiting emissions to protect neighboring uses,

I004-3

and will require incorporation of these design requirements into bid specifications used to procure radio and all other HST systems, including trains, traction power systems, and communication systems. The implementation stage will include 100% system design and will include final engineering design, monitoring, test, and evaluation of system performance.

Most radio systems procured for HST use are expected to be commercial off-the-shelf systems (COTS) conforming to FCC regulations at Title 47 Code of Federal Regulations, Part 15, which contain emissions requirements designed to ensure EMC among users and systems. The Authority will require all non-COTS systems procured for HST use to be certified in conformity with FCC regulations for Part 15, Sub-part B, Class A devices. HST radio systems will also meet emissions and immunity requirements designed to provide electromagnetic compatibility with other radio users that are contained in the European Committee for Electrotechnical Standardization (CENELEC) EN 50121-4 Standard for railway signaling and telecommunications operations (CENELEC 2006).

All HST radio systems will fully comply with applicable FCC regulations, whose purpose is to ensure that authorized radio systems can operate without disturbance from all other authorized systems.

I004-4

Your home is located approximately 1,970 feet from the centerline of all four HST alternative alignments traveling through West Hanford. At this distance the vibration levels from any of the proposed alternatives will not be high enough to damage the well casings on your property or even be perceived. The ambient noise level at your residence is 64 dBA Ldn with a project level for all four alternatives of 63 dBA Ldn, making the FRA impact moderate, which is recognized by CEQA as being less than significant.

Submission I005 (Jennifer Koelewyn, October 18, 2012)

 **CALIFORNIA**
 High-Speed Rail Authority **Comment Card**
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section **La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**
 Revised Draft Environmental Impact Report/
 Supplemental Draft Environmental Impact Statement **Proyecto Revisado de Informe de Impacto Ambiental/
 Declaración de Impacto Ambiental Proyecto Suplementario**
 (Revised Draft EIR/Supplemental Draft EIS) **(Proyecto Revisado EIR/Proyecto Suplementario EIS)**

Please submit your completed comment card at the end of the meeting, or mail to: **Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:**
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The comment period is from July 20 to September 20, 2012. Comments must be received electronically, or postmarked, on or before September 20, 2012. **El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.**

Name/Nombre: Jennifer Koelewyn
 Organization/Organización: _____
 Address/Domicilio: 5206 13th Avenue, Hanford, CA 93230
 Phone Number/Número de Teléfono: 559-582-7053
 City, State, Zip Code/Ciudad, Estado, Código Postal: Hanford, CA. 93230
 E-mail Address/Correo Electrónico: jkoewyn@yahoo.com
(Use additional pages if needed/Usar paginas adicionales si es necesario)

- 1005-1 *The DEIR/EIS fails to accurately and completely describe the existing environmental setting and evaluate impacts against the setting. The environmental setting is the pre-project or existing environmental conditions on the ground. Specifically the DEIR/EIS fails to describe:*
- 1) *Vibrations will cause damage to the well casing, a domestic well on our property. The cost of repair or replacement is not addressed.*
 - 2) *Noise and vibrations from the train will cause sleep deprivation, something that I already deal with.*
- 1005-2 *3) The loss of revenue to the county will result in loss of services, particularly to low income families. As a public health nurse, I found many people who depend on these services.*
- 4) The loss of Amtrak services to those without other transportation services. They will not be able to travel to other valley towns, as Amtrak stops at every town.*
- 1005-3 *5) Loss of value to our property being near the train.*
- 1005-4 *6) Increased pollution due to road closures, causing people to travel farther.*
- 1005-5 *7) Increased costs to county services if accidents occur with high speed rail in our county.*
- 1005-6 *8) I-5 corridor is a better alternative.*

Response to Submission I005 (Jennifer Koelewyn, October 18, 2012)

I005-1

Your home is located approximately 1,970 feet from the centerline of all four HST alternative alignments traveling through West Hanford. At this distance the vibration levels from any of the proposed alternatives will not be high enough to damage the well casings on your property or even be perceived. The ambient noise level at your residence is 64 dBA Ldn with a project level for all four alternatives of 63 dBA Ldn, making the FRA impact moderate, which is recognized by CEQA as being less than significant.

I005-2

Refer to Standard Response FB-Response-SO-05, FB-Response-GENERAL-12.

For information on the HST operation-related property and sales tax revenue effects see EIR/EIS Volume 1, Section 3.12 Impact SO#3, Impact SO#4, and Impact SO #12.

I005-3

Refer to Standard Response FB-Response-SO-02.

For information on the potential HST project impacts on property values, see Section 5.4.4.3 in the Community Impact Assessment Technical Report.

I005-4

Refer to Standard Response FB-Response-AQ-03.

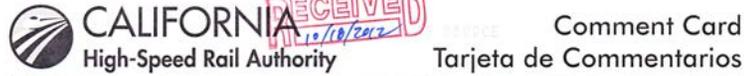
I005-5

Refer to Standard Response FB-Response-S&S-03, FB-Response-S&S-04.

I005-6

Refer to Standard Response FB-Response-GENERAL-02.

Submission I006 (Ann Kraman, October 18, 2012)



Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto Revisado de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental Proyecto Suplementario
(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

The comment period for the Draft EIR/Supplemental Draft EIS: July 20 – October 19	Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: July 20, 2012, or October 12, 2012	El periodo de comentario público del Proyecto Revisado EIR/Proyecto Suplementario EIS: Julio 20 – Octubre 19	Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: July 20, 2012, or October 12, 2012
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Name/Nombre: Ann KRAMAN

Organization/Organización: _____

Address/Domicilio: 2056 GALE

Phone Number/Número de Teléfono: 509-950-3970

City, State, Zip Code/Ciudad, Estado, Código Postal: CORCORAN, CA

E-mail Address/Correo Electrónico: _____
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I006-1

This high speed rail will keep me from visiting friends in southern Ca. It will also affect the prison system in the release of prisoners. The cost of this release will rise dramatically.

The Amtrak trains are pretty well filled when I have used this train. Also buses from Tulare & Visalia bus train passengers to Hanford which will keep those people without train transportation!

Response to Submission I006 (Ann Kraman, October 18, 2012)

I006-1

To the contrary, the proposed project is intended to provide increased mobility for the traveling public.

At full build out, the HST would operate separately from state-supported Amtrak service. The HST project includes no plans to discontinue Amtrak service to the Corcoran station or any other station/platform along the Fresno to Bakersfield Section corridor. Where the San Joaquin stops at more stations, it is anticipated that connecting service to the HST would be provided to maintain accessibility at or better than current service levels. With regard to possible impacts on the Corcoran Amtrak Station location, relocation of the facility would be completed before demolition of the existing structure begins, and no disruption to Amtrak service would occur.

Submission I007 (Robert Kuhn, October 15, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #278 DETAIL

Status : Unread
Record Date : 10/15/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/15/2012
Submission Method : Project Email
First Name : Robert
Last Name : Kuhn
Professional Title :
Business/Organization :
Address : 4610 Ibis Lane
Apt./Suite No. :
City : Paso Robles
State : CA
Zip Code : 93446
Telephone : 805-239-5846
Email : monachenuts@earthlink.net
Email Subscription :
Cell Phone :
Add to Mailing List :
Stakeholder
Comments/Issues : To Whom it may concern,
I agree with Semitropic Water Storage District on this matter.
This State is too broke to spend this kind of money on such a dog & pony show. AMTRAK is already broke.

Sincerely,

Bob Kuhn
Wasco Almond Grower

4610 Ibis Lane
Paso Robles, CA 93446
805 239 5846
EIR/EIS Comment :
Official Comment Period : Yes

I007-1

Response to Submission I007 (Robert Kuhn, October 15, 2012)

I007-1

Refer to Standard Response FB-Response-GENERAL-14.

Your opposition to the construction of the High-Speed Train project is noted.

Submission I008 (Michael E. LaSalle, August 17, 2012)

MICHAEL E. LASALLE
13771 EXCELSIOR AVENUE, HANFORD, CA 93230 559-582-6138
lasallem@lightspeed.net



August 14, 2012

Board Members
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Re: Request for Extension of Comment Period on EIR/EIS for the Fresno-Bakersfield HSR Section

Dear Board Members:

I am a farmer and land owner whose farm would be bisected and adversely affected if you proceed with construction and operation of the high-speed rail system through Kings County by way of your western alignment. I am also a retired attorney, having practiced in Kings County for 38 years. I have considerable experience in environmental law and am quite familiar with the principles hereinafter argued.

The purpose of this letter is to request an enlargement of the period during which the public and potentially affected persons like myself can review and respond to the EIR/EIS. As you are abundantly aware, the EIR/EIS is an incomprehensively daunting document. It appears to consist of about 30,000 pages. I understand that your teams of consultants have been working on this document, including its predecessor, since 2008. So you have been researching, developing and drafting it for more than three years. Yet, you expect me and others to fully acquaint ourselves with it, to analyze it, to do our own investigation and research, (in some instances, to engage the services of our own experts to assist us), and to develop and submit our own questions, comments and information, within 60 days after you made it available.

If this were the more typical 100 to 500-page EIR, a 30 to 60-day review period might be appropriate. But this is not the typical small or localized project. It is an immense project with far-reaching impact. That the HSR consultants felt the need to devote 30,000 pages to the document is a compelling testament to that fact. Sixty days is entirely inadequate for a landowner like myself to review, analyze and comment on it, and to develop and provide relevant information regarding the issues raised in a document that took your large teams of consultants such a long period of time to produce.

I need no less than 180 days to review the EIR/EIS document, to develop my comments and to provide all relevant information that I believe the document should deal with and consider. Therefore, as an affected party, I request that the deadline for public comment be extended to January 20, 2013. Any shorter deadline would deprive me and others of the due process we are guaranteed by our state and federal constitutions, and would violate other state and federal requirements.

I trust you will entertain my request with a fair and open mind, and I look forward to your favorable decision.

Very truly yours,
Michael E. LaSalle

Cc: Federal Railroad Administration
Kings County Board of Supervisors

I008-1

Submission I008 (Michael E. LaSalle, August 17, 2012) - Continued



Response to Submission I008 (Michael E. LaSalle, August 17, 2012)

I008-1

Refer to Standard Response FB-Response-GENERAL-07.

The EIR/EIS is not 30,000 pages long. The EIR/EIS and its appendices are less than 5,000 pages long. The Fresno to Bakersfield Section is over 100 miles long, includes a range of alternatives, and has a full spectrum of environmental impacts. It is neither realistic nor reasonable that it can both comply with the disclosure and mitigation requirements of CEQA and NEPA and be a short document.

Submission I009 (Michael LaSalle, October 16, 2012)

RECEIVED
10/23/12

MICHAEL E. LASALLE
 13771 EXCELSIOR AVENUE, HANFORD, CA 93230 559-582-6138
 lasalle@lightspeed.net

October 13, 2012

Board Members
 California High-Speed Rail Authority
 770 L Street, Suite 800
 Sacramento, CA 95814

David Valenstein
 Federal Railroad Administration
 1200 New Jersey Avenue SE MS-20
 Washington, DC 20590

Re: Comments regarding the July, 2012 Draft EIR/EIS for the Fresno-Bakersfield High-Speed Rail Section.

Dear CHSRA Board Members and Mr. Valenstein:

I am a farmer and land owner in Kings County whose farm will be bisected and negatively affected by your proposed high-speed rail project if you select the western alignment through Kings County. I am also a retired attorney, having practiced law in the county for over 38 years.

I009-1

To begin with, I wish to object to the inexcusably short period of time granted to the public to review the draft EIR/EIS dated July, 2012. On August 14, 2012, I wrote you a letter asking that you extend the period another four months – to January 20, 2013. Given the years that your staff spent researching and drafting this document, and given its length of about 30,000 pages, a 90-day public comment period is insufficient. It is an egregious denial of due process to give me and other members of the public inadequate time to study the document, engage expert consultants, and adequately develop our comments.

To the extent that this unsatisfactory amount of time has permitted, I have reviewed some of your EIR/EIS regarding the Fresno-Bakersfield section of your proposed high-speed rail project, and have developed the following comments:

I009-2

1. The EIR/EIS should evaluate and discuss the environmental impact of operating the project as a non-HST system, and discuss the mitigation of such impacts, but it fails to do so.

You do not have commitments for the \$68 billion needed to construct the entire high-speed train (HST) system from San Francisco to Los Angeles. You concede you only have enough funding to build a short segment of about 117 miles through the middle of the San Joaquin Valley. Because of its short distance and because you do not have the funding to electrify this system, you admit that you plan on operating this San Joaquin Valley segment as a non-HST system that will be pulled by diesel-fueled locomotives traveling at about half the speed of a true high-speed train. You imply that you will continue to operate it as a non-HST system until such time, if ever, when you secure the funding needed to connect the system to the Bay Area or the Los Angeles area.

I009-2

CEQA and NEPA require the evaluation and discussion of the project in light of how it is to be operated, including its environmental consequences and proposed mitigations. Suppose I wanted to build and operate a nuclear power plant, but because of limited funding, I could only construct a portion where I would have to initially operate it as a coal-fired power plant. Would I not be required to describe and evaluate its coal-fired operation, as well as its nuclear operation? Absolutely.

Your EIR/EIS only describes the operation of a HST system and its environmental consequences and mitigations. It does not describe or evaluate your operation of a stand-alone, non-HST system and its environmental consequences and mitigations. As one example, it evaluates the hazard of HST derailments to nearby residences, saying that, "This hazard is associated with the physical mass and speed of the train. Because the HST carries passengers and would be electric-powered, there would be no safety hazard associated with HST cargo or fuel." (EIR, section 3.11.5.3, p. 3.11-40) This is fine as an analysis of the operation of an electric HST system, but your document fails to analyze the hazards associated with the operation of a non-HST system that will carry and use diesel fuel. One finds this deficiency throughout the EIR/EIS. As a result, your 2012 draft EIR/EIS is legally flawed because of its failure to also assess the project as a stand-alone, non-HST system and operation. It must be rewritten to rectify this problem.

I009-3

2. The CHSRA Business Plan and draft EIR/EIS uses estimates for population, ridership, and revenues that are out-of-date, obsolete, incorrect and misleading.

Your Business Plan and your EIR/EIS both use a March, 2010 report prepared by the State Department of Finance (DOF), which estimates the state's population growth. This report estimates population levels for 2020, 2030 and for each decade beyond. You use the DOF projections as the reason for the urgent need to construct a HST system. You also base your ridership and revenue estimates on this March, 2010 report.

In April, 2012, however, the USC School of Public Policy released its own population growth projections for the state. While it noted the DOF study, USC reported that the situation in the state has changed significantly. New information now reveals that the state is growing at a significantly lower rate than the DOF estimate of two years earlier. Here is a comparison of how the two studies project the state's population :

	DOF	USC
2020	44 million	41 million
2030	49 million	45 million

Using the most current projections, it can be seen that the state is now expected to reach a certain population level about eight years later than your Business Plan and EIR/EIS contemplates. Hence, the USC study suggests that the urgency to commence building an HST system is profoundly diminished and that the ridership and revenue projections are erroneous and must be revisited and revised accordingly.

Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-3

Your EIR erroneously evaluates the value of HST service in the Central Valley. The document reveals an appalling lack of understanding concerning what the average Fresno, Kings, and Kern County resident will consider when deciding whether to use your proposed HST system. Most know that they can drive their own vehicle to either the Bay or Los Angeles areas in an average of two to three and a half hours, depending on where they live. To use the HST system, they would have to drive to the HST station in either Fresno or Bakersfield. Then they would have to park, buy a ticket and wait for the train. Upon arrival at the terminal where they would de-train, most will not be where they want to go. They will need to hire a taxi, rent a car or take a complicated, slow-moving public transportation system to get to their final destination. All of this represents additional time and expense. If a family is traveling by automobile, the cost of driving is static, but if they use the HST, they will have to buy multiple train tickets. It is difficult to imagine many instances where Valley travelers would choose HST over driving their own vehicle. Despite the reality of these impediments to using HST, the EIR fails to mention them as if they don't exist. This is another reason why, at best, your Valley ridership projections are unforgivably whimsical.

I009-4

3. The 2012 EIR/EIS fails to examine all feasible alignment alternatives, namely, it fails to evaluate the I-5, SR-99 and 2005 BNSF corridors.

CEQA and NEPA declare that projects must not be approved and carried out if there are feasible alternatives which would substantially lessen the adverse environmental effects of the project. Both laws require the environmental document to identify and evaluate all project alternatives. Does the 2012 draft EIR/EIS do this? No.

You may argue that the 2012 draft EIR/EIS is not required to consider the I-5 and SR-99 corridors because your 2005 Program EIR/EIS already evaluated and eliminated them. But such an argument does not stand scrutiny. You cannot use the 2005 PEIR as authority for not considering the I-5 and SR-99 alignments in the 2012 draft EIR/EIS, for the following reasons:

(a) The 2005 PEIR did not evaluate any of the alignments being evaluated in the 2012 draft EIR/EIS.

The 2005 PEIR evaluated a completed Phase 1, electrified, high-speed train system that connected San Francisco with Los Angeles. In sharp contrast, and because of limited funding, your two EIR/EISes propose and evaluate a short-distance system from Merced to Bakersfield that, for the foreseeable future, will operate as a non-high-speed, diesel-pulled train system. These are entirely different premises and circumstances.

The 2005 PEIR/EIS examined three alignment alternatives through the Central Valley: I-5, SR-99, and one running along the Burlington Northern Santa Fe railway corridor (BNSF). The BNSF alignment described in the 2005 PEIR traveled *through* the towns of Hanford, Corcoran and Wasco and, according to the PEIR, it would "serve a downtown station site." Your 2005 PEIR favored this BNSF alternative because it "would likely avoid impacts on social and economic, natural and cultural resources." (2005 PEIR, section 2.6.8, p. 2-64)

3

I009-4

Your 2012 EIR states that the 2005 PEIR "selected the BNSF railway route as the preferred alternative for the Central Valley between Fresno and Bakersfield." (2012 EIR, section 2.1.2, p. 2-3) You also state that the Hanford West Bypass Alternative "was the preferred alternative identified in the [2005] Program EIR/EIS." (2012 EIR, section 2.3.2.2, p. 2-25) That is not true; you did not consider a Hanford West Bypass Alternative in 2005.

The BNSF alignment touted in your 2005 PEIR is different from the BNSF alternatives you are now evaluating in your 2012 EIR/EIS. You are now proposing to build lines that deviate from the BNSF railway route for about 90 of its 117 mile length, ones that generally run one to two miles distant from it. In sharp contrast to the 2005 BNSF alignment, your new BNSF variations plow through a great deal of prime farmland and bypass the towns of Hanford, Corcoran and Wasco, including their Amtrak stations. This is fundamentally different from the alignment recommended in your 2005 document, which treated "avoiding impacts on social and economic, natural and cultural resources" as important and significant. You do not even mention these factors in your 2012 EIR.

You also suggest in your Executive Summary that you compared your 2012 BNSF alternatives with your 2005 BNSF alignment (2012 EIR/EIS Executive Summary, p. 11) but you really didn't. Look at Table 2-2 and Figure 2-19 and the discussion on pages 2-22 to 2-28 of your 2012 EIR. You will not find any re-analysis of the original 2005 BNSF alignment or any comparison with the recent BNSF alternatives, and you provide no reason why this BNSF alignment, favored in the 2005 PEIR, is not now being considered.

I009-5

(b) The 2005 PEIR corridor evaluations were based on data and projections that are now old, obsolete and erroneous.

Your 2005 PEIR explained that its evaluations, conclusions and recommendations were "informed by previous studies." (2005 PEIR, section 2.6, p. 2-24) These previous studies were the *High-Speed Rail Corridor Evaluation* prepared by the High-Speed Rail Commission in 1996, the *High-Speed Rail Corridor Evaluation* prepared by your High-Speed Rail Authority in 1999, and the Charles River Associates ridership projections developed in 1999.

Section 2.3.2, p. 2-8, of the 2005 PEIR stated that these foregoing evaluations of potential HST corridors and alignments used the following criteria: construction costs, impacts on natural resources, compatibility with land use policies, costs to secure rights-of-way, connectivity and ridership/revenue projections. Many of the facts associated with these issues have changed drastically since 1996 and 1999, thirteen to sixteen years ago. As just one example, prime farmland in the Central Valley has doubled since 2005 and quadrupled since 1996, mostly due to the increased profitability of permanent crops such as grapes and nuts. A profound change like this can tip the scales. For the most part, I-5 travels through poorer quality and lower valued land, while, in contrast, your BNSF alignments travel mostly through this high-value farmland. Therefore, the cost analyses

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I009-5

of acquiring rights-of-way in the 2005 document are no longer meaningful or relevant, and should be ignored and discarded.

Government Code, section 21166 suggests that a subsequent or supplemental EIR is needed when there are substantial changes in circumstances or new information. Given the passage of so much time, with such dramatically changed facts, projections and circumstances, and because of all this the new information, you can no longer fall back on the 2005 PEIR to justify eliminating those earlier corridors from consideration. Indeed, it may now be concluded that a new PEIR is required as a prelude to consideration of the section EIRs now being considered.

I009-6

(c) The 2012 draft EIR/EIS should include a new assessment of the I-5 alignment as an alternative.

For the reasons set forth above, the I-5 corridor should be added to your 2012 alignment evaluations. In July, 2012, the *Los Angeles Times* reported that SNCF, a French firm and the developer of France's high-speed rail system, expressed the opinion that an I-5 alignment was a far more direct and cost-effective route to connect the Bay Area and Southern California.

If one drives along both I-5 and compares it to the currently proposed BNSF alignments, it is easy to observe the profound differences. An I-5 alignment involves far fewer road crossings and infinitely fewer homes, businesses and commercial buildings. The land adjacent to I-5 is, for the most part, uncultivated and/or is of much lesser agricultural value. This translates into far less cost in constructing road crossings, with substantially less destruction and costs attributable to uprooting people from their homes, commercial buildings and prime farmland. It would impose far less negative impact on county roads and services, and would involve significantly fewer waterway crossings that will have to be reviewed and permitted by the U. S. Army Corps of Engineers. With such dramatic cost savings, one cannot help but wonder if, with the currently authorized funding, an I-5 alignment would allow the construction of far more miles of the HST system - perhaps even to the extent of connecting the Bay Area to Los Angeles.

The 2005 PEIR criticized the I-5 corridor because of lower ridership potential. Today, some criticize it because they say it would require people in the Valley to travel a considerable distance to any station built along I-5. But what is wrong with that? How is that any different than the millions of people living in the Bay Area and Southern California who will be expected to travel considerable distances to reach their respective HST stations? Also, the system you currently propose will require people in Tulare, Visalia, and their vicinity to travel long distances to reach the nearest station, such as Fresno and Bakersfield, and that does not seem to trouble you.

In the end, the French firm's recommendation to use the I-5 corridor was dismissed out of hand without any meaningful analysis or scrutiny because, according to the *Times* article, an alignment down the center of the Central Valley had already been prematurely set, before current costs, conditions and circumstances could possibly have been known.

I009-7

(d) The 2012 draft EIR/EIS should include a comprehensive, up-to-date assessment of the SR 99 alignment as an alternative.

In the Introduction to the "Transportation" section of your EIR/EIS, you state that one of the intents of the project's design is to locate "the proposed project parallel to existing transportation features such as freeways and freight railroads." (2012 EIR, 3.2.1, p. 3.2-1) Since the SR-99 route would run parallel and in close proximity to both SR-99 and the Union Pacific Railroad, the application of this criteria favors the SR-99 alignment over any of your BNSF alternatives.

While you describe problems with dealing with the Union Pacific Railroad and its right-of-way, you do not seem to explore or evaluate running the HST line on the other side (east side) of the SR-99 right-of-way.

I009-8

You boast that the HST system will be financially self-sustaining once it becomes fully operational. I think your ridership estimates are pure fantasy, but if you wish to reduce the future financial drain that the HST system will heap upon the state in the future, it only makes sense, from a population point of view, to construct the project through Tulare County, along the SR-99 corridor, rather than pushing it through Kings County, as your current BNSF alignments do. Here is what your 2012 EIR/EIS shows as the DOF's population estimates for Fresno, Kings and Tulare County for 2035 (2012 EIR, section 1.2.4.1, p. 1-8):

Fresno County	1,500,000
Kings County	285,000
Tulare County	810,000

I009-9

You currently propose a possible station at Hanford, the center of Kings County. But from your above population estimates, you can see how using the SR-99 alignment and building a station near Visalia, at the intersection of SR-99, a north-south, three-lane freeway, and SR-198, an east-west, two-lane freeway, would establish a boarding point in close proximity to a much greater number of potential riders. It would produce much greater ridership and improve upon the dismal prospects of the system ever becoming financially self-sustaining. While you treated connectivity and ridership as significant factors in eliminating the I-5 corridor in your 2005 PEIR, your 2012 EIR does not compare the ridership potential of the SR-99 alignment to the ridership potential of the BNSF alternatives.

I009-10

When compared to the BNSF alignments, an SR-99 alignment would also appear to possess some huge advantages in terms of construction costs. According to your 2012 EIR/EIS, your proposed alignment along or near the BNSF right-of-way will require the construction of almost 200 road and railroad crossings. (2012 EIR Executive Summary, p. 18) These new crossings would require taking a great deal of land, including homes, businesses and access roads to existing homes, businesses and parcels. This would be very expensive. In contrast, overpasses already exist for all east-west road crossings over

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1009-10

SR-99 and the Union Pacific rails. Significant portions of these existing crossing would not need to be built from scratch, and would represent an enormous cost savings, with much less interruption and adverse impacts caused by construction. You fail to explore or note these potential cost-savings and damage mitigations.

1009-11

(e) State law requires you to minimize the taking of ag preserve land.

Government Code section 51292 (Williamson Act) prohibits a public agency from locating its project within an agricultural preserve unless it is shown to be unfeasible to locate it on non-agricultural preserve land. Most of the land through which you presently propose to run your HST system through Kings County, Tulare County and Kern County is farmland in an ag preserve. In contrast, constructing the HST system adjacent to and along either the I-5 or SR-99 corridors would likely involve taking far fewer acres of farmland in an ag preserve. Government Code section 51290 declares that even if the project cannot be entirely constructed on non-ag preserve land, it is the duty of a public agency to minimize the amount of ag preserve land taken. You appear to undertake such an evaluation with respect to your proposed BNSF alternatives (2012 EIR, section 3.14.4.2, p. 3.14-12 to 30) But by failing to compare these currently proposed BNSF alignments with the I-5, SR-99 and the old 2005 BNSF alignments, your EIR/EIS fails to comply with these California statutory imperatives.

1009-12

(f) You incoherently and inconsistently apply your criteria for supporting or eliminating alternative alignments.

I searched in vain for coherence and consistency in your reasons for supporting or eliminating alignment alternatives. I didn't find it. It was almost comedic how incoherently and inconsistently you applied your criteria.

For example, your 2012 EIR mentions, without any detail or specificity, stated that one of the primary reasons the I-5 corridor alternative was eliminated in the 2005 PEIR was because it "would not be compatible with current land use planning in the Central Valley." (2012 EIR, section 2.3.2, p. 2-19) Your 2012 EIR addresses local land use planning, noting that the Kings County General Plan provides that "The County's overarching priorities are to protect prime agricultural land," and goes on to enumerate the County's "goals, objectives and policies for protecting agricultural lands." (2012 EIR, section 3.14.2.3, Table 3.14-1, p. 3.14-6) So what does your 2012 EIR say about whether its recommended BNSF alignments are compatible with Kings County's land use planning policies? Despite its recognition that land use priorities and policies are significant determinants, the EIR goes on to ignore them by failing to observe that your proposed BNSF alternatives significantly violate Kings County's land use priorities and policies.

Your 2012 EIR states that "the Hanford West Bypass alternative ... was the preferred alternative identified in the [2005] Program EIR/EIS." (2012 EIR, section 2.3.2.2, p. 2-25) This is incorrect; the 2005 PEIR's preferred alternative was the BNSF alignment that traveled *through* the city of Hanford. The point here, though, is that the primary reason

1009-12

cited in support of running the line through the city of Hanford was to utilize an existing corridor, and in doing so, it could use the existing Amtrak station in Hanford.

When your 2012 EIR evaluates a Fresno West Bypass alignment, one that would run the HST tracks west of Fresno in order to avoid the city, you rule it out and support running it through the City of Fresno because the bypass "would not be consistent with the project purpose and need or with the objective of using existing transportation corridors to the maximum extent possible." (2012 EIR, section 2.3.2.1, p. 2-21)

But from Fresno south, your 2012 does not consider or evaluate the old BNSF alignment through the city of Hanford. Rather, it only evaluates a Hanford West or a Hanford East alignment, neither of which travel through the city of Hanford. Why does the "need and objective of using existing transportation corridors to the maximum extent possible" suddenly disappear from consideration in the same document?

As mentioned earlier, the 2005 PEIR used lack of connectivity and ridership potential as significant factors in eliminating the I-5 corridor from further consideration. Indeed, the 2012 EIR proclaimed that I-5 "would result in lower ridership," and "it is not where the bulk of the Central Valley population resides." (2012 EIR, section 2.3.2, p. 2-19) If ridership is important, then why did your 2012 EIR ignore the greater ridership potential of an SR-99 alignment as compared to the BNSF alternatives?

1009-13

In yet another example of your incoherent application of criteria, your 2005 PEIR eliminated the SR-99 alignment primarily on grounds of taking "farmlands." (2005 PEIR, Table 2.6-7, p. 2-55) Your 2012 EIR also mentions how one of the Wasco bypass alternatives was dismissed because it would require acquiring "approximately 20 more acres of prime farmland." (2012 EIR, section 2.3.2.2, p. 2-25) Yet, you do not mention that your 2012 BNSF alternatives will travel through more than 90 miles of farmland, nor do you use it as a reason for eliminating them from further consideration. You fail to compare all alternatives in terms of their acquisition of farmland.

1009-14

There is no justifiable rationale for the 2012 EIR not comparing the various BNSF alternatives with the I-5, SR-99 and 2005 BNSF (*through* Hanford) alignments. The CHSRA and FRA are under a legal duty to ensure that taxpayer money is wisely and prudently spent, and that all laws are complied with. The I-5, SR-99 and 2005 BNSF alignments must be carefully, honestly and objectively examined as alternatives to the current BNSF alternatives described in the 2012 EIR, using up-to-date values, costs, projections, circumstances, and by even-handedly applying your criteria.

1009-15

(g) You should evaluate, as an alternative, using your limited funds to construct HST tracks between Bakersfield and the Los Angeles Basin.

Since your Fresno to Bakersfield project is only an initial segment of a larger HST system, you need to evaluate whether the expenditure of these limited funds would better serve the State if you used them to construct a rail line between Bakersfield and the Los Angeles Basin. When you prepared the 2005 PEIR, the cost to build Phase 1 of the HST

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1009-15 | system was unknown and the availability and source of funding was uncertain. You now know that you have only about 10% of what you estimate it will cost to build-out Phase 1. You really need to evaluate where and how the State will be best served with the expenditure of these available funds. You admit that there is no rail service currently connecting Bakersfield to the Los Angeles Basin, while we already have Amtrak rail service connecting Merced to Bakersfield. Your EIR should be required to evaluate the comparative benefits and adverse impacts of spending these limited funds on Fresno to Bakersfield, as compared to spending it on lines which would extend rail service from Bakersfield to Los Angeles.

1009-16 | **4. The western alignment through Kings County will create a large number of small, inefficient, "remnant" parcels.**

For the most part, the EIR/EIS maps show your proposed route from Madera to just south of Fresno as traveling contiguous to an existing transportation corridor, namely, adjacent to the BNSF rail line. However, once the project approaches northern Kings County, the maps show various alternative alignments, all of which diverge from the BNSF rail lines and slash their way across prime farmland for about 90 miles before returning to the BNSF route. What is even more striking is that both proposed alignments, starting just north of the northerly boundary of Kings County, do not correspond to the half-section lines. Rather, the center-line of the western alignment is plotted about 200 feet west of the half-section lines. Because many agricultural fields are 40, 80 or 160 acre parcels, the boundaries separating these fields tend to fall on the half-section lines. By proposing a right-of-way (ROW) whose center-line is about 200 feet west of current field boundaries, you are proposing to divide many farm fields into two fields, the smaller of which will be only 150 foot wide, east-to-west, and only about 3 to 4 acres in size (my situation).

By creating a large number of new and small parcels, this plan produces a number of significant adverse effects:

1009-17 | **(a) Additional farm land adjacent to the HST rights-of-way will be removed from production because of road crossings and the need for field turn roads.**

Your document contemplates the construction of overpasses or underpasses at just about every rural east-west county road. The maps indicate that, in addition to the HST ROW, a great deal of additional farmland will be taken out of production. We farmers conduct many different operations on our parcels; plowing, discing, irrigating, planting, pruning, fertilizing, spraying, and harvesting, to name just some. By dividing current fields, the project will create smaller, more inefficient parcels that will be separated by an impenetrable barrier. Tractors and implements (often 16 to 20 feet in width) need to turn at the end of each pass through a field, and employees need access to the ends of each field. Therefore, with one field being split into two fields, we landowners will lose not only that part of our field taken for the ROW, we will have to take another 20 to 30 feet more land out of production on either side of the ROW to serve as turn roads.

1009-17 | These road crossings, both over and under and about 200 in number, are designed to be about 2500 feet in length, such length being necessary to produce the height needed to clear the trains. This will compel us to take land out of production adjacent to these road crossings to give us access to the other ends of our fields. As a result, it seems that the amount of land that will have to be taken out of agricultural production could be almost twice the number of acres taken for the HST ROW itself.

1009-18 | **(b) The railroad and overpasses will create travel and access problems.**

Within a section (square mile) of farmland, there is a tremendous amount of tractor, farm equipment and employee traffic that moves on existing dirt farm roads from field to field. The HST system will establish a barrier that will force much of that travel onto county roads in order to reach our "remnant" parcels. In contrast to our current circumstances, we farmers will have to move tractors, equipment and employees in a roundabout way onto and across the proposed overpasses in order to reach these orphans. Entry onto these overpasses will be limited, ensuring further travel distances. Extra travel means more time, more fuel and more expense for the farmer, as well as substantially more tractor and farm implement traffic being forced onto the current county roads. The EIR/EIS egregiously understates the magnitude of this adverse effect, callously trivializing the burden as insignificant.

1009-19 | Much of this farm equipment is slow-moving and is 16 to 20 feet wide. Increasing the amount of it on the county roads and over the new overpasses will substantially increase the danger of injury and fatal accidents occurring on these roads, especially during periods of dense fog.

1009-20 | When one studies the EIR maps, it is evident that many of these newly created small parcels will be landlocked - inaccessible to the owner unless he gets permission from a neighboring landowner. It is naïve to assume that all neighbors will be cooperative. Some will be tempted to capitalize on our misfortune. Finding no one interested in buying a tiny, landlocked parcel without access, the damaged landowner would have no alternative but to sell the small parcel to a neighbor for a few cents on the dollar.

1009-21 | You estimated that the vehicle miles traveled in Kings County will be reduced by 10% to 15% by 2035 as a direct result of the operation of your HST system. (EIR, Table 3.2-13, p. 3.2-72) It is difficult to see how you can reach such a speculative estimate. But it seems certain that it is terribly inaccurate, particularly because you did not mention taking into account the following significant and countervailing factors:

- (a) Increased agricultural vehicle traffic forced onto county roads by the HST barriers built across almost 25 miles of Kings County farmland and by numerous county road closures.
- (b) Degree to which cost and inconvenience would cause Kings County residents to eschew your HST system, and instead drive to San Francisco or Los Angeles. (See my section 2, at top of page 3 herein)

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1009-21

- (c) Your estimate being based on outmoded DOF population projections for 2035. (EIR, 3.2.3.2, p. 3.2-6)
- (d) Effect that non-HST service would have on vehicle miles traveled, since the system will initially be operated as non-HST.

The remainder of your discussion of the effects on vehicular traffic is a quagmire of confusion and contradiction. You state on page 3.2-73 that the roads closed in Kings County along the "BNSF alternative" (Hanford East Bypass alignment) will be "Ninth Avenue, North, and Douglas." In contrast, you state on page 3.2-74 that you will close "Ninth Avenue, Jersey Avenue and Lansing Avenue." Which version is correct and which is incorrect? Or are they both incorrect? Regarding the Hanford West Bypass alternative, you state on page 3.2-75 what Kings County roads will have overcrossings and undercrossings. Your alignment crosses Elder, Flint, Fargo, 23th, Jersey and 11th avenues, but you do not list them as having either an overcrossing or an undercrossing. Are we to assume that they will be closed, too? Consistent with your theme of inconsistency, your maps then show overcrossings or undercrossings at Flint, Fargo, 13th, Jersey and 11th avenues. I implore you; please clear up these murky waters.

1009-22

- (c) In many cases the remnant parcels will be too small to be economically farmed.

In today's times, a 3-acre parcel may be too inefficient to farm, particularly if it requires its own independent irrigation system. Wells are extremely expensive to drill, and utility companies (PG &E and Southern Cal Edison) charge a great deal to run a new service and install a transformer and meter to a new well. Ordinarily, most irrigation wells can provide water to 80 acres, over which the costs can be spread. But it would be prohibitive and unfeasible to spread the cost of a well and new electrical service over 3 acres.

1009-23

- (d) Irrigation will be adversely affected.

There are a number of well drillers in the area, but because of the current demand for new wells, a farmer must now wait 6 months to a year to have a new well drilled. One must also wait 6 months to a year to get PG&E or Southern Cal. Edison to install a new electrical service to a new well. The EIR/EIS does not identify the number of wells that will be removed by this project, but the number will be large. The project will dramatically increase the requests made to well drillers and utility companies. Under such increased demand, how long will a farmer have to wait until he will have a replacement well and pump drilled and operating? Because a water supply is essential to keep his trees and vines alive, until he can get a new well drilled, a pump installed, and electrical service established, he cannot allow the removal his old well.

The EIR/EIS fails to make clear whether current underground irrigation water pipelines and surface water canals that convey irrigation water will be allowed to remain beneath the HST tracks. As a protection against terrorists sending explosive charges through these lines in order to detonate them beneath the tracks, we fear that all such underground lines will be removed from beneath the ROW. If so, this will sever current sources of irrigation water from portions of fields that find themselves on opposite sides of the ROW.

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1009-24

5. The high-speed rail project will produce a number of adverse effects on those farming adjacent to the ROW:

- (a) Liability for accidental damage to high-speed ROW barriers.

The EIR/EIS is extremely vague about how the project's ROW and rail operations will be protected from intrusion. It is supposed that you intend to protect the ROW by a chain-link fence and motion detectors. Yet, our farming operations will be conducted adjacent to the ROW. We farmers are intimately familiar with how, no matter how careful we may be, we or our employees can accidentally run wide pieces of farm equipment into nearby obstacles. We deserve to know what the effect of such accidents would be. Would it trigger a shut-down of on-coming trains, and would we be held liable, even if the incident was unintentional? If the answer is yes, then is the Authority planning on taking additional land beside the ROW to serve as a protective buffer against such accidents? If the Authority is not prepared to take additional buffer land, then is it prepared to enter into a contractual obligation to not hold the farmer liable for accidents and to indemnify him from third party claims arising from accidents?

1009-25

- (b) Application of Herbicides and Pesticides.

Farmers are constantly having to spray and apply herbicides and pesticides to their fruit, nut, grape and row crops in order to control harmful weeds and insects. Even though pesticides are applied in strict accordance with all government approvals and regulations, perception by the public is an entirely different matter. Large numbers of construction workers will be operating in the areas adjacent to our crops. I have talked to the owner of a large custom ground and air applicator of agricultural chemicals, and he told me that he will not apply any spray applications within one-half mile of the rail construction because construction workers have a history of filing claims, alleging that they became sick when smelling such sprays. The likelihood of such claims would increase the chance of his insurance carrier cancelling his coverage, and he cannot take that risk. Your EIR/EIS neglects to discuss this area of concern and fails to present feasible measures designed to mitigate this problem.

1009-26

- (c) Weeds, Insects, and Ground Squirrels.

Weeds, insects and ground squirrels are constantly being controlled by farmers, and the expense of such control is an on-going and expensive process. The gusts generated by the passage of 200 mph trains will send billions of seed from noxious weeds into neighboring fields. A number of insects, especially lygus, spotted aphid, white fly and red spider mite, are hosted by and proliferate on many weeds if uncontrolled. The ROW could also become a protected breeding ground for ground squirrels, if uncontrolled. These squirrel populations produce large litters of young each year and will more than double in numbers each year if not constantly attacked. These squirrels will pour into neighboring orchards, where they will dig countless burrows, and into young corn and wheat fields,

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I009-26

where they can be especially damaging. Squirrels are also notorious for feeding on the eggs of ground-nesting birds, including the threatened Tri-colored Blackbird.

The EIR/EIS fails to specify how it intends to manage the land within its ROW so we can be allowed to assess the impact the intended management of these ROWs will have on us adjacent farmers. We need to be informed what you plan to do with respect to weed, insect and ground squirrel control, including what materials and processes it intends to use. If you fail to implement and/or continue effective measures against these pests, then adjacent farmers will be incurring substantially increased damage and expense in controlling the pests bred and generated within the protected confines of your ROW. We will take no comfort in your assurances that you will control these issues. I am convinced your operation will lose substantial money and you will be unable to carry out such promises.

I009-27

(d) Wind gusts.

It is readily apparent how trucks and freight trains can generate a great deal of dust as they travel along county roads and railroad rights-of-way at 60 mph. The EIR/EIS does not analyze the dust production potential of high-speed trains traveling at 220 mph, more than three times that speed. Not only does the document appear to dismiss and downplay the effect of such gusts, it fails to present any feasible measures it proposes to implement to mitigate the adverse effects on adjacent farming caused by wind gusts and dust generation.

I009-28

6. Loss of Topsoil.

You do not mention loss of topsoil, a most fertile and valuable resource, as a foreseeable and adverse effect of your project. A tremendous amount of fill-dirt will be needed to build up the ten-foot-high, fifty-foot-wide rail beds, not to mention the numerous overcrossings. You do not specify how much fill-dirt you will need or where it will come from. Undoubtedly, some of it will be excavated from farmland. You do not specify how many acres of farmland will be affected and how deep each excavation will be. How much of our precious topsoil will be lost as fill-dirt, and how do you plan to mitigate this significant adverse effect? How far will this fill-dirt have to be hauled and across what roads? How do you intend to mitigate the extra wear and tear on the county roads? From what agencies will you need to obtain the necessary permits for these excavations? Do you expect to obtain co-operation from Kings County in connection with these issues?

I009-29

7. Safety and Security.

You are proposing the eventual operation of a large number of trains hurtling down a track at speeds in excess of 200 mph. The weight and speed involved is both mind-numbing and terrifying to anyone who will have the misfortune of living near the tracks. Despite whatever may or may not have occurred around the world in the past, one cannot deny that such a HST system, with 400 passengers traveling at such speeds, would be an alluring target for a terrorist, foreign or domestic. And it doesn't even have to be a terrorist. A deranged psychopath could

I009-29

decide to try to derail a HST as a creative alternative to spraying bullets in a movie theater. As a result, we expect that massive security measures will be needed to protect the system. We deserve to know what will be done to protect us and our property. Has the Department of Homeland Security and/or Transportation Security Authority reviewed the EIR/EIS? If not, why not? Is so, you must include in the EIR/EIS what have they required so that we can review and comment on their anticipated impacts.

Conclusion:

The EIR/EIS has failed to adequately discuss and evaluate the issues described above. In some cases, it did acknowledge them, but incorrectly dismissed them as insignificant and/or did not delineate what measures could or would be employed to mitigate them. As presented, your EIR/EIS miserably fails to meet the requirements prescribed by state and federal law.

I have no doubt you will find and point out how some of my comments were erroneous because of something I overlooked in your EIR/EIS. But I make no apologies. What can you expect when members of the public are given only 90 days to review such a gargantuan document?

As one who has lived in California since 1945 – all my life – I have one final observation: If the you could pick any proposal that would pose the greatest threat to the future build-out of the HST system, you picked the right one. By building it from Madera to Bakersfield and operating it substantially as a non-HST replacement or alternative to the present Amtrak system, but with fewer stations, you ensure operating a system with disheartening ridership and the need for even greater government subsidies. State employees and services will come to resent the money taken out of their budgets to pay the interest on the HST bonds and to subsidize your operations. Your project will become a symbol of fictitious promises and ineptly executed government projects. It will be vilified as a great white elephant and an albatross. We will hear things like: "Never in the history of the state has so much been spent for the benefit of so few." Your critics will condemn your false visions and failed promises, and will use the system's dismal performance to thwart your efforts in the future to secure more funding. Congratulations!

Respectfully submitted,


Michael E. LaSalle

Submission I009 (Michael LaSalle, October 16, 2012) - Continued



Response to Submission I009 (Michael LaSalle, October 16, 2012)

I009-1

Refer to Standard Response FB-Response-GENERAL-07.

I009-2

Refer to Standard Response FB-Response-GENERAL-13.

I009-3

Refer to Standard Response FB-Response-GENERAL-24.

In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15125(a), the environmental setting is based on conditions at the time the Notice of Preparation (NOP) was released. The NOP for the Fresno to Bakersfield Section was released in September 2009. Updates of demographic and economic data are typically benchmarked with each census. Therefore, data from 2010 were used because of the updates from 2009 estimates made with the 2010 Census.

I009-4

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10, FB-Response-GENERAL-01.

The project EIR/EIS for the Fresno to Bakersfield Section builds on and refines the environmental analysis conducted for the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section.

Since that time, additional project design has proceeded to refine the Fresno to Bakersfield alignment beyond the preliminary studies conducted at the time of the 2005 Program EIR/EIS. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on refined alternative alignments along the general BNSF corridor that reflect more detailed engineering and environmental analyses. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section and were eliminated from further consideration, as described in Standard

I009-4

Response FB-Response-GENERAL-02.

Because the Authority analyzed alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable or did not meet the project objectives, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

In the case of Hanford, study determined that it was not feasible to follow the BNSF corridor through the city. The BNSF corridor in the Hanford area has several curves that are too severe for HST operations and constructing the HST project through Hanford would have resulted in a substantial impact to residential and commercial properties in the city. For those reasons, the Preferred Alternative for the Fresno to Bakersfield Section, as described in the 2005 Record of Decision for the Statewide Program EIR/EIS for the California High-Speed Rail System, bypasses Hanford.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-5

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-GENERAL-02.

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section of the HST System.

The 2005 Record of Decision for the Authority and the FRA's prior Program EIR/EIS (Authority and FRA 2005) selected the BNSF Railway (BNSF) route as the preferred

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-5

alternative for the HST System between Fresno and Bakersfield (see Section 1.5, Tiering of Program EIR/EIS Documents). Since that time, the alignment has been refined through further engineering and environmental studies to identify practicable alternative routes within the BNSF corridor. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along this general corridor.

As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the project EIR/EIS.

The CEQA section on the use of a subsequent or supplemental EIR (Public Resources Code Section 21166) does not apply in this situation. There is no requirement under CEQA that a new Program EIR be prepared before preparing the project EIR/EIS.

I009-6

Refer to Standard Response FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section is based in part on the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alignment for the Fresno to Bakersfield Section. Since that time, additional engineering and environmental studies have been performed to refine the alignment within that general corridor into practicable alternatives. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on refined alternative alignments along the general BNSF corridor. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section, but were eliminated from further consideration as described in Standard Response FB-Response-GENERAL-02.

I009-6

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

With all due respect, SNCF, the developer of the French HST system, is not responsible for planning and implementing the California HST System. That responsibility is assigned solely to the California High-Speed Rail Authority under California statute. SNCF is not familiar with, nor does it have experience with, the complex set of state and federal environmental review and permitting laws and regulations that apply to approving a new HST line in California. Further, SNCF is not bound by the purpose and need statements adopted by the Authority and Proposition 1A (see Public Resources Code Section 2704.04[a]); these statements require that the HST System serve the Central Valley and its northern and southern termini. Given these requirements, SNCF was not in a position to offer an informed opinion regarding a practicable I-5 alternative.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section of the HST System. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-7

Refer to Standard Response FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-7

the Fresno to Bakersfield Section. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires the environmental document to analyze alternatives that are not practicable to implement.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-8

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. Since that time, the Authority has undertaken engineering and environmental studies to refine practicable alternative routes within the BNSF corridor. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along this general corridor. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to

I009-8

Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires the environmental document to analyze alternatives that are not practicable to implement.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-9

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered an alternative along State Route (SR) 99 and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Since that time, the Authority has undertaken engineering and environmental studies to refine practicable alternative routes within the BNSF corridor. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along this general corridor. The SR 99 corridor was again considered during the environmental review of the Fresno to Bakersfield Section, but was eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-9

Because the SR 99 alternative has been rejected, there is no basis to consider an alternative station at the junction of SR 99 and Highway 198. A discussion of a potential station at this location, and the reasons for its rejection is found in Section 2.3.2.2, Rural Subsection, of the Final EIR/EIS.

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the Interstate 5 (I-5) corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-10

Refer to Standard Response FB-Response-GENERAL-02.

Cost is not the sole consideration when determining the feasibility of an alternative. Because the Authority conducted analysis of alternative alignments that follow the State Route (SR) 99/Union Pacific Railroad (UPRR) corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS (see Section 2.3.2.2, Rural Subsection, of the Final EIR/EIS). Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section

I009-10

2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-11

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-04, FB-Response-GENERAL-10, FB-Response-AG-01.

The other alignments identified by the commenter have been previously rejected for the reasons stated in Standard Response FB-Response-GENERAL-02. There is no requirement that the Authority compare the proposed alternatives to alternatives that have been rejected as infeasible or failing to meet most project objectives.

The Authority has notified the Department of Conservation's director of its intent to acquire farmland that is within an agricultural preserve or under Williamson Act contract, as required by Government Code Section 51291. This included the infeasibility findings required by Section 51292. The Director of Conservation has commented on the EIR/EIS, and the Authority has responded to those comments in the Final EIR/EIS.

I009-12

Refer to Standard Response FB-Response-GENERAL-02.

The Record of Decision based on the Authority and the FRA's prior program EIR/EIS documents (see Section 1.5, Tiering of Program EIR/EIS Documents, of the Final EIR/EIS) selected the BNSF Railway (BNSF) route as the Preferred Alternative for the HST System between Fresno and Bakersfield. Since that time, the Authority has undertaken engineering and environmental studies to refine practicable alternative routes within the general BNSF corridor. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on the refined alternative alignments along the general BNSF corridor. The reference to the Interstate 5 (I-5) corridor alternative's incompatibility with land use planning relates to the fact that it is not planned for development and therefore cannot meet the project objectives of offering HST service to urban centers in

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-12

the Central Valley and providing intermodal stations. The BNSF corridor, however, would allow the HST System to serve the Central Valley's population centers from stations in Merced, Fresno, Bakersfield, and, potentially, the Hanford area with provisions for intermodal connections.

Incompatibility with Kings County's General Plan does not affect the ability of the HST System to serve Valley population centers or provide for intermodal connections at Valley stations. As discussed in the EIR/EIS, as a state project, the HST System is not subject to local planning requirements or policies.

The commenter is incorrect regarding the Hanford West Bypass Alternative. The Statewide Program EIR/EIS examined two alignments through Hanford: a Hanford West Alternative and a Through Hanford Alternative that included the "Hanford Loop." The Statewide Program EIR/EIS did not propose to locate a station in the city. The BNSF Railway in the Hanford area, particularly the Hanford Loop, has several curves too severe for an HST System, and these curves would compromise the ability of an alternative to maintain the design speed, and constructing the HST System through Hanford would result in a substantial impact on residential and commercial properties in the city. For these reasons, a Through Hanford Alternative was not carried forward in the Record of Decision.

As explained in the Final EIR/EIS, an alternative that is to be examined in an EIR/EIS must meet most or all of the project objectives and must be potentially feasible. The alternatives identified by the commenter fail to meet one or both of these criteria.

The reasons for rejecting the I-5 corridor are described in Standard Response FB-Response-GENERAL-02. These reasons are not pertinent to the separate decision to reject the SR 99 alignment. The commenter has provided no substantial evidence that the BNSF alignments would have a substantially lower ridership potential than would an SR 99/Highway 198 station. See Section 2.3.2.2, Rural Subsection, of the Final EIR/EIS for the reasons for rejecting the SR 99/Highway 198 station location.

I009-13

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-04,

I009-13

FB-Response-AG-01.

The 2005 Program EIR examined the State Route (SR) 99 corridor and rejected it as an alternative (Authority and FRA 2005). The analysis of new potential alternatives in the Final EIR/EIS is based on refined alternative routes and compares the qualities of those routes. The alternatives analysis in the 2005 Program EIR is not directly comparable to the analysis in the Final EIR/EIS.

I009-14

Refer to Standard Response FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the project EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield Section. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-14

Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I009-15

Refer to Standard Response FB-Response-GENERAL-17.

An HST route between Bakersfield and the Los Angeles Basin is not a part of the Fresno to Bakersfield Section environmental analysis and therefore is not included in the Fresno to Bakersfield EIR/EIS. The Central Valley section has committed funding from the federal government's ARRA. That funding is not available for the HST Project south of Bakersfield. Environmental analyses of subsequent sections of the HST System that are planned to connect Bakersfield to Los Angeles is currently underway. A comparison analysis of the cost of constructing the Bakersfield to Los Angeles sections when it would have a separate funding source is not pertinent to this EIR/EIS.

I009-16

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-LU-04, FB-Response-AG-03.

I009-17

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03.

Turnaround areas for crops have not been included in the permanent agricultural land impacts as the land would not be removed from agricultural production (the Farmland Mapping and Monitoring Program includes existing turnaround areas in its identification of farmlands); however, it is recognized that productivity will be lost as a result of the additional turnaround areas required. During the property acquisition process, losses in the value of the remaining property will be taken into account, and compensation will be provided for the loss in productivity.

In April 2013, the Authority reached an agreement with agricultural interests on mitigation of agricultural land impacts for the Merced to Fresno Section of the HST System (Authority 2013). Under that agreement, the Authority will acquire agricultural

I009-17

conservation easements for its impact on Important Farmland (i.e., land classified as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland) at the following ratios:

- Important Farmland converted to nonagricultural uses either by direct commitment of the land to project facilities or by the creation of remnant parcels that cannot be economically farmed will be mitigated at a ratio of 1:1.
- Where HST project facilities would create a remnant parcel of 20 acres or less in size, the acreage of that remnant parcel will be mitigated at a ratio of 1:1.
- An area 25 feet wide bordering Important Farmland converted to nonagricultural uses by project facilities (not counting remnant parcels) will be mitigated at a ratio of 0.5:1.

The area necessary for road overcrossings has been included in the project footprint and is part of the total area identified as being removed from agricultural production.

I009-18

Refer to Standard Response FB-Response-AG-01, FB-Response-AG-02, FB-Response-AQ-03.

I009-19

As indicated in Chapter 2 of the EIR/EIS, road overcrossings in rural portions of the Fresno to Bakersfield Section would be designed in accordance with county standards that take into account the movement of large farm equipment. Overcrossings would have two 12-foot-wide lanes. Depending on average daily traffic (ADT) volumes, the shoulders would be 4 to 8 feet wide. Therefore, the paved surface for vehicles would be 32 to 40 feet wide. Most farm equipment would be able to travel within one lane, possibly overlapping onto the adjacent shoulder. Particularly large equipment may be so wide that it would cross over the centerline even when using the shoulder of the roadway. In accordance with standard safety practices, it is assumed that warning vehicles would be placed at either end of the overcrossing when this large a piece of equipment was being moved. Because of the width of the overcrossings and the use of standard safety practices, the effects on motor vehicle safety from the movement of farm equipment on overcrossings would not be significant.

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I009-19

As indicated above, county standards for roads take into account the movement of large farm equipment and this is common in the San Joaquin Valley. Movement of additional equipment is not expected to substantially impact traffic safety.

Any HST facilities will be public property and any damage incurred to them, either intentional or unintentional, will be the responsibility of the damaging party. Depending on the severity, an impact on a HST track security fence could trigger a shutdown of oncoming trains. The Authority will not be purchasing any additional lands beyond the project right-of-way to account for agricultural equipment turnaround or equivalent buffer areas.

I009-20

Refer to Standard Response FB-Response-AG-03.

I009-21

Refer to Standard Response FB-Response-GENERAL-24.

The updated 2035 vehicle miles traveled (VMT) estimates used for analysis in the Final EIR/EIS were determined based on the project's 2012 Business Plan: Revenue and Ridership report. The roadway closures will add additional vehicle miles traveled for farm vehicles, but alternative access will still be available within a reasonable distance, generally 1 mile or less, and the VMT mentioned in this comment would not be significant enough to change the estimate reported in the document. In regards to comment on the use of Department of Finance (DOF) data, in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15125(a), the environmental setting is based on conditions at the time the Notice of Preparation (NOP) was released. The NOP for the Fresno to Bakersfield Section was released in September 2009. Updates of demographic and economic data are typically benchmarked with each 10-year census. Therefore, the data from 2010 represent the most updated base year for conditions when the NOP was released. The 2035 forecast was then projected on the 2010 conditions, which are therefore forecast from the most accurate data available (the latest census).

I009-21

The list of road closures for the entire project is included in the tables in Appendix 2-A, Road Crossings, of the Final EIR/EIS. The reference to closures of "Ninth Avenue, North, and Douglas" was incorrect. The text on page 3.2-73 of the Final REIR/EIS has been corrected to refer to closures at Ninth Avenue, Jersey Avenue, and Lansing Avenue," consistent with the text on 3.2-74. Elder Avenue, Flint Avenue, and Fargo Avenue would have crossings over or under the alignment. Jersey Avenue would be closed.

I009-22

Refer to Standard Response FB-Response-AG-03, FB-Response-AG-04.

I009-23

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-SO-01, FB-Response-AG-04.

The land acquisition process occurs before construction. It is during this phase that the Authority's right-of-way agent will work with individual landowners to mitigate impacts from both construction and operation of the HST. It is during this phase that wells and other agricultural infrastructure will be modified so as to minimize impacts from the construction and operation of the HST. Prior to destruction of affected wells, the farm owner would have time to restore infrastructure before construction begins so as to minimize impacts on farm infrastructure.

I009-24

Any HST facilities will be public property, and any damage incurred to them, either intentional or unintentional, will be the responsibility of the damaging party. Depending on the severity of the damage, an impact to an HST track security fence could trigger a shutdown of oncoming trains. The Authority will not be purchasing any additional lands beyond the project right-of-way to account for agricultural equipment turn-around or equivalent buffer areas.

I009-25

Refer to Standard Response FB-Response-AG-05.

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I009-26

The Revised DEIR/Supplemental DEIS examined the potential for wind effects from passing HSTs to spill onto adjoining properties and found that there will be little to no spillage (see Section 3.14.5.3, Impact AG-#10, Wind-Induced Effects). This conclusion was supported by the July 2012 Agricultural Working Group White Paper entitled "Induced Wind Impacts."

The Authority would maintain all HST facilities, including the right-of-way and fence, and provide appropriate weed and pest control. Maintenance activities are described in Chapter 2, Section 2.6, Operations and Service Plan of the Revised DEIR/Supplemental DEIS. Section 2.2.8, Maintenance Facilities, describes the different maintenance facilities and activities that would be in place to ensure continued maintenance of the tracks, right-of-way, and train sets. The Authority would not be responsible for maintaining lands outside of the project footprint. That would remain the responsibility of adjoining landowners.

I009-27

Refer to Standard Response FB-Response-AG-05.

The potential for wind induced by the passage of HSTs to spill onto adjoining properties was analyzed in the Revised DEIR/Supplemental DEIS and found to be negligible (see Section 3.14.5.3, Impact AG-#10, Wind-Induced Effects).

The Agricultural Working Group (AWG) was established in July, 2011 to assist the Authority with an independent advisory group that could address the issues being raised by the agricultural community. The representatives of this group are specialists and experts in their specific fields of agriculture. The AWG includes individuals from universities and governmental agencies, county agricultural commissioners, and agri-business representatives. A series of White Papers was produced by this group, and the papers were presented to the High-Speed Rail Authority Board. The July 2012 "Induced Wind Effects" white paper concurs with the conclusions in the Revised DEIR/Supplemental DEIS. For more information on the White Papers, see Section 3.14.

I009-28

Fill material will be excavated from local borrow sites and will be transported to the construction site (see Section 2.8.1 of the Revised DEIR/Supplemental DEIS). Soils from nearby farms are not proposed to be used to construct the HST, nor will soils currently used for agricultural production. Fill material is estimated to come from both within and outside the San Joaquin Valley Air Basin. Details about the amount of estimated fill required can be found in Appendices A and G of the *Fresno to Bakersfield Section: Air Quality Technical Report* (Authority and FRA 2012a).

I009-29

Refer to Standard Response FB-Response-S&S-02, FB-Response-S&S-05.

HST security measures are described in Section 3.11 Safety and Security.

As discussed in Section 3.11.5, Impact S&S #16, terrorists could target the stations, tracks, or trains for the potential to inflict mass casualties and disrupt transportation infrastructure. The HST design would include access control and security-monitoring systems that could deter such acts and facilitate early detection. The system features include sensors on perimeter fencing, closed-circuit television, and security lighting where appropriate.

Furthermore, as discussed in Section 3.11.6, Project Design Features, engineering design and construction phases include preliminary hazard analysis (PHA), collision hazard analysis (CHA), and threat and vulnerability assessment (TVA) methods. TVAs establish provisions for the deterrence and detection of, as well as the response to, criminal and terrorist acts for rail facilities and system operations. Provisions include right-of-way fencing, intrusion detection, security lighting, security procedures and training, and closed-circuit televisions. Intrusion-detection technology could also alert to the presence of inert objects, such as toppled tall structures or derailed freight trains, and stop HST operations to avoid collisions.

Derailment of a train could be a substantial safety hazard if the train left the HST right-of-way and collided with other structures or people on adjacent properties. This hazard is discussed in Section 3.11.5, Impact S&S #13 and is associated with the physical mass and speed of the train. Because the HST would carry passengers and would be

Response to Submission I009 (Michael LaSalle, October 16, 2012) - Continued

I009-29

electric-powered, there would be no safety hazard associated with HST cargo or fuel. A basic design feature of an HST system is to contain train sets within the operational corridor. Thus, if a derailment were to occur in a residential or other area, the train would remain within the HST right-of-way would not contain cargo or fuel that would result in a fire or explosion.

The Authority and FRA cannot speculate about whether the environmental documents were reviewed by the Department of Homeland Security and/or the Transportation Security Administration; however, neither agency submitted a formal comment letter on either the Draft EIR/EIS or the Revised Draft EIR/Supplemental Draft EIS.

Submission I010 (Michael E. LaSalle, October 19, 2012)

MICHAEL E. LASALLE

13771 EXCELSIOR AVENUE, HANFORD, CA 93230 559-582-6138
lasalle@lightspeed.net

October 14, 2012

Board Members
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

David Valenstein
Federal Railroad Administration
1200 New Jersey Avenue SE MS-20
Washington, DC 20590

Re: Comments regarding the July, 2012 Draft EIR/EIS for the Fresno-Bakersfield High-Speed Rail Section.

Dear CHSRA Board Members and Mr. Valenstein:

- I010-1 My wife and I own a home and farm on Excelsior Avenue, between 13th and 14th Avenues, in Kings County. According to your maps, your proposed Hanford West alignment will run a HST right-of-way through my farm, dividing it into two sections. Moreover, your maps also show the construction of an overcrossing on Excelsior between 13th and 14th. The map indicates that it will begin west of my home and will take additional right-of way in order to construct the overcrossing.
- I010-2 The maps show that you plan on taking part of my pasture, in which is located a grove of oak and pecan trees. The oaks are ancient, some of the very oldest and largest in all of Kings County. One is about 120 feet high with a trunk circumference of 26 feet. It is estimated at about 300 years old. The pecans are also old and large. They are estimated to have been planted between 1890 and 1899 and are over 100 feet tall with trunk circumferences of up to 9 feet. Altogether, the pasture and grove represents one of the most aesthetic features in the County. Your map indicates the removal of some of these trees. To damage the grove and to construct an unsightly overpass in part of it would be tragic. It would damage a rare historical resource and irreparably damage the quality of the landscape and the scenic beauty of the area. Under DOT Act, Section 4 (f), you are obligated to protect sites of local historic significance located on private land. In addition, Kings County's open space policies for scenic resources are concerned with protecting the County's scenic beauty. (EIR, p. 3.16-3) Your EIR/EIS fails to identify and analyze the potential impacts on this particular aesthetic and visual resource. You must evaluate it and develop alternatives to mitigate the damage.
- I010-3
- I010-4
- I010-5
- I010-6 In addition, my home was built 23 years ago, with the front room window looking across to a pleasant-looking walnut orchard. Your plan will replace that view with that of an overpass just in front of our window. Finally, your map depicts the overpass eliminating a driveway into our residence with no provision for a replacement. Please address these issues.
- I010-7

Sincerely,

Mike LaSalle

[http://cahsr.pbcommentsense.com/pbcs/files/21/Inbox/Email/1962/19791/scan0002.jpg\[10/19/2012 2:00:29 PM\]](http://cahsr.pbcommentsense.com/pbcs/files/21/Inbox/Email/1962/19791/scan0002.jpg[10/19/2012 2:00:29 PM])

Response to Submission I010 (Michael E. LaSalle, October 19, 2012)

I010-1

Refer to Standard Response FB-Response-SO-01.

For more information on the property acquisition and compensation process, see Volume II of the EIR/EIS, Technical Appendix 3.12-A.

I010-2

Refer to Standard Response FB-Response-CUL-01.

Because the subject property does not retain historic integrity, it did not meet the eligibility criteria for listing in the National Register of Historic Places or the California Register of Historical Resources. The property was documented as being heavily altered, in conformance with the Programmatic Agreement (Authority and FRA 2011f). On February 6, 2012, the California State Historic Preservation Officer (SHPO) concurred with this finding (SHPO 2012), which was as presented in the Historic Architectural Survey Report (HASR) (Authority and FRA 2011b). Although the trees on the property are not identified as a historical resource, Kings County does maintain protective measures to reduce impacts on native protected trees. Also, as discussed in Section 3.7, Biological Resources and Wetlands, of the EIR/EIS, Mitigation Measure Bio-MM#64, Compensate for Impacts to Protected Trees, would reduce this impact to less than significant.

I010-3

The overcrossing footprint at 13771 Excelsior Avenue has been revised since the release of the Revised DEIR/Supplemental DEIS. The revised plan would avoid the property entirely, and the trees referred to would not be disturbed. An overpass would still be needed at this intersection and would be visible from the adjacent home. Although the end of the overpass touchdown could remain visible from the home, the substantial tree canopies would provide some screening, and additional landscape screening could be provided, if needed, as described under Mitigation Measure AVR-MM#2f in Section 3.16, Aesthetics and Visual Resources of the Revised DEIR/Supplemental DEIS. This mitigation measure calls for landscape treatments on overcrossings to provide screening and enhancement of views from nearby residences.

I010-4

Refer to Standard Response FB-Response-CUL-01.

The subject property was documented as being heavily altered and does not retain historic integrity. Therefore, it did not meet the eligibility criteria for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources. Only properties eligible for or listed in the NRHP are provided protection under Section 4(f), as discussed in the EIR/EIS.

The subject property was documented as being heavily altered, in conformance with the Programmatic Agreement (Authority and FRA 2011f). On February 6, 2012, the California State Historic Preservation Officer (SHPO) concurred with this finding (SHPO 2012), which was as presented in the Historic Architectural Survey Report (HASR) (Authority and FRA 2011b). Although these trees are not identified as historical resources, Kings County does maintain protective measures to reduce impacts on protected native trees. Also, as discussed in Section 3.7, Biological Resources and Wetlands, of the EIR/EIS, Mitigation Measure Bio-MM#64, Compensate for Impacts to Protected Trees, would reduce this impact to less than significant.

The overcrossing footprint at 13771 Excelsior Avenue has been revised since the release of the Revised DEIR/Supplemental DEIS. The revised plan would avoid the property entirely, and the trees referred to would not be disturbed. An overpass would still be needed at this intersection and would be visible from the adjacent home. Although the end of the overpass touchdown could remain visible from the home, the substantial tree canopies would provide some screening, and additional landscape screening could be provided, if needed, as described under Mitigation Measure AVR-MM#2f in Section 3.16, Aesthetics and Visual Resources, of the Final EIR/EIS. This mitigation measure calls for landscape treatments on overcrossings to provide screening and enhancement of views from nearby residences. With the proposed design modifications to the overcrossing, the structure would be more distant from the commenter's residence, and commenter's property would be unaffected. With Mitigation Measure AVR-MM#2f, impacts to visual quality and the character of the views from the residence would be minor to negligible. This impact would be less than significant.

Response to Submission I010 (Michael E. LaSalle, October 19, 2012) - Continued

I010-5

The overcrossing footprint at 13771 Excelsior Avenue has been revised since the release of the Revised DEIR/Supplemental DEIS. The revised plan would avoid the property entirely, and the trees referred to would not be disturbed. An overpass at this intersection would still be needed and would be visible from the adjacent home. Although the end of the overpass touchdown could remain visible from the home, the substantial tree canopies would provide some screening, and additional landscape screening could be provided if needed, as described under Mitigation Measure AVR-MM#2f in Section 3.16, Aesthetics and Visual Resources, of the Revised DEIR/Supplemental DEIS. This mitigation measure calls for landscape treatments on overcrossings to provide screening and enhancement of views from nearby residences.

I010-6

The overcrossing footprint at 13771 Excelsior Avenue has been revised since the release of the Revised DEIR/Supplemental DEIS. The revised plan would avoid the property entirely, and the trees referred to would not be disturbed. An overpass at this intersection would still be needed and would be visible from the adjacent home. Although the end of the overpass touchdown could remain visible from the home, the substantial tree canopies would provide some screening, and additional landscape screening could be provided, if needed, as described under Mitigation Measure AVR-MM#2f in Section 3.16, Aesthetics and Visual Resources, of the Revised DEIR/Supplemental DEIS. This mitigation measure calls for landscape treatments on overcrossings to provide screening and enhancement of views from nearby residences.

I010-7

There is sufficient room to connect all driveways along the south side of the Excelsior Ave. overcrossing with access roads, which can be provided during the design procurement phase. Any driveway or access that is altered as a result of the construction of an overpass will be reconstructed as part of the overpass construction.

Submission I011 (Erika Lopez, October 18, 2012)



Comment Card
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto Revisado de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental Proyecto Suplementario
(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment. 770 L Street, Suite 800, Sacramento, CA 95814

Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: **July 20 – October 19**
El periodo de comentario público del Proyecto Revisado EIR/Proyecto Suplementario EIS, el o antes **Julio 20 – Octubre 19**

Name/Nombre: Erika Lopez
Organization/Organización: _____
Address/Domicilio: 1942 Azalea St
Phone Number/Número de Teléfono: 559-992-1924
City, State, Zip Code/Ciudad, Estado, Código Postal: CORCORAN, CA 93212
E-mail Address/Correo Electrónico: _____
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I011-1

I Don't agree with the High-Speed train because there accident with the train and this is going to destroy alot of home's in CORCORAN.

Response to Submission I011 (Erika Lopez, October 18, 2012)

I011-1

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-S&S-02, FB-Response-S&S-04.

Your opposition to the project is noted.

Submission I012 (Gloria Luna, October 18, 2012)



Comment Card
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto Revisado de Informe de Impacto Ambiental/
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(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: **July 20 – October 19**
September 20, electronically, or October 20, 2012.
El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: Gloria E. Luna
Organization/Organización: Corcoran Emergency Aide
Address/Domicilio: my address is 1416 Estes Ave
Phone Number/Número de Teléfono: 559-836-1780
City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran Cal, 93212
E-mail Address/Correo Electrónico: ya ya moon 50
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I012-1

I think our town Corcoran is small enough already that we are making the best of it already. We need more businesses not less. This will kill our ~~town~~ little Big town of Corcoran. I myself was going to move away but I realized I love my town and I'm not gonna move away after all.

Gloria Luna.

Response to Submission I012 (Gloria Luna, October 18, 2012)

I012-1

Refer to Standard Response FB-Response-GENERAL-10.

There are three proposed alternative alignments in the vicinity of Corcoran: the BNSF Alternative (west side of BNSF tracks), the Corcoran Bypass Alternative (avoids Corcoran), and the Corcoran Elevated Alternative (east side of BNSF tracks). Each alternative would have its own set of different effects.

The Authority used the information in the Revised DEIR/Supplemental DEIS and input from agencies and the public to identify the Preferred Alternative. The decision included consideration of the project purpose and need and the project objectives presented in Chapter 1, Project Purpose, Need, and Objectives, as well as the objectives and criteria in the alternatives analysis and the comparative potential for environmental impacts. For more detail please refer to Chapter 7, Preferred Alternative, in this Final EIR/EIS.

Submission I013 (Ron and Jan Lundy, September 4, 2012)

00-25-12411114 22V9
7105 Outingdale Dr.
Bakersfield, CA 93309
August 29, 2012

California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

HSR Authority Officials,

- I013-1 | We join many others in Bakersfield in opposing the building of the High Speed Rail. The only people we know who are in favor of this project are politicians, union members and others who would directly benefit monetarily from it.
- I013-2 | We have Amtrak train service currently, but even that service, with its relatively low rates, is not sustainable without government subsidies. We fail to see how you can keep the cost of the HSR tickets to 20% below the cost of airfare without the citizens of California heavily supporting it through taxes. We already have to provide the land, buildings and power stations and repay the bond! This will not work – it will consume the bonding and borrowing capacity of the state, which will negatively impact funding for schools, and potentially bankrupt California.
- I013-3 | We read that 8,739 homes, 34 churches, and 13 schools will be impacted by the current plan. If you are going ahead with this ill-conceived, politically-motivated project anyway, surely you can find a more feasible route.

Sincerely,
Ron and Jan Lundy
Ron and Jan Lundy



Response to Submission I013 (Ron and Jan Lundy, September 4, 2012)

I013-1

Refer to Standard Response FB-Response-GENERAL-14.

I013-2

Refer to Standard Response FB-Response-GENERAL-17, FB-Response-GENERAL-19.

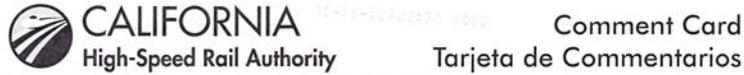
I013-3

Refer to Standard Response FB-Response-BIO-02, FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the 2005 Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The 2005 Record of Decision for the Statewide Program EIR/EIS rejected those routes and selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Further engineering and environmental studies within the broad BNSF corridor have resulted in practicable alternatives that meet most or all project objectives, are potentially feasible, and would result in certain environmental impact reductions relative to each other. Accordingly, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor.

The Authority has attempted to minimize the impacts of the HST project on adjoining properties. However, the characteristics and necessary components of the HST System cannot be installed without resulting in impacts. The purpose of the EIR/EIS is to disclose these impacts to decision-makers and the public so that the Authority and FRA can make reasoned, informed choices in approving the Preferred Alternative.

Submission I014 (Albert Madrigal, October 18, 2012)



Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
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Declaración de Impacto Ambiental Proyecto Suplementario
(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The comment period is from July 20 to September 20, 2012. Comments must be received electronically, or postmarked, on or before September 20, 2012.

El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: Albert MADRIGAL

Organization/Organización: HOMEOWNER

Address/Domicilio: 8930 FRONTIER

Phone Number/Número de Teléfono: (559) 584-9554

City, State, Zip Code/Ciudad, Estado, Código Postal: Hanford CA 93230

E-mail Address/Correo Electrónico: _____

(Use additional pages if needed/Usar paginas adicionales si es necesario)

I014-1 as a homeowner near the proposed speed rail, I have
several concerns. The first the noise level, my understanding
no sound barrier will be in place. There are 3 schools

I014-2 near us and they will be adversely affected. Secondly
how are domestic wells going to be affected, when ag.
well have to be relocated and redrilled deeper. Who's going
to pay for this? My final concern is, with all

I014-3 the proposed construction, how is accessibility to
ambulance, fire and police be affected?

Response to Submission I014 (Albert Madrigal, October 18, 2012)

I014-1

Refer to Standard Response FB-Response-N&V-01, FB-Response-N&V-05.

I014-2

Refer to Standard Response FB-Response-AG-04, FB-Response-SO-01.

The Authority would positively locate public utilities within the potential impact area (by probing, potholing, electronic detection, as-built designs, or through other means) prior to construction, in compliance with state law (i.e., California Government Code 4216). Where it is not possible to avoid utilities, they would be improved (e.g., steel pipe encasement) so that there is no damage or impairment to the operation of these utilities from the HST project. The Authority would comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 on compensation for impacts on property owners and tenants who must relocate if they are displaced by a federally sponsored project. This act applies to all real property, including the acquisition of land for relocation of utilities (including agricultural wells). Refer to Section 3.6.5 for further details.

The Authority will fairly compensate land owners during the right-of-way acquisition process for destruction and replacement of agricultural wells. All local rules and regulations will be followed in relocating wells. Hydraulic studies would be done to determine the location of new wells, so impacts on new wells would be minimized.

The land acquisition process begins before construction. It is during this phase that the Authority's right-of-way agent will work with individual landowners to mitigate impacts from both construction and operation of the HST. It is during this phase that wells and other agricultural infrastructure will be modified so as to minimize impacts from the construction and operation of the HST. Prior to the destruction of affected wells, the farm owner would have time to restore infrastructure before construction begins so as to minimize impacts on farm infrastructure.

I014-3

The Authority's policy is to provide roadway overpasses approximately every 2 miles, resulting in no more than 1 mile of out-of-direction travel for vehicles to cross the HST tracks. In most locations in the Fresno to Bakersfield Section, roadway overpasses

I014-3

would be provided more frequently, approximately every mile or less, because of the existing roadway infrastructure. Consequently, out-of-direction travel would be limited to approximately 1 mile in nearly all locations in the project area. The Revised DEIR/Supplemental DEIS, Section 3.11.6, explains that the project design would include coordination with emergency responders to incorporate roadway modifications that maintain existing traffic patterns and fulfill response route needs, resulting in negligible effects on response times by service providers. Section 3.11.5, Safety and Security Environmental Consequences, of the Revised DEIR/Supplemental DEIS provides additional detail regarding emergency response time during HST operations.

Submission I015 (Kuno Maliepaard, September 20, 2012)

9-18-12

To the State High Speed Rail Committee,

I015-1

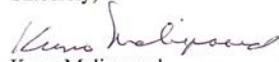
Eighty three years ago I was born here in Hanford, California in Kings County. I was raised and have worked here most of my life. I am so grateful for how our County has developed into such a productive part of the State.

I believe the High Speed Rail coming through our county would be most unwise. I do not believe it will be utilized as your committee believes it will be. Please discontinue the project.

I015-2

We have such productive land developed over the years that would be destroyed by this project and drive us deeper into debt as a State. If we have any extra money, which I do not believe we have, I believe it should go to develop more water storage for our area.

Sincerely,


Kuno Maliepaard
1165 W. Malone
Hanford, CA 93230



Kuno Maliepaard
1165 W Malone
Hanford, CA 93230

California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

95614335500

Response to Submission I015 (Kuno Maliepaard, September 20, 2012)

I015-1

Refer to Standard Response FB-Response-GENERAL-14.

I015-2

Refer to Standard Response FB-Response-GENERAL-17, FB-Response-GENERAL-11.

Water storage is an important issue in California; however, it is not part of the purpose and need for the proposed project. Funding for the HST System, which is dependent upon dedicated funding from Proposition 1A and federal ARRA funding, is separate from the state funds that may be used for water storage projects.

Submission I016 (Francisco Mata, October 18, 2012)



CALIFORNIA
High-Speed Rail Authority

Comment Card
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Please submit your completed comment card at the end of the meeting, or mail to: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment. 770 L Street, Suite 800, Sacramento, CA 95814**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

If Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: **July 20 – October 19**

El Extendido el periodo de comentario público del Proyecto Revisado EIR/Proyecto Suplementario EIS, el o antes **Julio 20 – Octubre 19**

Name/Nombre: Francisco Mata

Organization/Organización: _____

Address/Domicilio: 614 015 # 4

Phone Number/Número de Teléfono: (559) 917 9541

City, State, Zip Code/Ciudad, Estado, Código Postal: 93212

E-mail Address/Correo Electrónico: _____
 (Use additional pages if needed/Usar paginas adicionales si es necesario)

I016-1 AQUI LE CORRESPONDE: Trabajo Familia grande
En el espacio # 4 que PASABA Familia de
yo voto NO GRACIAS

Response to Submission I016 (Francisco Mata, October 18, 2012)

I016-1

Refer to Standard Response FB-Response-GENERAL-14.

Your opposition to the project is noted.

Consulte la Respuesta Estándar FB-Respuesta-GENERAL-14.

Su oposición al proyecto ha sido notada.

Submission I017 (Ann McGowan, August 27, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #118 DETAIL

Status : Action Pending
Record Date : 8/27/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 8/27/2012
Submission Method : Website
First Name : Ann
Last Name : McGowan
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City :
State : CA
Zip Code : 93720
Telephone : 559-323-5327
Email : 4mcgowan@sbcglobal.net
Email Subscription : Merced - Fresno, Sacramento - Merced
Cell Phone :
Add to Mailing List : Yes
Stakeholder Comments/Issues : As an often Amtrak traveler, I am so excited about high speed rail coming to California. Thank goodness someone is planning ahead for the future of California. Public transportation is easier, safer and better for the environment.
EIR/EIS Comment : Yes
Official Comment Period : Yes

I017-1

Response to Submission I017 (Ann McGowan, August 27, 2012)

I017-1

Refer to Standard Response FB-Response-GENERAL-09.

Your support of the project is noted.

Submission I018 (Troy McKenney, October 19, 2012)

TROY A. MCKENNEY

7480 N. Palm Avenue, Suite 101, Fresno, CA 93711

(559) 432.6200 (office)
(559) 447.6277 (direct)
(559) 432.2938 (fax)

RECEIVED
10/19/2012

October 18, 2012

Via: US Mail, Email Submission, UPS Overnight

California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

RE: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment
Regarding the SEC of Clinton Avenue and Marks Avenue, Fresno, CA**

To: California High Speed Rail Authority

I018-1

I am writing as an Owner of property that is being impacted by the High Speed Rail. Specifically the property I own is at the Southwest corner of Clinton and Marks Avenues in Fresno.

The issue is simple: the traffic at this intersection will be increased due to the High Speed Rail Project (HSR). The HSR will cause the closure of two (2) existing off ramps on Freeway 99 at Parkway/Dakota and at Shields/Princeton. The closure of these off ramps will force more traffic to the off ramp at Clinton Avenue (which is being improved and expanded) to accommodate the increase traffic, and therefore will cause a significant increase in traffic at the intersection of Clinton and Marks Avenues.

I have been told by various parties involved with the HSR project that this intersection is outside of the Project Footprint, meaning this intersection will not be experiencing any direct impact from the HRS project. **This is simply not correct.**

The number of cars per day using the Southbound exits that are going to be closed is about 7,510 cars per day (per the California Department of Transportation), the Southbound exit of Freeway 99 at Clinton Avenue has a current traffic count of 11,750 cars per day. Most of the cars currently using the off ramps to be closed will be forced to use the Clinton Avenue Off ramp in the future. It would cause an increase in traffic at the Clinton Avenue exit on Freeway 99 of over 60%. Almost all of this increase traffic will pass through the intersection of Clinton and Marks Avenues, as this traffic has almost no alternative.

I am requesting the Project Footprint and the EIR include the intersection of Clinton Avenue and Marks Avenue, as the HSR project has a direct and significant impact on this intersection and the property own at the intersection, and that the intersection of Clinton Avenue and Marks Avenue be improved to accommodate the increase in traffic.

Respectfully Submitted,


Troy A. McKenney

cc: Scott Mozief, City of Fresno, Public Works Department
Keith Berghold, City of Fresno, Planning & Development Director
Oliver L. Bains III, District 3 Council Member

TROY MCKENNEY
559 447 6277
7480 N. PALM AVENUE
FRESNO, CA 93711

0.5 LBS LTR 1 OF 1

SHIP TO:
CALIFORNIA HIGH SPEED RAIL AUTHORITY
770 L STREET, SUITE 800
SACRAMENTO CA 95814-3359

RECEIVED
10/19/2012

CA 958 9-03

UPS NEXT DAY AIR SAVER **1P**

TRACKING #: 1Z 8R3 246 13 9301 8849

BILLING: P/P

100 14 0 24 NOV2007 30 0A 01,2012

UPS Internet Shipping: Shipment Label

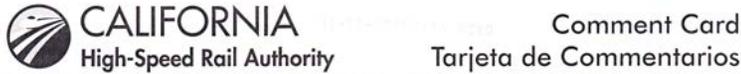
Page 1 of 1

Response to Submission I018 (Troy McKenney, October 19, 2012)

I018-1

Some of the changes to local access will result in new travel routes. These have been minimized to the extent practicable, and access will remain but with some added distance in some circumstances. This comment is in regards to increased traffic impacts on the intersection of Marks Avenue and Clinton Avenue due to SR 99 Freeway on-ramp closures at Shields Avenue and Parkway Avenue. Although located in the city of Fresno, these specific locations are not within the Fresno to Bakersfield Section study area, but rather are located within the Merced to Fresno Section study area. The Fresno to Bakersfield Section study area project termini is the northern end of the downtown Fresno Station tracks near Amador Street.

Submission I019 (Sam McKenzie, October 18, 2012)



Fresno to Bakersfield High-Speed Train Section Revised Draft Environmental Impact Report/ Supplemental Draft Environmental Impact Statement (Revised Draft EIR/Supplemental Draft EIS)
La Sección de Fresno a Bakersfield del Tren de Alta Velocidad Proyecto Revisado de Informe de Impacto Ambiental/ Declaración de Impacto Ambiental Proyecto Suplementario (Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The comment period is from July 20 to September 20, 2012. Comments must be received electronically, or postmarked, on or before September 20, 2012.
El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: Sam McKenzie
Organization/Organización: _____
Address/Domicilio: _____
Phone Number/Número de Teléfono: _____
City, State, Zip Code/Ciudad, Estado, Código Postal: Sacramento, Ca. 95814
E-mail Address/Correo Electrónico: _____
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I019-1

I am a member of First Baptist Church, Hanford. My concern is the noise level of H.S.R. You have not addressed it in our area. The decibal numbers will be so high that our service will be disturbed by the passing of the trains. Our congregation ranges from the ages of a few days to the high nineties. The impact on hearing will be disastrous. We also have a play school each day. H.S.R. will affect our children every day of the week.

Response to Submission I019 (Sam McKenzie, October 18, 2012)

I019-1

The existing noise level at the First Baptist Church in Hanford is 56 dBA Ldn. The total level noise level (sum of the ambient and project noise level) is 62 dBA Ldn for all four Hanford West alternatives. The church will be moderately affected by all four alternative alignments.

Submission I020 (Margaret McMackin, October 16, 2012)

Oct. 16, 2012

10-16-12A11150 REVD

I020-1

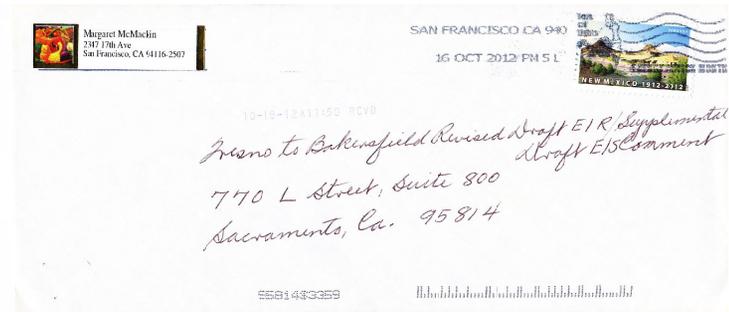
*Fresno to Bakersfield Revised Draft EIR/Suppl. Draft EIS Comment
770 L Street, Suite 800
Sacramento, Ca. 95814*

*As a landowner in the Semitropic Water Storage District,
I urge you to adopt Alternative A-1 which follows
the existing Fresno to Bakersfield railroad alignment.
I agree with the decision made by the Semitropic
Water Storage District.*

*Construction of the proposed A-2 will result in
damage to numerous private property owners
causing extraordinary costs which can hardly be
justified when both the State and Federal
governments are today in such financial crisis.*

*Please make the only correct decision for this section
of the High Speed Train Project.*

*Sincerely,
Margaret McMackin
23rd - 14th Ave.
San Francisco, Ca. 94116-2507*



Response to Submission I020 (Margaret McMackin, October 16, 2012)

I020-1

The Authority used the information in the Final EIR/EIS and input from the commenting agencies and public to identify the Preferred Alternative. The decision included consideration of the project purpose, need, and objectives, as presented in Chapter 1, Project Purpose, Need, and Objectives; the objectives and criteria in the alternatives analysis, and the comparative potential for environmental impacts. The Preferred Alternative balances the least overall impact on the environment and local communities, cost, and the constructability constraints of the project alternatives evaluated. The Preferred Alternative is identified and discussed in the Final EIR/EIS.

Submission I021 (Austin Michael, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #410 DETAIL
Status : Action Pending
Record Date : 10/20/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/19/2012
Submission Method : Project Email
First Name : Austin
Last Name : Michael
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City :
State : CA
Zip Code : 93230
Telephone :
Email : mwaustin_2000@yahoo.com
Email Subscription :
Cell Phone :
Add to Mailing List :

**Stakeholder
 Comments/Issues :**

----- Forwarded Message -----
 From: austin michael <mwaustin_2000@yahoo.com>
 To: "Fresno_Bakersfield@hsr.ca.gov"
 <Fresno_Bakersfield@hsr.ca.gov>
 Cc: Mike Austin <mwaustin_2000@yahoo.com>
 Sent: Sunday, October 14, 2012 4:04 PM
 Subject: Fw: Fresno to Bakersfield (DEIR/EIS) Oct 2012

Dear Chairman Richard and California High Speed Rail Authority Board:

I021-1

My name is Mike Austin and my wife Cindy and I are landowners in Kings County. We own several properties in Hanford California and will be severely impacted to the point where we can no longer quietly enjoy our properties that we have maintained and been able to afford for the past 30 years. Our properties are uniquely situated in the county affording us a rural lifestyle with access to urban amenities within the city of Hanford. The following comments were developed based upon a review of the Draft Environmental Impact Report / Environmental Impact Statement (DEIR/EIS) for the Fresno to Bakersfield section of the California High Speed Rail (HSR) Project. I would also like to caution the California High Speed Rail Authority (Authority) that under my review I along with many others who attempted to read, comprehend and respond to this DEIR/EIS were unable to complete a full review. The responses provided in this letter are not a full review; therefore I was not allocated the appropriate due process to provide the Authority with a meaningful and complete review. The Authority should be prepared to accept, address and respond to future comments that I may submit as my review will continue beyond the deadline of October 19, 2012 set by the Authority.

I021-2

The (Authority)s' Mitigation measures are Ambiguous and Insufficient

The (Authority)s' (DEIR/EIS) does not address the economic impact or the environmental problems the construction effects & the affects of operating the (HSR) trains over & next to the Kings River in Laton, CA. There is currently one Fresno County maintained Park & one Kings County maintained Park being utilized by alot of economically disadvantaged families living in both Counties & cities in the area. Many families have bar-b-ques, birthday parties, weddings, re-unions and to just take their family members & friends out to the river to swim & play in the water to cool off in the summer heat. The wildlife, the endangered fish, reptiles, kit fox, red fox, racoons, coyotes & a host of other warm blooded animals live in this habitat. Once this displacement of these species occurs you cannot revive same. The population base within 50+ miles of Laton, CA & the wildlife & it's river habitat along the river will be impacted negatively if the proposed (HSR) is constructed along the Routes as proposed. If the proposed (HSR) route is adopted the Authority will be responsible for killing the existing wildlife in the area, the related environmentally friendly river eco-system, the trees, bushes & other plant life that provides the nearby residents & families a quite & enjoyable county life. These same families pay property, income & sales taxes to the governmental agencies who return these monies back to our communities providing & maintaining these wonderful parks for our quite enjoyment during the past 150 years & hopefully 150 years into the future for our great, great grand kids to marvel.

I021-3

I021-4

Submission I021 (Austin Michael, October 19, 2012) - Continued

I021-5

How is the (Authority) going to mitigate &/or pay for the economic & environmental damages your organization will inflict & no doubt destroy our country way of life regarding these communities, cities & rural residents around Laton, California for the next 150 years. Owners of all properties & all residents of the area will be adversely affected. How will the (Authority) replace our existing living eco-system around the river, re-locate all the animals, replace our trees, & plants & re-locate & re-build our parks in both Fresno & Kings Counties along the river, with convient location & including county road infrastructure to drive to the parks. The entire popultion base within 50 miles of Laton, California will be severly impacted financially, emotionally devestated & economically challenged.

I021-6

The (Authority)s' rail system should complement & connect to our existing transporation systems, Amtrak Trains, BART Trains, CalTrains, municipal airports & other ground transporation systems. The proposed (DEIR/EIS) is mis-leading, inadequate, does not provide an analysis mitgating economic, environmetal, emotional and/or financial consequences of the loss of the current environmental benefits afforded our city, does not fully address the financial, econmomic or environmental impacts this projects has on this community and or the State of California. The proposed draft would not hold up against a court challenge without addressing the financial consequences or any other currenty enjoyed enviromental benefits afforded our community with any mitigating alternatives. This (DEIR/EIS) as drafted is in violation of Porposition of 1A.

I021-7

Mike Austin
Hanford, CA
559-250-1327 cell---559-584-9002 home

EIR/EIS Comment : Yes
Official Comment Period : Yes

Response to Submission I021 (Austin Michael, October 19, 2012)

I021-1

Refer to Standard Response FB-Response-GENERAL-07.

I021-2

As shown on Figure 3.15-1, "Fresno area: Parks, recreation, and open-space resources and school district play areas and recreation facilities in the project study areas," in Section 3.15, Parks, Recreation, and Open Space, of the Final EIR/EIS, Laton-Kingston Park (2,000 feet from alignment) and Kingston Park (2,500 feet from alignment) are outside of the 1,000-foot study area for the Hanford West Bypass 1 and 2 alternatives and are therefore outside of the project's study area and do not have the potential to be impacted by the project. Please refer to Section 3.15.3, Methods for Evaluating Impacts, for additional details.

I021-3

Refer to Standard Response FB-Response-GENERAL-14.

Mitigation measures for project impacts on natural habitat, including riparian and riverine habitat, are presented in Section 3.7.7 of the Revised DEIR/Supplemental DEIS. These measures include the development and implementation of a Biological Resources Management Plan, Restoration and Revegetation Plan, and a Comprehensive Mitigation and Monitoring Plan which would address impacts on, and the restoration and compensation of, natural habitats.

Additionally, preconstruction surveys would be conducted for special-status wildlife species. Avoidance and minimization measures will be implemented for these species, and habitat loss for these species will be compensated. The aforementioned measures would be developed and implemented in cooperation with natural resource regulatory agencies, including U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, State Water Resources Control Board, and the U.S. Army Corps of Engineers.

I021-4

Refer to Standard Response FB-Response-SO-05.

I021-4

For information on the HST operation-related property and sales tax revenue effects see EIR/EIS Volume I Section 3.12 Impact SO#3, Impact SO#4, and Impact SO #12.

I021-5

Refer to Standard Response FB-Response-GENERAL-05, FB-Response-SO-04.

For information on the impacts to the community of Laton see EIR/EIS Volume I Section 3.12 Impact SO#6 and Impact SO#9 and Mitigation Measure SO-1. For information on the impacts to communities and on the potential for physical deterioration see Volume I Section 3.12 Impact SO #16. See Volume I Section 3.7 for the mitigation measures that will be implemented during project construction and operation to avoid and/or minimize impacts and effects on biological resources.

I021-6

Refer to Standard Response FB-Response-GENERAL-13.

The HST project will connect or provide access to other transportation systems. For example, it is expected that Amtrak will provide feeder service to stations. The HST stations will also accommodate local and regional transit stops.

I021-7

Refer to Standard Response FB-Response-GENERAL-14.

As indicated in the responses to the comments provided in this submission, the EIR/EIS provides an adequate analysis of project-related impacts and presents measures to mitigate those impacts to the extent practicable. Where mitigation measures cannot reduce impacts to a level less-than-significant, that is also identified in the EIR/EIS.

The Fresno to Bakersfield Section has been designed to tie into existing transportation systems in the area. The stations in Fresno and Bakersfield are located downtown near the centers of existing local transit systems, including Amtrak in Bakersfield. As discussed in Sections 3.2 and 3.13 of the EIR/EIS, the goals of the FRA and Authority for the Kings/Tulare Regional Station include creating a station that serves as a regional

Response to Submission I021 (Austin Michael, October 19, 2012) - Continued

I021-7

transportation hub to provide quick transit connections from the station to the downtown areas of Hanford, Visalia, and Tulare. The Authority and FRA have approved \$600,000 in planning funds to assist local jurisdictions around the Kings/Tulare Regional Station to plan to make these goals a reality. As part of this effort, the Authority may provide a portion of the Kings/Tulare Regional Station parking in downtown Hanford, Visalia, and/or Tulare. Reducing the number of spaces provided at the station would allow for more open space areas around the station, discourage growth at the station, encourage revitalization of the downtowns, and reduce the development footprint of the station. Location of station parking in downtown areas would be done in consultation with local communities to avoid traffic congestion.

The HST project complies with Proposition 1A; the commenter provides no evidence to the contrary, and the EIR/EIS adequately analyzes the impacts of the Project, consistent with CEQA.

The project described in the Fresno to Bakersfield Section EIR/EIS conforms to the project put forth in Proposition 1A. None of the comments in this submission provides substantial evidence that the project is in violation of Proposition 1A.

Submission I022 (Larry Miller, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #403 DETAIL
Status : Action Pending
Record Date : 10/20/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/19/2012
Submission Method : Project Email
First Name : Larry
Last Name : Miller
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Fresno
State : CA
Zip Code : 93701
Telephone :
Email : litekeys@comcast.net
Email Subscription :
Cell Phone :
Add to Mailing List :

I022-1

**Stakeholder
 Comments/Issues :**

The EIR should have considered an I-5 alignment, using existing connections between Bakersfield, Hanford/Visalia-Goshen, and Fresno that are already on the ground and in declining use.

The alignment was prematurely dismissed and the dismissal did not consider the potential to use Amtrak's San Joaquins and existing freight connections to link existing service to the I-5 Corridor alignment.

These connections would allow the San Joaquin Valley to be connected to HSR on the I-5 Corridor.

The I-5 corridor alignment would be easier, faster, and less expensive to build.

I022-2

The existing rail lines are owned by the short line private freight carrier, the San Joaquin Valley Rail Road, which is a wholly owned subsidiary of Rail America. Freight RR's are obligated by the Rail Road Act of 1973 to make capacity available to Amtrak, if Amtrak petitions for it.

I022-3

These points were known to HSRA before they published the EIR, because I presented them to HSRA at its January 2011 meeting in written form.

A copy of that presentation is attached.

Larry Miller
 Fresno CA
 litekeys@comcast.net

EIR/EIS Comment : Yes
Official Comment Period : No

Response to Submission I022 (Larry Miller, October 19, 2012)

I022-1

Refer to Standard Response FB-Response-GENERAL-02.

The concept of linking the Interstate 5 (I-5) corridor to Fresno and Bakersfield with spur lines was considered at the program level, but dismissed because it would add considerably to the I-5 corridor capital costs and would still have the same lower ridership figures. Use of the I-5 corridor would also encourage sprawl development, which is the opposite of what the HST System is intended to achieve and which was opposed by numerous agencies, including the U.S. Environmental Protection Agency (EPA). Please refer to Section 2.3, Potential Alternatives Considered during Alternatives Screening Process, and Section 2.4, Alignment, Station, and Heavy Maintenance Facility Alternatives Evaluated in this Project EIR/EIS, of the Final EIR/EIS for more detail.

I022-2

The project will not preclude any arrangements between the San Joaquin Valley Rail Road and Amtrak.

I022-3

Refer to Standard Response FB-Response-GENERAL-02.

Pursuant to NEPA and CEQA guidelines, all public comments collected during a public comment period are formally responded to in the Final EIR/EIS. Copies of comments received during the Draft EIR/EIS comment period can be obtained upon request.

Attachment to Submission I022 (Larry Miller, October 19, 2012) -
Miller_Email_10192012_Attachment.pdf

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
from Amtrak and East Side to I-5

Reconsidering I-5 Alignment for HSR in San Joaquin Valley

I am encouraging HSRA to reconsider its early rejection of an alignment in the San Joaquin Valley following the Highway I-5 corridor along the West Side of the Valley. Although this alignment was rejected by HSRA very early on, a significant new and heretofore unforeseen opportunity has arisen to connect an I-5 alignment to both existing Amtrak service and larger East Side cities.

Opportunity Justifying the Reconsideration:

A short line freight railroad, known as *the San Joaquin Valley Railroad*, runs northward from Bakersfield along the easternmost side of the San Joaquin Valley, before crossing to the west through Fresno and then running northward, parallel to Highway I-5. The corridor is more than 100 years old and is actually owned by the Union Pacific Railroad. The corridor has lines running east to west from Bakersfield, Hanford-Visalia, and Fresno, lines be connected to the I-5 corridor. This short-line railroad has become less attractive to its parent company, RailAmerica, and its trackage and rights of way could conceivably be acquired to connect an I-5 alignment for HSR with existing Amtrak's San Joaquin Service on the East Side of the SJ Valley. (See attached map)

The SJVRR's existing tracks, which are still in use, could be upgraded and extended to the I-5 corridor for use by a passenger rail service in comparatively short order--and at a very affordable cost with far fewer environmental issues associated with the upgrade. The existing line from Bakersfield actually reaches I-5 already. The existing line from Visalia and Hanford, runs to Huron, which is already within approximately five miles of I-5. The line from Fresno runs to Mendota, which is only about fifteen miles from I-5.

What makes this opportunity both timely and so potentially attractive is that recently the SJVRR has been filing to abandon sections of its tracks and has been offering some of its associated assets for sale.

Changes in the markets for agricultural and commercial commodities the SJVRR hauls have presented the railroad with setbacks in revenues that are likely to be long-term, if not permanent. Federal water subsidies and water allotments to west side growers, combined with the loss of subsidies for cotton and other commodities have decreased the demand for commodity driven freight on short line railroads in the San Joaquin Valley to the point that the company has put up for sale a large rail-sale warehouse in Kerman, between Fresno and Mendota. At the same time, the SJVRR has filed to abandon major sections of its mainline between Bakersfield and Visalia, in order be allows to sell off tracks and timber to raise cash.

It would not be unrealistic to believe that at this juncture Rail America would be open to discussions about various ways HSRA could buy, lease or otherwise acquire Rail America's Rights of Way and other assets. Not the least of these approaches could be allowing RA to become an equity investor by contributing a percentage of its assets to the project.

HSRA meeting Feb 3 2011
Page 1

Larry Miller, Fresno
litekeys@comcast.net

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
from Amtrak and East Side to I-5

Background for the Concept:

In February of 2010 Mr. Anthony E. Waller, who has an extensive background in actual rail road operations, published a substantial opinion piece in the newsletter of the Train Riders Association of California (TRAC) regarding HSR's proposed route though the San Joaquin Valley.

Waller opined that an alignment running up the West Side of the San Joaquin Valley, adjacent to the US Highway I-5 corridor, would be far easier and cheaper to build and far less costly to operate than HSR's proposed route. The currently anticipated route runs from Bakersfield to Fresno and beyond, following the somewhat serpentine BNSF corridor on the East Side of the SJV. Wrose still, he noted, that route further has to deal with the chaos of stopping at downtown stations in the major cities of the Valley, while dealing with countless grade separations require to transit the cities. What Waller argued, as rail road people have for nearly two centuries, is that that the shortest, straightest and flattest route between two points is the better route. The I-5 route is substantially shorter, straighter and flatter than the currently projected route. The article's obvious logic drew a lot of attention from knowledgeable proponents of HSR.

Waller's plan had one fatal flaw, however. Waller's plan would have made HSR a peripheral around the San Joaquin Valley, by-passing its population to the utter insult of Valley residents--just as I-5 itself does. Waller argued that riders boarding and alighting in the San Joaquin Valley could use Amtrak as a feeder route by connecting to HSR either just south of Stockton or just south of Bakersfield. In essence Waller's argument disingenuously implied that a resident of Bakersfield should endure to ride of roughly 4 hours on Amtrak to Stockton in order to transfer to HSR in Tracy for a short 15 minute ride into San Francisco. Clearly, this is a condition that none of the millions of residents in the SJV would tolerate. Nor did the plan conform to more recent legislation requiring HSR to serve the SJV.

Yet Waller's plan can be made to work and at the same time, actually include more potential riders from the San Joaquin Valley by acquiring rights to the San Joaquin Valley Railroad's existing feeder routes between the east and west sides of the San Joaquin Valley.

The Missing Resource: a dedicated rail link between Amtrak and HSR along I-5

Early on, CAHSR rejected the option of using an East Side alignment through the San Joaquin Valley, predominately because it disenfranchised the Valley. However, if one can contemplate the use of the SJVRR's existing rail lines from Bakersfield, Hanford/Visalia, and Bakersfield to the I-5 corridor, the Valley would NOT be disenfranchised, and indeed there would significant advantages for both the entire HSR system as a whole and the San Joaquin Valley.

HSRA meeting Feb 3 2011
Page 2

Larry Miller, Fresno
litekeys@comcast.net

Attachment to Submission I022 (Larry Miller, October 19, 2012) -
 Miller_Email_10192012_Attachment.pdf - Continued

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
 from Amtrak and East Side to I-5



The Advantages of an I-5 Alignment:

Although this “map” from the February 2010 TRAC Newsletter takes liberties with scale and orientation, it demonstrates the issue well.

The I-5 route is straighter, flatter and more direct with fewer grade separations and deviations.

Waller estimated this route saves nearly 90 miles of running, although from top to bottom.

While Waller’s version of Amtrak’s San Joaquin service misleading shows the San Joaquins running from Modesto to Tracy, rather than to Stockton which is the actual route, his deeper flaw is also apparent: No one gets to transfer from the San Joaquins to the HSR on I-5 anywhere between Bakersfield and the Grapevine Highway.

But notice the utility of Amtrak’s San Joaquins if one can connect, east-west HSR, using the SJVRR lines between Bakersfield, Hanford and Fresno. Moreover, for a future connection, the distance from Turlock’s Amtrak Riverbank station to I-5 is the shortest in the Valley at only about 12 miles.

HSRA meeting Feb 3 2011
 Page 3

Larry Miller, Fresno
 litekeys@comcast.net

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
 from Amtrak and East Side to I-5

Potential Benefits of an I-5 Alignment Connected to Amtrak and Larger East Side Cities:

Among the important benefits to an I-5 alignment linked east-west with feeder and distributions connections to Amtrak’s San Joaquins (as well as to the cities of Bakersfield, Hanford-Visalia, Fresno and later on to Riverbank/Turlock) using the existing rail lines of the San Joaquin Valley Railroad, are:

- **Building the HSR San Joaquin Valley section in perhaps half the time.**
- **Building the SJ Valley section for perhaps half the cost.**
- **Avoiding many legitimate environmental and safety concerns about the currently proposed alignment through the SJV and its cities.**
- **Reducing the daily operating costs for the SJV transit by perhaps 15 percent.**
- **Reducing the travel time for the transiting the SJV by perhaps 15 percent.**
- **Avoiding litigation from the Union Pacific RR.**
- **Making for easier and shorter connections to the Bay Area via either Altamont or Pacheco Pass—or both.**
- **Increasing ridership from SJV, by accessing more potential SJV riders.**
- **Preserving, strengthening and supporting San Joaquin Valley inter-city and regional passenger rail on Amtrak, rather than obviating and essentially killing Amtrak’s San Joaquin Service by duplicating and out-competing Amtrak service to the self-same cities and stations.**
- **Decreasing negative impacts on cities and towns in the SJV resulting from both construction and operation of HSR.**
- **Transfer stations along the I-5 corridor would be easier to build and operate than urban stations.**
- **A heavy maintenance facility should be just as easy to build and operate on an I-5 junction in the Valley and would still be able to employ workers from the respective counties.**
- **Additional travel time for riders coming from the east side cities and Amtrak transfers stations would be measure in minutes only, compared to the over-all longer travel time for a route exclusively along the East Side of the SJV.**

HSRA meeting Feb 3 2011
 Page 4

Larry Miller, Fresno
 litekeys@comcast.net

Attachment to Submission I022 (Larry Miller, October 19, 2012) -
 Miller_Email_10192012_Attachment.pdf - Continued

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
 from Amtrak and East Side to I-5

SAN JOAQUIN VALLEY RAILROAD (SJVR)

The SJVR operates 417 miles of track in Southern California. SJVR interchanges with the Union Pacific Railroad at Fresno, Goshen Junction and Bakersfield, CA and the Burlington Northern Santa Fe at Fresno and Bakersfield, CA.

The SJVR service features primary commodities of petroleum products, cattle feed, building products, tomato paste, consumer products, dry and liquid fertilizer products. Operations provide service to customers seven days per week and meet customer's needs for spotting and pulling railcars.

As with all RailAmerica properties, safety is a primary concern of the SJVR with a strong focus on employee and customer safety while handling this business.



RailAmerica, Inc., owns leading short line and regional railroads providing rail service to customers across North America. In 2008 RailAmerica relocated its Corporate Office to Jacksonville, Florida. The Company's 40 affiliated railroads operate in 27 states and 3 Canadian provinces with approximately 7,500 miles of track.

RailAmerica's objective is to provide local rail freight customers with services that facilitate the prompt pick-up and delivery of goods. RailAmerica's properties haul major carload commodities such as coal, aggregate, grains, lumber and paper throughout the United States and Canada using Class 1 relationships to extend their customers' reach to meet market demands. National customers enjoy the advantages of using RailAmerica's local relationships to expand their businesses beyond the major distribution centers and into the local customers' doors.

RailAmerica's business portfolio represents an important component of North America's transportation infrastructure, carrying large quantities of heavy freight for a highly diverse customer base. During 2008, our railroads transported over one (1) million carloads of freight for approximately 1,800 customers, hauling a wide variety of products such as farm and food products, lumber and forest products, paper and paper goods, metals, chemicals, plastics and coal.

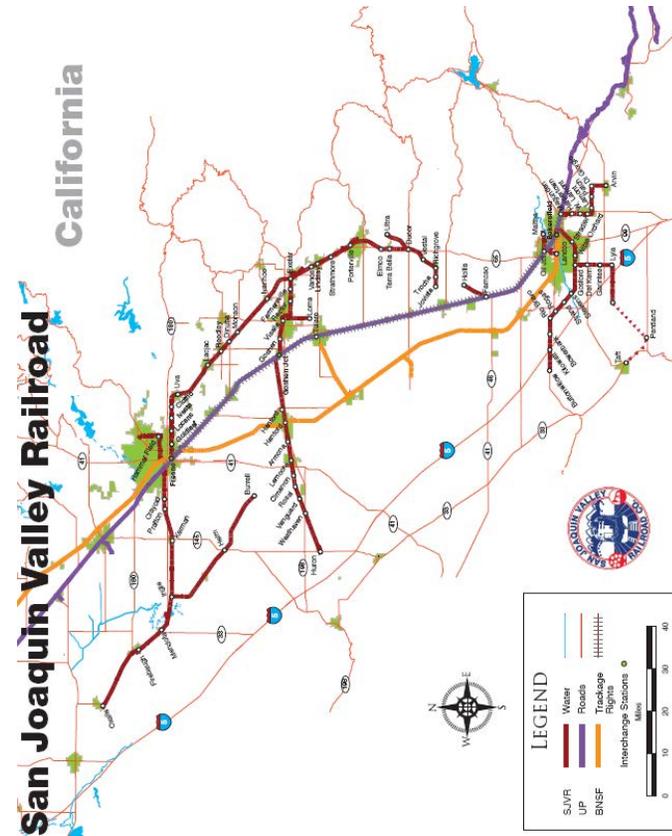
RailAmerica's goal is to provide good, efficient, economical and safe service by developing strong professional relationships with customers and interchange partners

HSRA meeting Feb 3 2011
 Page 5

Larry Miller, Fresno
 litekeys@comcast.net

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
 from Amtrak and East Side to I-5



HSRA meeting Feb 3 2011
 Page 6

Larry Miller, Fresno
 litekeys@comcast.net

Attachment to Submission I022 (Larry Miller, October 19, 2012) -
Miller_Email_10192012_Attachment.pdf - Continued

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
from Amtrak and East Side to I-5

Reconsidering I-5 Alignment for HSR

Using SJVRR rail links
from Amtrak and East Side to I-5

Larry Miller's vitae Regarding Freight, Passenger and High Speed Rail

Represented Fresno County on the San Joaquin Valley Rail Committee for nearly a decade,

Advising Caltrans Div of Rail, BTH, Amtrak, the legislature and the governor, regarding operations of Amtrak's San Joaquin Service from Los Angeles to Sacramento and Oakland on behalf of the 13 counties served.

Appointed to (and chaired) the San Joaquin Valley Rail Committee's Marketing and Operations Committee

Reviewing for the committee matters of
Ridership and revenue,
On-time performance and motor coach links
Rider demographics and marketing strategies

Member, Fresno County COG, Rail Committee:

Reviewing and recommending on matters of freight rail, freight rail consolidation, rail safety, rail realignment, Amtrak, HSR and rail-related traffic congestion

Member, Fresno County Blueprint Committee

Representing rail issues facing the "Blueprint" for growth in Fresno County.

Member, Fresno County HSR TAG (Technical Advisory Group)

Representing passenger (Amtrak) and freight rail concerns in working with HSR to develop alignment through Fresno City and County with a special eye to mutual benefits to joint use corridors for HSR and freight railroads UP and BNSF

Advocacy for HSR and CAHRA:

Personal

Interceded, successfully, at personal request of Authority member Fran Florez on behalf of then Chairman Kopp to persuade SJVRC Chairman, Bakersfield Mayor Harvey Hall, to revise--and reverse--his written negative endorsement of HSR to governor, both blocking use of Amtrak's allotted \$15 million for Amtrak capital projects on the San Joaquin line to fund cash strapped HSRA and potentially blocking governor's OK to put HSR Bond Act on 2008 ballot. Intervention was successful. Funds were re-allocated to HSRA. Bond Act was endorsed for ballot.

Publications:

Too numerous to list. But one merits mention: In late summer, 2008, Valley Republican Senators Ashburn, Denham, and Cogdill successfully blocked placement of the HSR Bond Act on the 2008 ballot. My letter, published in their constituencies, criticizing their partisan opposition in terms of what Abraham Lincoln did to promote transcontinental rail in the public interest helped. Shortly after the publication, on returning to session all reversed their votes and allowed the Act to go on the ballot.

HSRA meeting Feb 3 2011
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Larry Miller, Fresno
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HSRA meeting Feb 3 2011
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Appendices

Amtrak San Joaquin Ridership

Showing approximately 1mm riders per year for entire service.

Amtrak San Joaquin Ridership by City Pairs.

Showing Fresno-Bakersfield ridership (almost all of which would be lost to HSR under current plan) thus de-justifying Amtrak service in San Joaquin Valley

Spreadsheet breaking down Amtrak ridership between Fresno-Bakersfield

Demonstrating lost ridership from Amtrak to HSR in under present plan; and conversely, additional ridership to HSR is services work in feeder and distribution system.

Submission I023 (Larry Miller, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #404 DETAIL

Status : Action Pending
Record Date : 10/20/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/19/2012
Submission Method : Project Email
First Name : Larry
Last Name : Miller
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Fresno
State : CA
Zip Code : 93701
Telephone :
Email : litekeys@comcast.net
Email Subscription :
Cell Phone :
Add to Mailing List :
Stakeholder Comments/Issues : This comment addresses the Fresno to Bakersfield segment of HSRA's EIR and regards the ridership and thus revenue figures in the EIR.

I023-1

Amtrak Route Ridership and Ticket Revenue by Station Origin/Destination, FY08 vs. FY07
 Route 39 - San Joaquins

Total	Station Origin/Destination	Ridership			Ticket Revenue		
		FY08	FY07	% chg.	FY08	FY07	% chg.
	1 Bakersfield, CA - Stockton, CA	65,414	57,102	+14.6	\$1,954,462	\$1,839,599	+19.2
	2 Bakersfield, CA - Fresno, CA	94,151	81,409	+15.7	\$1,682,933	\$1,387,092	+24.0
	3 Bakersfield, CA - Sacramento, CA	30,228	28,891	+4.6	\$1,126,382	\$925,666	+17.8
	4 Bakersfield, CA - Martinez, CA	27,979	25,459	+9.9	\$1,055,387	\$922,790	+14.4
	5 Bakersfield, CA - Modesto, CA	33,472	28,964	+15.6	\$941,486	\$763,690	+23.3
	6 Bakersfield, CA - Emeryville, CA	22,815	20,739	+10.0	\$910,109	\$805,863	+10.5
	7 Emeryville, CA - Fresno, CA	24,561	21,114	+16.3	\$786,749	\$699,169	+14.2
	8 Fresno, CA - Sacramento, CA	32,644	25,152	+29.8	\$778,116	\$625,145	+24.5
	9 Fresno, CA - Stockton, CA	37,857	31,554	+20.0	\$747,418	\$637,436	+17.3
	10 Bakersfield, CA - Merced, CA	26,455	23,019	+14.9	\$616,866	\$502,918	+22.7
	11 Bakersfield, CA - Hanford, CA	42,688	36,804	+16.0	\$573,451	\$475,506	+21.0
	12 Fresno, CA - Martinez, CA	19,148	16,149	+18.6	\$515,622	\$441,049	+17.0
	13 Bakersfield, CA - Oakland, CA	12,129	10,744	+12.9	\$501,753	\$434,396	+15.5
	14 Hanford, CA - Sacramento, CA	14,503	12,166	+19.2	\$394,710	\$334,250	+18.1
	15 Hanford, CA - Stockton, CA	17,259	14,984	+15.2	\$377,443	\$332,657	+13.5
	16 Fresno, CA - Oakland, CA	10,875	9,650	+12.7	\$371,995	\$327,717	+13.5
	17 Fresno, CA - Richmond, CA	9,982	8,691	+14.9	\$340,648	\$300,588	+13.3
	18 Bakersfield, CA - Stockton (ACE), CA	10,396	7,924	+31.2	\$329,654	\$248,236	+32.8
	19 Antioch-Pittsburg, CA - Bakersfield, CA	9,586	7,752	+23.7	\$327,053	\$221,133	+25.0
	20 Emeryville, CA - Hanford, CA	7,282	5,897	+23.5	\$256,376	\$206,785	+24.9
	All other markets	400,190	330,621	+21.0	\$15,244,627	\$12,172,796	+25.2
	Total	949,611	804,785	+18.0	\$29,847,468	\$24,544,160	+21.6

I023-1

Simply stated, I believe the ridership numbers are grossly overestimated.

Attached are Amtrak's ridership numbers for a recent year, showing the city pairs of Fresno-Bakersfield and Bakersfield-Merced.

Recalling that the entire ridership of the San Joaquins has only recently risen to 1 million riders per year, one can hardly justify the ridership projections of the current plan.

Larry Miller
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EIR/EIS Comment : Yes
Official Comment Period : Yes

Response to Submission I023 (Larry Miller, October 19, 2012)

I023-1

Refer to Standard Response FB-Response-GENERAL-06, FB-Response-GENERAL-24.

Submission I024 (Larry Miller, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #405 DETAIL	
Status :	Action Pending
Record Date :	10/20/2012
Response Requested :	No
Affiliation Type :	Individual
Interest As :	Individual
Submission Date :	10/19/2012
Submission Method :	Project Email
First Name :	Larry
Last Name :	Miller
Professional Title :	
Business/Organization :	
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Email Subscription :	
Cell Phone :	
Add to Mailing List :	

I024-1

This comment addresses the Fresno to Bakersfield segment of HSRA's EIR and regards what I perceive as HSRA's deliberate circumvention of the spirit and letter of the environmental review process for its EIR. HSRA did this in the summer of 2009, as I experienced it and have documented it below, in order to position itself to qualify for ARRA funding announced in the 2008. Reviewers will recall that in order to qualify for the funding, HSRA had to have "shovel ready" projects that could qualify in the near term.

At this time, HSRA was engaged with Fresno County in a jointly funded \$500,000 feasibility study to determine if, through the installation of HSR in Fresno, it would be feasible to meet both HSRA's objectives and Fresno County's long standing objective of freight rail consolidation. At the time, nearly 60 freight rail and Amtrak trains per day were blocking traffic intersections at un-grade separated intersections, causing cumulative massive delays and causing huge amounts of air pollution in the process. Also, Fresno had the unique distinction of having the highest per capita incidents of deaths from rail collisions with vehicles and pedestrians.

Both parties--HSRA and Fresno County through its Council of Governments--had entered into an agreement in 2007 to study the mutual possibilities and proceeded in good faith to do so, signing a contract retroactively a year. HSRA's subcontractor, URS, was to perform the work as described in the study and contract. A working group of local officials and citizens savvy about rail issues were asked to assist with the direction of that work. This was called the HSR Technical Advisory Group. As Fresno County's long time public member to the San Joaquin Valley Rail Committee, which was chartered by the state legislature to advise Amtrak and Caltrans on the needs of the 13 counties served by Amtrak's San Joaquin Service, I was a member of that group.

The study was necessary because the original position of both the city and county of Fresno was that HSR's route should be placed inside the right of way of the Union Pacific Rail Road, although neither had consulted with the UPRR, nor had they researched the feasibility of this. Only one person opposed this in open meetings before they adopted the policy--this was me. I objected because UPRR's 100 foot wide ROW was not nearly wide enough to accommodate both the UPRR's needs for capacity and that of HSR. Egged on eager politicians, ignorant local planners and equally eager and ignorant HSR staff and consultants, the city and county approved the position and this became part of the Program Level EIR.

After adopting this position, it soon became apparent that there footprint necessary to provide for the capacity needed for both services was at least three times larger than the UPRR's ROW; and moreover, the UPRR had strenuously objected to any incursion into its ROW and threatened to sue HSRA if attempted any such action.

Hence the Fresno COG and HSRA entered into the jointly funded feasibility study to determine to what extent HSR's needs for capacity might jointly service the nearly 100 year old local interest of consolidating either or both of the two freight rail corridors transiting Fresno, blocking traffic, killing and disturbing local residents.

Nonetheless, eager to be able to apply for--and appear to qualify for ARRA funds--HSRA not only abandoned the study but, more significantly, deliberately sabotaged this serious feasibility study precisely because it raised doubts about the viability of the Program Level EIR as a blueprint for a shovel-ready project. In April of 2009, acting on the recommendation of her staff on the HSRA TAG, newly elected Mayor of Fresno Ashley Swearingin wrote to HSRA praising the findings of the TAG in its discovery of possible synergy in

Submission I024 (Larry Miller, October 19, 2012) - Continued

I024-1

installing a grade-separated bypass rail corridor around the city of Fresno that might allow both those non-stop HSR trains and the non-stop freight trains (which comprise approx 90 percent of the freight trains) to be located in a single rail corridor that would not disrupt the city. This letter is on record with HSRA. This letter is a matter of public record.

A month later Mayor Swearingin and members of her senior staff met privately with HSRA Executive Director Mehdi Morshed in Sacramento about HSRA's route in Fresno. As this meeting was represented by her senior staff in a later meeting with me and other influential an informed member of the HSR TAG group, she was told by Morshed that she could never have both a downtown rail station and a bypass around Fresno for HSR trains not stopping in Fresno and she should withdraw her earlier letter. She agreed. Moreover, at this time, HSRA had its consultants inform the TAG group and the COG that it had changed the nature of the study now to a Freight Rail Consolidation Study that would not be addressing HSR.

At this time HSRA appointed a new Regional Director, Carrie Bowen, who informed both the County and the City that HSRA was no longer interested in having anything to do with rail consolidation and that it aimed to submit is plan, now based on the Program Level EIR (which still called for putting HSR) in the UP ROW-and that it was applying for ARRA funds based on the shovel ready nature of the original route.

Bowen also reformed the TAG committee into a TWIG committee, which now included only elected officials and/or their staff and proxies.

In July, the City and County sent a letter to HSRA instructing HSRA that they now favored the original alignment and the downtown station it would serve-exactly what Morshed had instructed Mayor Swearingin to do.

Apparently driven by the fear that members of the TAG group would cry foul at the inappropriate decision to instruct HSRA not to consider the findings of the original study, in August the Mayor had her deputy city manager and several members of her staff (including Ed Graveling, himself a former HSRA board member and past Vice Chair of HSRA) meet with leading members of the TAG and city councilman Blong Xiong.

I kept minutes of that meeting, which circulated to all present to memorialize the items confirmed by the city in this matter. That letter is attached.

To conclude: I assert

- 1.. That HSRA's EIR ignored (deliberately so) the findings of its own work in the joint study.
- 2.. That HSRA inappropriately and unethically manipulated an elected official (Mayor Swearingin) to have her instruct HSRA to avoid considering the findings of the joint study.
- 3.. That without considering the options identified in the original study the subsequent work is deliberately flawed an inadequate and should be redone.

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Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

Prepared by:
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Meeting to Review the City of Fresno's New Position on HSR alignment

These notes recall an informal meeting held on August 12, 2009 and called by Fresno Assistant City Manager Bruce Rudd, along with members of the City of Fresno's staff, to review High Speed Rail issues with three active members of the COG's Technical Assessment Group for the High Speed Rail Alternative Alignment Study. The meeting was sought with an eye to vetting the City's newly revised position on High Speed Rail alignment in Fresno.

This meeting, and the issues and circumstances surrounding it, have significance because they deal with a sudden about face on the alignment of High Speed Rail in Fresno, a new position which is driven by the probability of near term federal funding that would lead to billions of dollars of local construction, starting within only a few years. One of the concerns in this meeting is that the decision behind this about face was made for political and financial reasons, rather than for reasons of good design and engineering. Another concern is that not only does this new position effectively contradict the City's own most recent position on alignment, but opposes that of the COG as well, as expressed in the COG's April 9, 2009 letter to CHSRA.

In particular, these notes memorialize the discussion as recalled by this participant, Larry Miller, and the concerns I expressed, along with the recommendations I made at the meeting.

Who: city team and HSR TAG advocates of rail relocation

At that meeting were Fresno City Staff members Bruce Rudd, Keith Berghold and Kelly Riddle, and Ed Graveline (identified as a newly contracted consultant to the City of Fresno for high speed rail matters) along with Tom Bailey and Dennis Manning from Fresno Area Residents for Rail Consolidation (FARRC) and myself, Larry Miller, member of the Technical Assessment Group for the joint Fresno COG HSR study for rail realignments and HSR routing. Also present was City Councilman Blong Xiong. We met from 7 am to 8 am in a conference room in City Hall.

Motive of the meeting: Seeking endorsement, before receiving imminent findings from joint CHSRA/Fresno COG Alignment Study.

The meeting was called, as we were informed at the meeting, to seek the support and endorsement of myself, Bailey and Manning for a newly proposed city position on High Speed Rail alignment in and through Fresno. Bailey, Manning and I are active members of the TAG. charged with advising URS consultants in the public interest on behalf of the COG in reviewing a \$500,000 study begun over a year ago and jointly funded by the COG and CHSRA to analyze alignment alternatives that might jointly serve the needs of HSR and Fresno City and County's long desired objective of consolidating and/or relocating the two freight railroad corridors whose many at-grade crossings have increasingly been a significant disruption to life in Fresno.

Miller notes

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Submission I024 (Larry Miller, October 19, 2012) - Continued

Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

Important Background on Joint HSR/COG study HSR and Alignments

With regard to this joint study, it is essential to appreciate that over the course of the joint study, the scope of work prescribed for the study has somehow morphed into a “freight rail realignment study,” supposedly changed by the consultants themselves for the sake of expedience, such that now the study focused on the freight rail relocation issue along and for the sake of Fresno’s local interests alone. This morphing of the study’s objectives, again initiated largely by the consultants themselves (whose largest income and therefore, presumably, largest allegiance, comes from long term service to CHSRA), now had the effect of absolving CHSRA of responsibility to cooperate with, much less participate in, any other on-going local rail work such as rail relocation. The joint study now found itself being carried out in parallel to, rather in relation to, another on-going alignment study, this one conducted purely for the needs of CHSRA, and performed by the same consultant group entirely at the expense of CHSRA. But clearly (as evidenced by the financial participation of CHSRA in the first place) the objective of original joint study was to analyze the feasibilities (and costs) in alignments that might provide mutual solutions to the otherwise separate needs of HSR alignment and freight rail consolidation and/or relocation.

One of the obvious and fundamental concerns of the original joint study was that the preferred alignment adopted in the HSR program level EIR called for locating high speed rail tracks and freight rail tracks inside the 100 foot wide Union Pacific corridor that parallels highway 99 and passes through downtown Fresno. This needed to be revisited and re-examined. From the perspective of CHSRA, the feasibility of this alignment in terms of the physical footprint of the collective Rights of Way required to accomplish were of great concern—not to mention the fact that the UP had now reiterated in print what it had been declaring verbally for the last decade: its absolute refusal to surrender any ROW to the project. Although there has never been an obligation of the part of CHSRA to involve itself with local freight rail issues, from the position of the City, the County and the COG and their original position, there were still a number of great concerns about two major projects working at cross purposes. Adopted at the time and for the purposes of Program EIR, these local positions all called for the Burlington Northern Santa Fe tracks, which transits large portions residential sections of the city of Fresno, to be relocated into the UP corridor along with HSR tracks. The feasibility of this proposal, in view of the footprint required, obviously called for closer scrutiny.

First Findings of Study: Engineers Say Not Nearly Enough Space for the Original Plan

To provide reliable railroad engineering expertise for the study, URS used the services of the ARUP group, a highly respected firm with world-wide rail road engineering credentials. (The URS team members themselves primarily have backgrounds in rail planning from the environmental and procedural perspective.) One of the first things ARUP analyzed and documented in the early fall of 2008 is that the width of the footprint necessary for accomplishing the joint goals of HSR and local freight rail realignment (adopted as the preferred alignment in the Project Level EIR) would require nearly three times the amount of horizontal ROW available. Unless one were to implement vertical stacking of rails, either through tunneling or elevating or both, the original vision simply would not work. Although ARUP’s findings were penultimate—and not yet subject to review, neither by the Federal Railroad Administration nor by the UPRR—they carried with them a level of reliability that has not been challenged by any of the interested parties. Clearly the joint study was addressing critical issues of engineering and feasibility, not to mention cost.

This above is background and prelude to the circumstances of the August 12 meeting.

Miller notes

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Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

In the Aug 12 meeting: The reason for urgency

This new city position, which the city’s team declared would soon be adopted by both the county and the COG, resulted from a request made at a recent meeting in Sacramento between HSR staff, including Exec. Director Mehdi Morshed, Assoc. Dir. Carrie Pourvahidi and Mayor Ashley Swearingin, assisted by city staffers including Bruce Rudd, Keith Berghold and perhaps others.

As presented to Bailey, Manning and myself, at that Sacramento meeting the City of Fresno Group was asked to assist in declaring a newly revised regional preferred alignment (in this case for the sake of procedural expedience, I suspect, they were asked to essentially confirm a permutation of the previously sanctioned program level alignment for HSR). This alignment would pass through the city but now alongside the Union Pacific corridor (rather than inside the corridor as was the preferred alignment adopted by the City, County, and COG five years ago and adopted in the Program Level EIR). They were asked provide this at the earliest possible opportunity, despite the fact that City had recently revised its preference for a loop alignment west of the city for at least non-stop HSR trains, as is reflected in the Mayor April 2009 letter to CHSRA. Nonetheless, the reason for this request to revert to the now essentially rejected alignment alongside the UP was to allow for CHSRA, acting on behalf of the state of California, to submit a single, unified “ask” or on before October 2, 2009, for as much as possible of an \$8 billion allocation of federal ARA Tier 2 funds that are being made available exclusively for High Speed Rail projects that have completed “Program Level” Environmental Impact Reviews. California is one of only a handful of states that has completed Program Level EIR’s for HSR systems; and CHSRA feels it has a very good chance of getting most or perhaps all of that funding. CHSRA wants to present three of its corridors in the single ask: San Jose to San Francisco, Anaheim to Los Angeles, and Bakersfield to Merced.

CHSRA would use its Bond Act funds to support the SJV section only

One important condition of qualifying for the funding is that each element in the application must be able to provide an amount of matching funds. The Anaheim and San Jose corridors have these funds locally. The Bakersfield to Merced section does not. Neither can the state of California provide these, per se, for the San Joaquin Valley segment from the its cash strapped budgets.

However, because CHSRA views the Bakersfield to Merced corridor to be essential to it first phase of construction, proving and training, CHSRA has offered to put up the matching funds for the region from the \$9 billion in bond money that voters approved for HSR in November of 2008 with passage of the HSR Bond Act.

The Bakersfield to Fresno segment, being essentially straight, flat, long, and unimpeded by urban intrusions, is fundamental to everything CHSRA can do because this will be the proving ground for the entire system. It is the only segment in that state where the technology of speeds in excess of 200 mph can be demonstrated and then evaluated by the FRA over longer distances. Although HSR is an established technology in European and Asian counties, it is new and alien to the United States and the FRA. All of the FRA’s experience to date (and therefore its regulation of higher speeds and safeguards) presumes very heavy steel locomotives and cars, whereas high speed rail presumes lighter, faster equipment whose speeds and efficiencies derive from the use of lighter, stronger space age alloys—not unlike the case of modern aircraft. The FRA will have to rethink all of the regulations for HSR. So developing this corridor, then, is critical to testing and proving the technology, not to mention training operators, so that it can subsequently be deployed in other corridors.

For this reason too CHSRA has almost no choice but to use its bond money to support the development of this corridor.

Miller notes

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Submission I024 (Larry Miller, October 19, 2012) - Continued

Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

My Concerns:

I agreed with the city team that the net present value of an infusion of perhaps as much as \$2 billion in near-term construction spending in Fresno County probably contributes more to revitalizing a region that is chronically "worse off than Appalachia" (to use the language of a recent federal study) than all of the many potentially damaging offsets to the project combined.

Nonetheless, I argued the downsides must be shared with the public and not hidden from the public until after the application and the commitment to construction it represents is made.

The Downsides to disclose, as I see them are (as explained further in this document):

1. **The Certain loss of any mechanism to catalyze and largely fund freight rail relocation—at least for the next quarter century.**
2. **Possible or probable need to elevate (or bury) HSR tracks in order to provide adequate and safe ROW for HSR**
3. **Possible or probable loss of all or major parts of Roeding Park**
4. **Possible or probable loss of Golden State Highway in Fresno**
5. **Possible negative impacts in terms unsightliness and/or noise impacts associated with running high speed trains through downtown at or near 200 mph.**

Points 2-5 are self-explanatory. Point 1, however is critical and is addressed at some length in a footnote/appendix at the end of this document.

Additional—but I think important—Concerns:

1. **I consider that it is negligent to deliberately ignore a prudently undertaken, expensive, responsibly funded, high level, jointly conceived CHSRA/COG feasibility analysis** of alignment alternatives—and then, along with CHSRA ignore even the draft findings (and order of magnitude cost estimates) in that study on the eve of its delivery.
2. **I find that the city's self-appointed "leadership" position on this issue smacks of the same uncooperative and counter-productive rivalry and mistrust between the city and the county (and the COG too, though to a much lesser degree) that has characterized dealings with rail and high speed rail issue for the last two decades.** I recall in the 1990's the county's "boy," impresario Paul Bartlett (who had and who successfully used his personal access to the CEO of the BNSF, Matt Rose, to further negotiations on rail consolidation) being counter-productively replaced as lead negotiator with the freight railroads by the city's "boy" Ed Graveline, who was closely and personally connected to then Mayor Jim Patterson. From that point on the effort was effectively dead. I remember, too, being in attendance some 10 years ago at the very first CHSRA meeting held in Fresno when Supervisor Juan Arambula articulated the county's recommendation of using a Panoche Pass alignment into the Bay Area, only to be followed a few minutes later by Mayor Patterson recommending an alignment over Altamont Pass on behalf of the city ("What?" asked the chair, incredulously, "You mean you two can not agree!") Similarly, I remember five years ago, the city producing its own unique local position for HSR's Program Level EIR. Devised by parking czar Bob Madewell of Mayor Autry's office, the Madewell position was never vetted by the County, the COG, nor even the City's own planners, much less offered for public scrutiny. Delivered the day before the council met to approve it, the position, along with Madewell's presentation of it, was filled with misstatements, factual misrepresentations

Miller notes

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Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

and authentically dumb, unprofessional "fanciful" ideas (this was the precise term used to describe it at the council meeting by the COG's respected rail specialist Clark Thompson). Among other things, Madewell's position called for CHSRA to just plain give the city of Fresno \$750 million out of the project, so that Fresno could relocate the BNSF without regard to any impact on or relation to HSR. Councilman Brian Calhoun praised Madewell at that meeting for taking a "leadership" position on behalf of the City in dealing with HSR. Nonetheless, that position is what led to the subsequent need to revisit the entire decision in the joint study. Now, just four months ago, I again see the City, County, and the COG filing separate and conflicting positions with CHSRA with respect to preferred alignments as part of the scoping process for CHSRA's Project Level EIR. So when I see a city team once again trying to assert a similar "leadership" position, I fear the same kind of consequences. Namely, unless the City, the County and the COG act jointly, not just severally, and act in view of the public and on behalf of the public, they allow other agencies to make large scale regional decisions for them—and potentially at the expense of the region, decisions that can saddle residents with serious problems for generations to come.

3. **The public has a right and a need to be informed—widely informed—about the consequences, as well as the value of the decision.** Moreover, the public deserves to actively witness decisions made on its behalf during the process—not be informed of decisions-- as is so often the case, after decisions are made. Actively here means doing more than simply sending bland, neutered press releases written in insider jargon (typically couched in terms and acronyms like Program Level EIR, Project Level EIR, NEPA, CEQA, etc.) to the media and publishing meeting agendas. It means more than summoning potentially interested stakeholders to a meeting at which only a few attend. It means acknowledging that the public is the real shareholder here. It means publishing open ed pieces in as many newspapers and web publications as possible, holding press conferences and distributing white papers to the media and the public. Despite the bona fide need for urgency in preparing the documents and positions to participate with HSR to ask for money, neither the City, the County, nor the COG (assuming the County and the COG support the City in this) should summarily take action on behalf of the public, not jointly nor severally, without being completely transparent and letting the public see what is taking place.

My Simple Recommendations:

1. **Work collectively**, not as rivals, as explained above. In reviewing the City's revised preferred alignment, it would not be imprudent, for example, for the city council, the board of supervisors and the COG board to meet in a joint session to review the consultant finding to date and discuss issuing a joint position on the issue.
2. **Insist, collectively, on continued study and commitment to alignment issues as stages within this phase**, thus keeping an eye to short term implementation and necessary construction as a condition in the revision of the preferred alignment.
3. **Work in clear view of the public.** This is discussed above.
4. **Tell the truth—and avoid "spinning" reality with happy faces**, such as the city's misleading assertion that HSR will necessarily have to come back and add more tracks in the short run.

Miller notes

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Submission I024 (Larry Miller, October 19, 2012) - Continued

Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

Additional comments

Footnotes

Regarding Point 1 of the Downsides: An important point here. The city's HSR team disputes the contention that rail relocation will be dead, if not merely dormant, for a quarter century. Led by consultant Ed Graveline, the city's team argued that by the time HSR begin operating between Los Angeles and San Francisco ridership will likely justify the need to build additional capacity, which, absent the availability of more urban rights of way, will of necessity mean putting in additional tracks west of the city. At this time, they argue, it will be logical to re-examine the notion of a grade separated master rail corridor—a loop—into which freight rail operators could possibly be moved.

True enough, perhaps. But what Graveline et al do not concede in this argument is that IF and when that time arrives, HSR will have had to complete a number of other construction projects (tunneling beneath the Tehachapi mountains to connect the SJV and the LA Basin for example) AND building other segments (extending Central Valley service to Sacramento, for example)—all of which will have to take priority over additional work in and around Fresno, unless there is a commitment to do so before-hand. It seems disingenuous if not merely glib to suggest that additional second level work could take place in Fresno UNLESS it is specifically demanded locally by all parties as part of the regional position and then supported by the findings of the forthcoming Program Level EIR for the Bakersfield to Merced Section.

That Rail Relocation/Realignment is Dead under the new plan

Without the loop called for by the City (prior to this reversed position) and by the COG, there is no foreseeable strategy on any horizon to see how rail consolidation/relocation can happen. The sheer enormity of the costs associated with moving either freight railroad main line service out of the city of Fresno makes it virtually impossible to contemplate the work as a local project alone—even with some state and federal funds. And why should either state or federal agencies commit precious funds to the project, which has historically been viewed as a local problem, and not a state or a federal problem? The current \$100 million allocated for rail consolidation through the Measure C extension represents one small fraction of the costs required—and, even at that, these funds will be reallocated in a few years if they are not committed to a project. *The current only hope for rail relocation is to use HSR's need to acquire and grade separate a ROW for its purposes as a catalyst for piggy backing freight rail corridors into a master rail corridor by paying/sharing the marginal physical costs for adding addition land (width) to expand the corridor.*

Why this new alignment must NOT be the only near term alignment:

BOTH Freight RR's would be interested in relocating to a master bypass corridor. Both the BNSF and the UP have unofficially expressed an interest in talking about each having its own proprietary, grade-separated 2 track (plus a maintenance track/road) corridor with a maintenance yard (including crew and car switching facilities) that would bypass the city to the west for their long distance trains that do not stop in Fresno, so long as they could keep access to their local customers. More than 90 percent of their trains do not need to stop in the city. Both RR's like the idea and would be willing to discuss this IF they do not have to pay for the construction and the ROW acquisition or at least the lion's share of this.

I know this informal position of the railroads with some certainty because it was I who personally floated the idea (albeit privately at first—to avoid a precedent -setting written refusal) with

Miller notes

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Miller notes

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Submission I024 (Larry Miller, October 19, 2012) - Continued

Memorializing meeting with Bruce Rudd/city HSR team, Aug 12 re: new HSR position

management people at both freight railroads nearly two years ago. In dealing with Amtrak issues as Fresno's public representative to the San Joaquin Valley Rail Committee that advises Caltrans Division of Rail and Amtrak on the service, I often see and talk with Jerry Wilmoth, the UPRR's West coast network manager, and DJ Mitchell, the BNSF's executive representative from corporate headquarters in Ft Worth assign to work on passenger rail issues. When I suggested this approach privately at an SJVRC meeting in Sacramento two years ago, both said they saw attractive potential in it. In view of the ARUP findings last fall that showed the physical impossibility of HSR doing what it called for in the Program Level EIR, I presented this as an option to the CHSRA board in its Fresno meeting of November 2008. It was favorably received and subsequently reviewed positively by the Fresno Bee in a lengthy article written by Russell Clemings. The approach also received positive reviews in rail media. I also emailed URS with a written explanation of the concept.

Most recently know this too because this same position received the only favorable response when earlier this month COG rail representative Clark Thompson visited Jerry Wilmoth with URS staffers Sandy Stadfelt and others to re-confirm the UPRR position with respect to the Fresno realignment studies. Namely, UP as it expressed in its April 2009 letter to CHSRA (attached) wants nothing to do with any alignment inside or alongside its corridor in Fresno, but it would talk about the possibility of relocating into a master corridor west of town under the conditions described above.

I urge local agencies to work together, collectively, to express a united support for the short term two track alignment through Fresno, but only as a preliminary measure to facilitate the Bakersfield to Fresno test section—not as a substitute more capacity in Phase 1 of the project through the Project Level EIR.

Miller notes

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Response to Submission I024 (Larry Miller, October 19, 2012)

I024-1

The alternatives analysis process for the Merced to Fresno and Fresno to Bakersfield sections of the HST System considered an alignment bypassing Fresno to the west and an alignment through Fresno in the Union Pacific Railroad (UPRR) corridor. Both of these alignments, the bypass and the through-town alignment for trains stopping in Fresno, would increase project costs by hundreds of millions of dollars, making such an approach infeasible. The bypass of Fresno was not carried forward in the EIR/EIS because of impacts to farmland and the objective of providing a station in Downtown Fresno so that the HST System would tie into the existing transportation infrastructure.

Although freight rail consolidation in Fresno is an important transportation objective to that community, it is not part of the purpose and need for the HST project. The purpose of the project is to implement the Fresno to Bakersfield Section of the California HST System to provide the public with electric-powered high-speed rail service that provides predictable and consistent travel times between major urban centers; connectivity to airports, mass transit, and the highway network in the south San Joaquin Valley; and a connection between the northern and southern portions of the statewide system.

Submission I025 (Roger Minassian, July 20, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #40 DETAIL

Status : Action Pending
Record Date : 7/20/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 7/20/2012
Submission Method : Project Email
First Name : Roger
Last Name : Minassian
Professional Title : Rev.
Business/Organization :
Address : 330 E. Everglade Avenue
Apt./Suite No. :
City : Fresno
State : CA
Zip Code : 93720
Telephone : (559) 434-1435
Email : author1203@gangstojobs.org
Email Subscription :

Cell Phone :

Add to Mailing List :

Stakeholder Comments/Issues : The Valley gets sacrificed so people in LA and SF can go back and forth.
This is a boondoggle loser that will never pay for itself. "HSR is a bankrupt idea from bankrupt politicians in a bankrupt state." We are NOT China or Europe, although most of you wish we were.

You and the politicians will be retired on your obscene pensions when this bankrupts California, so what do you care?

Very Sincerely,
Rev. & Mrs. Roger Minassian

--
Rev. Roger Minassian, Retired
Certified Marriage Mentor
Adjunct Faculty, Fresno Pacific University
Founder, Hope Now For Youth
Author, Gangs to Jobs and Seeing Myself through the Eyes of Christ
330 E. Everglade Ave.
Fresno, CA 93720-1605
Tel/Fax: (559) 434-1435
author1203@gangstojobs.org
Preview my book at: www.gangstojobs.org.

EIR/EIS Comment : Yes
Official Comment Period : Yes

I025-1

Response to Submission I025 (Roger Minassian, July 20, 2012)

I025-1

Refer to Standard Response FB-Response-GENERAL-14.

Your opposition to the proposed project is noted.

Submission I026 (Martin Mireles, October 18, 2012)



Comment Card
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto Revisado de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental Proyecto Suplementario
(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to:
Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

This Extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: **July 20 - October 19**

El periodo de comentario público del Proyecto Revisado EIR/Proyecto Suplementario EIS: **Julio 20 - Octubre 19**

Name/Nombre: Martin Mireles
Organization/Organización: _____
Address/Domicilio: 614 0715 AVE SPC #9 Corcoran, CA.
Phone Number/Número de Teléfono: (559) 762-7175
City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran, CA. 93212
E-mail Address/Correo Electrónico: _____

I026-1

*El proyecto de el High-speed Rail, afectara a mi vivienda y al resto de las personas que viven en esta area.
Una de las razones por la cual nos oponemos al proyecto es porque no tenemos otra vivienda donde mudarnos.
Tambien afectara nuestra economia porque gastaremos más dinero de nuestra cuenta.
El proyecto tambien afectara nuestra transpor-tacion porque el tren de alta velocidad no hara paradas aqui y nosotros utilizamos el actual como nuestro medio de transporte.
El proyecto suena como una buena idea pero impactara a muchas familias de Corcoran en formas diferentes.*
Atta. Martin Mireles A.

Response to Submission I026 (Martin Mireles, October 18, 2012)

I026-1

Refer to Standard Response FB-Response-GENERAL-05, FB-Response-GENERAL-12, FB-Response-GENERAL-14, FB-Response-GENERAL-18, FB-Response-SO-01, FB-Response-SO-04, FB-Response-SO-07.

As described in EIR/EIS Volume I Section 3.12 Impact SO #16, although the project would cause the displacement of homes and businesses in Corcoran, no evidence was found that any of these displacements or the resulting social and economic consequences would result in physical deterioration of communities.

The BNSF Alternative in Corcoran has the potential to relocate several businesses along Otis Avenue. Because the Authority is required to provide relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, all the displaced businesses would be relocated; most, if not all, within the surrounding area, and their employees would remain employed. The federal Relocation Assistance Program ensures that persons displaced as a result of a federal action or by an undertaking involving federal funds are treated fairly, consistently, and equitably. This helps to ensure persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. See FB-Response-SO-07 for more information about the concerns for environmental justice populations.

The sales revenue from all potentially displaced businesses represents 0.88% of the sales tax revenue received by the City of Corcoran. The total taxable sales of these businesses comprise 7.5% of the total taxable sales revenue collected in the city. These percentages suggest that (1) the potential fiscal effects to local sales tax revenues are minor and (2) the businesses being affected by the project do represent a considerable percentage of total city taxable sales. Therefore, while the potential for physical deterioration from fiscal effects is small, the businesses are important to the overall city economy and a small amount of suitable current vacant replacement properties leaves open the possibility that businesses may find it necessary to relocate outside the city. Therefore, the Authority will consult with the city to ensure that these businesses have suitable relocation alternatives in Corcoran. There are some existing vacancies to house some of these businesses so it is not expected that all of these businesses would relocate outside the city. In addition, Corcoran has vacant land available in its local Business Park for relocating these businesses. As a result, it is anticipated that the

I026-1

majority of these businesses will relocate in the area and no physical deterioration will occur.

The HST project includes no plans to discontinue Amtrak service to the Corcoran station or any other station or platform along the Fresno to Bakersfield Section corridor. If the BNSF Alternative is selected in the Corcoran area, the relocation of the facility would be completed prior to demolition of the existing structure and no disruption to Amtrak service would occur (see FB-Response-GENERAL-12).

Consulte la Respuesta Estándar FB-Respuesta-GENERAL-05, FB-Respuesta-GENERAL-12, FB-Respuesta-GENERAL-14, FB-Respuesta-GENERAL-18, FB-Respuesta-SO-01, FB- Respuesta-SO-04, FB-Repuesta-SO-07.

Como se describe en EIS/EIR Volumen I, Sección 3.12, Impacto SO #16, aunque el proyecto causara el desplazamiento de hogares y negocios en Corcoran, no se encontró evidencias que cualquier de estos desplazamientos o las consecuencias sociales y económicas que resultan causaría el empeoramiento físico de comunidades.

La Alternativa BNSF en Corcoran tiene el potencial para reubicar varios negocios a lo largo de la Avenida Otis. Como se requiere que la Autoridad proporcione la ayuda de reubicación según el Acto de políticas de Adquisición de bienes raíces y Ayuda de Traslado Uniforme, todos los negocios desplazados se trasladarían; mayoría, si no todos, dentro del área de los alrededores y sus empleados permanecerían empleados. El Programa de Ayuda de reubicación federal asegura que las personas desplazadas a consecuencia de una acción federal o por una empresa que implica fondos federales se tratan justamente, consecuentemente, y equitativamente. Esto ayuda a asegurar que las personas no sufran heridas desproporcionadas a consecuencia de proyectos diseñados para el beneficio del público en conjunto. Vea FB-Repuesta-SO-07 para más información sobre las preocupaciones por poblaciones de justicia ambientales.

Los ingresos por ventas de todos los negocios potencialmente desplazados representan el 0.88% de los ingresos del impuesto sobre las ventas recibidos por la Ciudad de Corcoran. Las ventas gravables totales de estos negocios comprenden el 7.5% de los ingresos por ventas gravables totales coleccionados en la ciudad. Estos porcentajes

Response to Submission I026 (Martin Mireles, October 18, 2012) - Continued

I026-1

sugieren que (1) los efectos fiscales potenciales a ingresos del impuesto sobre las ventas locales son menores y (2) los negocios afectados por el proyecto realmente representan un porcentaje considerable de la ciudad total ventas gravables. Por lo tanto, mientras el potencial para el empeoramiento físico de efectos fiscales es pequeño, los negocios son importantes para la economía general de la ciudad y una pequeña cantidad de propiedades de reemplazo vacantes corrientes convenientes abren la posibilidad que los negocios puedan encontrar necesario trasladarse fuera de la ciudad. Por lo tanto, la Autoridad consultará con la ciudad para asegurar que estos negocios tengan alternativas de traslado convenientes en Corcoran. Hay algunos puestos vacantes existentes para alojar algunos de estos negocios por tanto no se espera que todos estos negocios se trasladarían fuera de la ciudad. Además, Corcoran tiene la tierra vacante disponible en su Parque de negocios local para trasladar estos negocios. Como resultado, se espera que la mayoría de estos negocios se trasladará en el área y ningún empeoramiento físico ocurrirá.

El proyecto de HST no incluye ningunos proyectos de discontinuar el servicio de Amtrak a la estación de Corcoran o cualquier otra estación o plataforma a lo largo de la Sección de Fresno a Bakersfield. Si la Alternativa BNSF se selecciona en el área de Corcoran, el traslado de la instalación se completaría antes de la demolición de la estructura existente y ninguna interrupción al servicio de Amtrak ocurriría (vea FB-Repuesta-GENERAL-12).

Submission I027 (Charles Moore, October 16, 2012)

Charles Moore,
10600 Enger Street, Bakersfield, CA 93312

5074
RECEIVED
10/18/2012

October 15, 2012

To Whom It May Concern:

Re: San Joaquin High Speed Rail

I027-1

After much consideration and communication with members of the local community of Green Acres, we are prepared to oppose this venture based on the disruption of our homes and lifestyle. To this end we are prepared to seek legal action against the current routing of the project.

I excess of 300 home owners in our community will proceed in this action under a competent attorney. If your altered plans make this process unnecessary, then, and only then shall we abandon the fight for our community of Green Acres and for our chosen lifestyle.

Determinedly,

Charles M Moore

iiiii

Charles Moore
Home Owner

C.C. To Kevin Mac Carthy



BAKERSFIELD CA 933
16 OCT 2012 4N 3 L

High Speed Rail
770 L St. Suite 800
Sacramento, Ca. 95814

9561 4385900



Response to Submission I027 (Charles Moore, October 16, 2012)

I027-1

Refer to Standard Response FB-Response-GENERAL-14.

Your opposition to the project is noted.

Response to Submission I028 (Mary Lynn Munoz, August 31, 2012)

I028-1

Refer to Standard Response FB-Response-N&V-05.

