

Comment Letter L001 (Janet Bibby, Mariposa County Board of Supervisors, July 13, 2007)

L001

Mariposa County Board of Supervisors

- District 1 .....BRAD ABORN
District 2 ..... LYLE TURPIN
District 3 ..... JANET BIBBY
District 4 .....DIANNE FRITZ
District 5 .....BOB PICKARD

July 13, 2007

California High Speed Rail Authority
ATTN: Judge Quentin Kopp
925 L St., Suite 1425
Sacramento, CA 95814

RE: Hearing Process on "Draft Bay" Area to Central Valley HST Program EIR/EIS

Dear Judge Kopp:

Mariposa County is the newest member of the San Joaquin Valley Rail Committee (SJVRC) and, as such, we are very concerned about the plans and implementation of future high speed rail transportation.

As we progress through the planning stage for the high-speed rail route between Los Angeles, through the San Joaquin Valley, to San Francisco, we are approaching a very critical decision point regarding the route to traverse the Diablo Mountain Range into the San Francisco Bay area and the city of San Francisco.

Historically, Altamont Pass has been recognized by most as the preferred route as compared to Pacheco Pass to the south. The Altamont route offers a shorter distance between Los Angeles and San Francisco and offers high speed service to a greater number of passengers. Additionally, the Altamont route will allow more San Joaquin Valley cities to be served by high speed rail. By contrast, the Pacheco route will be longer through more rugged terrain and will enter the South Bay area cities, which are in very close proximity to each other. High speed rail will have to compete with other established forms of surface transportation such as BART and commuter rail service, while being unable to attain a significant speed advantage. The southern route will not address service beyond Fresno, eliminating the cities of Merced, Modesto and Stockton, in addition to many of the vacation destinations in the Sierras such as Yosemite National Park, which one day may be connected by intermountain rail.

At the June 27th HSRA Meeting in San Carlos, a list of five hearing sites on the draft EIR were presented, which included only Bay Area cities. During this meeting a request was made by Chair John Pedrozo of the Merced County Board of Supervisors to conduct an EIR hearing in the central valley. Dan Leavitt, HSRA Deputy Director, gave a verbal confirmation to schedule an additional meeting in Merced on August 30, 2007.



RECEIVED
JUL 31 2007
RICHARD J. BENSON
County Administrative Officer
JANET WILLIAMS
Clerk of the Board
P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222
(209) 966-736-1252
FAX (209) 966-5147
www.mariposacounty.org/board

California High Speed Rail Authority
ATTN: Judge Quentin Kopp
Page 2.

Although the Merced meeting is welcome, if a true measure of public sentiment is to be received, the HSRA should consider hearings in more San Joaquin Valley cities including (but certainly not limited to) Bakersfield, Fresno, Modesto and Stockton, keeping in mind that the Bay Area sites are in close proximity to each other, while the San Joaquin Valley sites are not. Of the six meetings currently scheduled, only one is outside the tight knit group of cities in the Bay Area.

L001-4 cont.

The southern section of the high speed rail system offers unique challenges. Bakersfield to Los Angeles via Tehachapi, the high desert cities of Lancaster and Palmdale, Saugus, Newhall, San Fernando Valley and Los Angeles all have a vested interest in the entire HSR route. Palmdale is a future site for an International Airport, which will serve much of the Los Angeles area, bringing more passengers into the high speed rail system. The high desert area has grown considerably and that growth will continue well into the future. The route will include the San Fernando Valley and continue on to Los Angeles. All of these population centers along the HSR route have a stake in what we propose along the entire route.

L001-5

The Mariposa County Board of Supervisors believes that public comment should include all the areas along the HSR line. It's been over two years since Los Angeles has had a public hearing. The high desert communities should certainly be included also. After the public input process is completed and fairly assessed, we believe that the choice between Altamont and Pacheco will show that Altamont is by far the best and only choice to complete the run into the Bay Area. With this outcome, we strongly believe that the High Speed Rail will become the grand system where all communities will have had the ability to have a say in its development and that future generations will enjoy the high speed rail benefits within the state of California.

L001-6

We thank you for your consideration and look forward to participating in the development of the high speed rail system.

Sincerely,
Janet Bibby
JANET BIBBY
Chair
Mariposa County Board of Supervisors

JB/BA/MJ

cc: Daniel Leavitt, Deputy Director, California High Speed Rail Authority

L001-1

L001-2

L001-3

L001-4

Mariposa County - - An Equal Opportunity Employer



U.S. Department of Transportation Federal Railroad Administration

**Comment Letter L001 - Continued**



Arthur L. Lloyd  
20 Arapahoe Court  
Portola Valley, CA 94028-7616

Attn: Rob Owen or Chris Cypret  
Division of Rail MS 74  
P.O. Box 942874  
Sacramento, CA 94274-0001

BART Director Tom Blalock  
42666 Sully Street  
Fremont, CA 94539

Michael Snyder  
2378 Tokay Court  
Paradise, CA 95969

Supervisor Federal E. Glover  
Contra Costa District 5  
315 East Leland Avenue  
Pittsburg, CA 94565

Howard Abelson  
3150 Hilltop Mall Road #34  
Richmond, CA 94806

Supervisor Henry Perea  
Fresno County Board of Supervisors  
2281 Tulare Street, Room 300  
Fresno, CA 93721-2198

Larry Miller  
1584 East Utah Avenue  
Fresno, CA 93720

Mayor Harvey L. Hall  
City of Bakersfield  
1501 Truxtun Avenue  
Bakersfield, CA 93301

Supervisor Ray Watson  
Kern County Board of Supervisors  
1115 Truxtun Avenue, 5<sup>th</sup> Floor  
Bakersfield, CA 93301

Supervisor Alene Taylor  
Kings County Government Center  
1400 West Lacey Boulevard  
Hanford, CA 93230

Maged El-Rabaa  
County of Los Angeles  
Department of Public Works  
P.O. Box 1460  
Alhambra, CA 91802-1460

Bruce Heard  
204 East Cordova Street  
Pasadena, CA 91101-2425

Supervisor Max Rodriguez  
Madera County Government Center  
209 West Yosemite Avenue  
Madera, CA 93637-3534

Supervisor Vern Moss  
121 Holiday Way  
Chowchilla, CA 93610

Supervisor John Pedrozo  
Merced County Board of Supervisors  
2222 M Street  
Merced, CA 95340

Angelo Lamas,  
Merced County Administration Building  
2222 M Street  
Merced, CA 95340

Supervisor Ila Collin  
7423 Braeridge Way  
Sacramento, CA 95831

Cameron Beach  
359 Wawona Street  
San Francisco, CA 94127

Supervisor Leroy Ornellas  
San Joaquin County Courthouse  
222 East Weber Avenue, Room 701  
Stockton, CA 95202

Stacey Mortensen  
San Joaquin Regional Rail Commission  
949 East Channel Street  
Stockton, CA 95202

Supervisor Jim DeMartini  
Stanislaus County Board of Supervisors  
1010 Tenth Street, Suite 6500  
Modesto, CA 95354

George Gaekle  
302 Northgate Drive  
Modesto, CA 95350

Supervisor Mike Ennis  
Tulare County Board of Supervisors  
2800 West Burrell Avenue  
Visalia, CA 93291-4582

Ty Holscher  
1395 South K Street  
Tulare, CA 93274-6426



## Response to Letter L001 (Janet Bibby, Mariposa County Board of Supervisors, July 13, 2007)

### L001-1

The California High-Speed Rail Authority (Authority) and Federal Railroad Administration (FRA) appreciate Mariposa County's interest in the High-Speed Rail Program.

### L001-2

The Authority and FRA understand the importance of the Bay Area to Central Valley alignment decisions to Mariposa County and to the entire State of California, and have given considerable thought to this decision.

### L001-3

A review of the public comments received on the Draft Program Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) shows that there are numerous supporters and opponents for both the Altamont and the Pacheco Pass alternatives, as summarized in the following paragraphs.

Based on public comments, the Altamont Pass supporters include the cities of Oakland, Union City, and Atwater; the town of Atherton; the counties of San Joaquin, Stanislaus, Mariposa, and Kern; the California Partnership for the San Joaquin Valley; the San Joaquin Regional Policy Council; Sacramento Area Council of Governments; San Joaquin County Council of Governments; Tulare County Association of Governments; Altamont Commuter Express (ACE); California Department of Parks and Recreation; California Environmental Coalition; California State Parks Foundation (CSPF); Planning and Conservation League (PCL); Sierra Club; Grassland Water District; Grassland Resources Conservation District; Grassland Conservation, Education & Legal Defense Fund; California Outdoor Heritage Alliance; Bay Rail Alliance; Transportation Involves Everyone (TIE); San Joaquin COG Citizens Advisory Committee; Tracy Region Alliance for a Quality Community; Ducks Unlimited; Transportation Solutions Defense and Education Fund (TRANSDEF); California Rail Foundation (CRF); Defenders of Wildlife; Regional

Alliance for Transit (RAFT); Citizens' Committee to Complete the Refuge; Train Riders Association of California (TRAC); and a number of members of the public representing themselves.

There are a considerable number of organizations, agencies, and individuals who expressed concern in their public comments regarding potential impacts on the San Francisco Bay and Don Edwards San Francisco Bay National Wildlife Refuge by HST alternatives via the Altamont Pass using a Dumbarton Crossing. These include the Metropolitan Transportation Commission (MTC); Bay Conservation and Development Commission (BCDC); U.S. Environmental Protection Agency (EPA); U. S. Fish and Wildlife Service (USFWS); Don Edwards San Francisco Bay National Wildlife Refuge; Congress members Zoe Lofgren, Michael Honda, Anna Eshoo, and Tom Lantos; State Senators Elaine Alquist and Abel Maldonado; Assembly member Jim Beale; Santa Clara County; San Mateo County Transit District (SamTrans); San Mateo County Transportation Authority (TA); Peninsula Corridor (Caltrain) Joint Powers Board (JPB); San Francisco Bay Trail Project; San Jose Chamber of Commerce; San Francisco Bay Trail Project; the City of San Jose; the City of Oakland; and Don Edwards (Member of Congress, 1963-1995). The East Bay Regional Park District has raised concerns in regards to potential impacts on nine regional parks, in particular the Pleasanton Ridge and Vargas Plateau regional parks, and the Alameda Creek Regional Train between Pleasanton and Niles Junction for Altamont Pass alternatives. In addition, the City of Fremont opposes the Altamont Pass, and the City of Pleasanton does not support the Altamont Pass but remains "open" to terminating Altamont alternatives in Livermore. The MTC and Alameda County Supervisor Scott Haggerty also support the investigation of Altamont Pass alternatives terminating in Livermore.

The Pacheco Pass public comment supporters include the MTC, the cities of San Francisco, San Jose, Redwood City, Fremont, Morgan Hill, Cupertino, Sunnyvale, Gilroy, and Salinas; the counties of San Francisco, Santa Clara, San Mateo, and Monterey; Congress members Lofgren, Honda, Eshoo, and Lantos; Assembly member

Beale; State Senators Alquist and Maldonado; the San Francisco County Transportation Agency; the Santa Clara Valley Transportation Authority (VTA); Caltrain JPB; SamTrans; TA; Monterey County Transportation Agency; Alameda County Congestion Management Agency; Alameda County Supervisor Scott Haggerty; the San Jose, the Redwood City, and the San Mateo County Chamber of Commerce; the Silicon Valley Leadership Group; and a number of members of the public representing themselves.

There are a considerable number of organizations, agencies, and individuals who have expressed concern in their public comments regarding potential impacts on the Grasslands Ecological Area (GEA) and/or the uninhabited portions of the Pacheco Pass by HST alternatives via the Pacheco Pass. These include the USFWS, California Department of Fish and Game (CDFG), California Department of Parks and Recreation, Grassland Water District, Grassland Resources Conservation District, Grassland Conservation, Education & Legal Defense Fund, Ducks Unlimited, California Outdoor Heritage Alliance, California Waterfowl Association, Sacramento Area Council of Governments, Citizens' Committee to Complete the Refuge, Bay Rail Alliance, CRF, CSPF, Defenders of Wildlife, PCL, RAFT, Sierra Club, TRAC, and TRANSDEF. California Department of Parks and Recreation raised concerns regarding potential impacts on State Parks and reserve resources through the Pacheco Pass. In addition, the town of Atherton opposes use of the Caltrain Corridor between San Jose and San Francisco and the City of Millbrae has raised concerns regarding potential impacts through the City of Millbrae.

Regarding HST route miles, the Altamont Pass alternative serving both San Jose and San Francisco would be shorter by some 64 miles compared to the Pacheco Pass alternative serving both San Jose and San Francisco, although the Altamont Pass Alternative would result in fewer trains serving San Jose and San Francisco. Specifically, for this Altamont Pass alternative, some of the trains would travel south to San Jose and while some would cross the Bay into San Francisco, thus reducing the train frequencies to each of these urban areas.

Please also note that express travel times between Los Angeles and San Francisco are very similar for the two alternatives. As noted in

the Draft Program EIR/EIS Summary: "Express train travel times from San Francisco to Los Angeles vary by 2 minutes between the Pacheco Pass and Altamont Pass network alternatives, assuming a new Bay Crossing at Dumbarton for the Altamont Pass." (page S-12).

Regarding ridership, the ridership and revenue forecasts done by MTC in partnership with the Authority concluded that both the Pacheco Pass and Altamont Pass network alternatives have high ridership and revenue potential. While additional forecasts with different assumptions may result in somewhat different results, the bottom-line conclusion is expected to remain the same and therefore ridership is not a major factor in differentiating between the Altamont and Pacheco Pass alternatives.

In terms of service to Modesto and Stockton, the HST system approved at the conclusion of the Statewide Program EIR/EIS includes corridors and stations for HST service through the entire Central Valley from southern California to Sacramento, regardless of the Preferred Alternative selected for the Bay Area to Central Valley. Please note that the Preferred Pacheco Pass Alternative would provide service to downtown Merced. Whether HST service is provided via Altamont Pass or Pacheco Pass, the Authority Board has stated its intent to serve the entire Central Valley.

Consistent with the current statewide bond measure for 2008, the Authority Board has selected as its first phase the line from Anaheim to the Bay Area, and has stated its intent to subsequently add service to both Sacramento and San Diego. The first phase of the Board-adopted phasing plan includes development of a test track from Bakersfield to Merced, regardless of whether the Altamont or Pacheco Alignment is selected. Thus, for the initial phase, the Central Valley is served between Bakersfield and Merced for either alternative.

The Authority recognizes the desire of the full Central Valley to be served. While the Pacheco Pass is identified as the Preferred Alternative serving as the primary north/south alignment between southern and northern California, the Authority has also recommended that additional improvements be made in the

Altamont Corridor in concert with regional partners, and correspondingly, the Authority has agreed to pursue additional high-speed rail bond funds for such improvements.

The exact nature of these improvements has not been defined, but it is clear that improvements to train services in the Altamont Corridor would provide additional mobility and accessibility to Central Valley residents and would likely involve improvements in the Central Valley. The Authority and regional partners, including the Central Valley, would need to define the priorities for such improvements. The Authority is pursuing a partnership with “local and regional agencies and transit providers” to propose and develop a joint-use (Regional Rail and HST) infrastructure project in the Altamont Pass corridor—as advocated in MTC’s recently approved “Regional Rail Plan for the San Francisco Bay Area.”

Rather than compete with other commuter rail, the Preferred Pacheco Pass alternative is strongly supported by the Caltrain JPB, which views the HST service as a major improvement to overall rail service in the Caltrain Corridor with the development of a fully grade-separated, electrified, four-track system. The HST system is viewed as an adjunct to the Caltrain service—a fully supportive and complementary service. MTC supported use of the Caltrain Corridor for HST service, recognizing that HST service between Fremont and San Jose would be competitive with the Capital Corridor commute service and with the proposed Bay Area Rapid Transit (BART) extension from Warm Springs into San Jose.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

#### **L001-4**

The Merced hearing was held on August 30, and two additional public hearings were added in Stockton and in Sacramento. Thus, in addition to the urban centers of San Jose, San Francisco, and Oakland, hearings were held in the communities of Livermore, Gilroy, Merced, Stockton, and Sacramento.

#### **L001-5**

The Authority and FRA agree that the southern section of the HST system offers unique challenges and that all of the populations centers along the HST routes have a stake in the statewide HST alignments.

#### **L001-6**

With the exception of the Bay Area to Central Valley, the Authority Board has determined the alignments for the statewide system, and these decisions followed an extensive public outreach and environmental review process. For the reasons identified in this Final Program EIR/EIS, including responses to comments in this letter, the Pacheco Pass Alternative has been identified as the Preferred Alternative. Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

Comment Letter L002 (Thomas A. Enslow, Adams Broadwell, Joseph & Cardozo, August 21, 2007)

L002

DANIEL L. CARDOZO  
RICHARD T. DRURY  
THOMAS A. ENSLOW  
TANYA A. GULEBERMAN  
MARC D. JOSEPH  
OSHA R. MESERVE  
SUMA PEESAPATI  
GLORIA D. SMITH  
FELLOW  
STEPHEN R. MILLER  
OF COUNSEL  
THOMAS R. ADAMS  
ANN BROADWELL

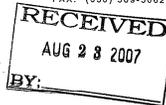
ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
520 CAPITOL MALL, SUITE 350  
SACRAMENTO, CA 95814-4715

TEL: (916) 444-6201  
FAX: (916) 444-6208  
tenslow@adamsbroadwell.com

SO. SAN FRANCISCO OFFICE

601 GATEWAY BLVD., SUITE 1000  
SO. SAN FRANCISCO, CA 94080  
TEL: (650) 589-1660  
FAX: (650) 589-5062



August 21, 2007

VIA FACSIMILE AND U.S. MAIL

Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

Re: Request for Documents Related to the Bay Area to Central Valley High-Speed Train Draft EIR/EIS's Evaluation of the Impact of the Proposed Henry Miller Road Alignment on the Grasslands Ecological Area

Dear Mr. Morshed:

I am writing on behalf of the Grassland Water District ("GWD") to request that the California High-Speed Rail Authority ("HSRA") provide us with, or make available for our immediate review, all reports, analyses, memoranda, studies, plans, correspondence, electronic mail messages, notes, or any other documents related to the evaluation of the potential impact of the Henry Miller (UPPR Connection) alignment alternative, the Henry Miller (BNSF Connection) alignment alternative or the GEA North alignment alternative on the Grassland Ecological Area ("GEA"), conducted by the HSRA and its consultants in the Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report / Environmental Impact Study ("DEIR/S").

This request is made pursuant to the California Public Records Act. (Government Code §§ 6250, et seq.) This request is also made pursuant to Section 21092, subdivision (b)(1) of the California Environmental Quality Act ("CEQA") and CEQA Guidelines Section 15087, subdivision (c)(5), which requires that "all documents referenced in the EIR will be available for public review" and "readily accessible" during the entire comment period. Article I, section 3(b) of the California Constitution provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and

1124-538d

printed on recycled paper

Mehdi Morshed  
California High-Speed Rail Authority  
August 21, 2007  
Page 2

requires that any statute that limits the right of access to information shall be narrowly construed.

This request excludes any correspondence from this office, including any responsive documents that were provided to the HSRA as part of the GWD/GRCD's December 15, 2005 Scoping Comments on the DEIR/S.

We also request an estimate of the costs of production prior to your making any copies. Please call me at (916) 444-6201 to arrange production.

Sincerely,

Thomas A. Enslow

TAE:cnh

L002-1  
cont.

L002-2

L002-1

1124-538d



---

**Response to Letter L002 (Thomas A. Enslow, Adams Broadwell, Joseph & Cardozo, August 21, 2007)**

---

**L002-1**

Per the California Public Records Act and in response to this request, the Authority has made available all reports, analyses, memoranda, studies, plans, correspondence, electronic mail messages, notes, and other documents related to the evaluation of the potential impacts of the Henry Miller (UPRR and BNSF) alignments and the GEA North alignment. Per the letter, the materials provided excluded correspondence from Adams Broadwell Joseph & Cardozo and excluded documents provided to the Authority as part of the GWD's/GRCD's December 15, 2006, scoping comments.

**L002-2**

The Authority responded to this California Public Records Act request.

**Comment Letter L003 (Gavin Newsom, City and County of San Francisco, Office of the Mayor, September 17, 2007)**

L003

**Office of the Mayor**  
City & County of San Francisco



**Gavin Newsom**

September 17, 2007

California High-Speed Rail Authority, EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

To the California High-Speed Rail Authority:

I am writing to express my strong support for creating High Speed Rail (HSR) in California. This transportation system will provide a vital link for travel and commerce throughout our state. HSR could carry passengers between downtown San Francisco and Los Angeles in about two and a half hours, providing a safe, comfortable, and fast alternative to auto or air travel.

L003-1

San Francisco is committed to bringing HSR to the heart of our downtown, at the Transbay Terminal. This project, which will create the largest and most important transportation hub in the 9-county San Francisco Bay Area, is well under way and progressing rapidly. A route through Pacheco Pass to San Jose and up the Peninsula to San Francisco would connect two major Bay Area cities with our neighbors to the south, while still allowing a second route up the East Bay. The Peninsula Joint Powers Board of Directors (CalTrain) have reaffirmed the preferred Pacheco Pass alignment.

L003-2

San Franciscans are committed to supporting public transit, not just in our city, but statewide. In 2003, San Francisco voters passed Proposition K, which committed up to \$270 million in local tax funds to extend Caltrain to a rebuilt Transbay Terminal, which would ultimately be one terminus of HSR. In addition, the San Francisco Board of Supervisors has passed, and I signed, a resolution supporting HSR in February 2006.

L003-3

I strongly support the current plan to put a statewide bond for HSR on the November 2008 ballot, and appreciate your leadership on this issue.

Sincerely,

Gavin Newsom  
Mayor

1 Dr. Carlton B. Goodlett Place, Room 200, San Francisco, California 94102-4641  
gavin.newsom@sfgov.org • (415) 554-6141



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

---

**Response to Letter L003 (Gavin Newsom, City and County of San Francisco, Office of the Mayor, September 17, 2007)**

---

**L003-1**

The Authority and FRA appreciate Mayor Newsom's support for the HST project in California.

**L003-2**

The Preferred Alternative identified in this Final Program EIR/EIS is consistent with Mayor Newsom's letter. The Pacheco Pass Alternative through San Jose and along the Caltrain Corridor to the Transbay Transit Center is the Preferred Alternative. The Caltrain JPB support of the Pacheco Pass alignment is included in this volume of the Final Program EIR/EIS (see Comment Letter L026).

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L003-3**

The Authority and FRA are aware of the funding included in San Francisco's Proposition K to extend Caltrain to the Transbay Transit Center, which is the northern terminus for the Preferred Alternative.

The Authority and FRA appreciate the resolution passed by the San Francisco Board of Supervisors supporting the HST program. The Authority and FRA acknowledge Mayor Newsom's support for a statewide bond measure in November of 2008.

**Comment Letter L004 (Marshall Kamena, City of Livermore, September 1, 2007)**



Mehdi Morshed  
 Executive Director  
 California High-Speed Rail Authority  
 925 L Street, Suite 1425  
 Sacramento, CA 95814

September 1, 2007

Dear Director Morshed,

As a gateway between the Bay Area and the Central Valley, the Tri-Valley recognizes the critical role it plays in the region's transportation network. In 2006, The Tri-Valley Policy and Technical Advisory Committees were established as a partnership of the cities of Dublin, Livermore, Pleasanton, Danville, San Ramon, and Tracy; along with the transportation providers LAVTA, ACE, and BART; Alameda County and its CMA; San Joaquin County; the Port of Oakland; and the office of Ellen Tauscher, U.S. Representative.

The purpose of the Tri-Valley Policy Working Group and Technical Advisory Committee is to:

- Provide a forum for communication between the Tri-Valley and High Speed Rail Authority staff members as well as Regional Rail Plan staff members.
- Build consensus within the Tri-Valley around common goals and a shared vision for future rail investment.
- Advocate for the Tri-Valley's vision and preferences during the alternatives analysis and investment prioritization.

We are grateful for the time that members of Authority staff have taken to discuss project alternatives and project status to our committees, and we are pleased to have had a public meeting on the Draft Bay Area EIR/EIS in Livermore on August 27th.

Prior to the Authority's public meeting, the Policy Advisory Committee met in Livermore to adopt a position on the alignment of High Speed Rail in the Bay Area, with particular attention to its impacts on the Tri-Valley. This letter reflects the outcome of that meeting, as well as the public comments we heard at the Authority's own public meeting.

What follows is the policy statement adopted by our Policy Advisory Committee on August 27 and specific feedback on the key issues raised in the draft EIR/EIS.

**Policy Statement**

This policy statement reflects the Tri-Valley's need for improved regional and statewide transportation options, as well as concerns about environmental impacts of High Speed Train service as discussed in the Draft Bay Area EIR/EIS:

1. Tri-Valley PAC supports continued study of high speed rail through the Altamont Corridor on the Union Pacific corridor **PROVIDED:**
  - a. There are no significant Right-of-Way takes.
  - b. There is no major aerial structure through Pleasanton.

L004-3

The Policy Advisory Committee recognizes that the progress of High Speed Rail and the development of a Regional Rail Plan for the Bay Area are related processes, and we appreciate the efforts of the Regional Rail Plan project team and the High Speed Rail Authority staff to coordinate as closely as possible. The Policy Advisory Committee would like the High Speed Rail Authority to be aware that it has taken the following position on the recommendations in the Draft Regional Rail Plan.

2. Tri-Valley PAC supports continuing evaluation of the Regional Rail Plan's recommendation for a BART extension to Isabel/Stansley and beyond **PROVIDED:**
  - a. Alternatives including Isabel/Stansley, Greenville, and beyond will continue to be studied in the environmental document.
  - b. An environmental document process can begin to be developed soon after the adoption of the Regional Rail Plan.

L004-4

**Consideration of Alignment Alternatives**

The Draft Bay Area EIR/EIS includes a Bay Area HSR alignment that would include High Speed Train service in both the Altamont and Pacheco corridors, with express service provided through the Pacheco pass and regional overlay service provided through the Altamont pass. The Policy Advisory Committee believes that this option may present the best way of addressing our concerns and delivering optimal HST service to the region as a whole.

L004-5

The combined Altamont/Pacheco (Hybrid) alignment option allows HSR to provide frequent service along the most direct route between northern and southern California, while still serving the important regional transportation corridors in Northern California, including those in the Central Valley, the Tri-Valley, and between Sacramento and the Bay Area. The Draft EIR/EIS demonstrates that the corridors served by the Altamont alignment include some of the greatest travel demand in the entire system.

While providing these important transportation advantages, a system that provides service in both major corridors also mitigates some of the possible negative impacts identified in the Draft EIR/EIS. Specifically related to the Tri-Valley's key concerns, it would improve the likelihood that HST service could be delivered within the existing Union Pacific Right-of-Way without the need for major aerial infrastructure, or significant right-of-way acquisition through the developed portions of the Tri-Valley.

L004-6

Finally, we believe that committing to invest in all of the major markets of Northern California would build momentum for the passage of the statewide High Speed Rail funding bond now scheduled to go before California voters in 2008.

L004-7



**Comment Letter L004 - Continued**

We recognize that building this alternative would add significantly to capital costs of the Bay Area portion of the HST system. However, we believe that it is well worth evaluating whether the important benefits outweigh these added costs.

L004-8

We also recognize that such an alternative would have to be built in phases. Along with the San Joaquin Council of Governments, we would urge that the Authority investigate the possibility of building the Altamont branch of the system first. We appreciate your continued consideration of this alternative.

L004-9

The Tri-Valley Policy and Technical Advisory Committee look forward to the prompt release of a final EIR/EIS for the Bay Area, and the adoption of a preferred alignment alternative. Once again, we appreciate the time your staff has taken to work with our groups and the respect you have given to our concerns.

Sincerely yours,



Marshall Kamena  
Mayor, City of Livermore

---

**Response to Letter L004 (Marshall Kamena, City of Livermore, September 1, 2007)**

---

**L004-1**

The Authority and FRA recognize the importance of the Tri-Valley area's role in the region's transportation's network and are aware of the Tri-Valley Policy and Technical Advisory committees. The Authority and FRA are pleased that we were able to hold public hearings on the Draft Program EIR/EIS throughout Northern California, including the Livermore public hearing. The Authority appreciates the opportunities provided to it to meet with the committees.

**L004-2**

The Authority and FRA appreciate the Policy Advisory Committee's public input.

**L004-3**

The Authority and FRA acknowledge the Tri-Valley PAC's concerns regarding right-of-way takes and aerial structures through Pleasanton. These concerns played a role in the selection of the Pacheco Pass Preferred Alternative identified in this Final Program EIR/EIS. Please see Standard Response 3 and Chapter 8.

**L004-4**

The Authority and FRA have made a concerted effort to coordinate the HST Program with the Regional Rail Planning undertaken by the MTC. Joint scoping/public meetings were held at the outset of the HST Program EIR/EIS, and the Authority participated as a member of the management team for the Regional Rail Plan, along with MTC, BART, and the Caltrain JPB/SamTrans.

The Authority has transmitted to BART the PAC's recommendation for a continued and prompt evaluation of a BART extension to Isabel/Stanley, Greenville, and beyond.

**L004-5**

The Authority and FRA acknowledge the PAC's recommendation for express HST service through Pacheco Pass and regional overlay service through the Altamont Pass. This recommendation is consistent with the Authority recommendation for the Preferred Alternative. The Preferred Alternative identified in this Final Program EIR/EIS is for Pacheco Pass, and the Authority has initiated a process to work with the region to evaluate and pursue regional rail improvements in the Altamont Corridor to address the important travel demand in this corridor.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L004-6**

The Authority and FRA agree that the right-of-way requirements and the need for aerial structures would be less and the impacts would correspondingly be reduced for commuter rail improvements through the Altamont Pass compared to an HST system along this corridor.

**L004-7**

The Authority and FRA, in concert with our regional partners, will continue to look for opportunities to serve all major markets in northern California.

**L004-8**

The Preferred Alternative identified in the Final Program EIR/EIS is for Pacheco Pass, and the HST bond funds, as currently defined, would first be applied to this Preferred Alternative, consistent with the Authority-adopted phasing plan.

The Authority will pursue state HST bond funds, in concert with its regional partners, for regional rail/HST improvements in the Altamont Corridor, as identified by the region.

**L004-9**

The entire HST system will need to be developed as incremental improvements, as shown in the Authority adopted phasing plan. Additionally, should funding for improvements in the Central Valley (north of Merced) and in the Altamont Corridor (as identified by the regional stakeholders) be added to the HST bond or identified from other sources, these improvements clearly could come before the development of the Pacheco Pass portion of the HST alignment.

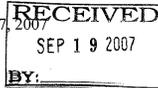
Comment Letter L005 (Steve Heminger, Metropolitan Transportation Commission, September 17, 2007 )



METROPOLITAN TRANSPORTATION COMMISSION Joseph P. Bort MetroCenter 101 Eighth Street Oakland, CA 94607-4700 TEL 510.817.5700 TTY/TDD 510.817.5769 FAX 510.817.5848 E-MAIL info@mtc.ca.gov WEB www.mtc.ca.gov

L 005

September 17, 2007



Bill Dodd, Chair Napa County and Cities

Scott Haggerty, Vice Chair Alameda County

Tom Ammianni City and County of San Francisco

Tom Asanbrado U.S. Department of Housing and Urban Development

Tom Bates Cities of Alameda County

Bob Blanchard Sonoma County and Cities

Dawn J. Chin Cities of Santa Clara County

Dave Cortese Association of Bay Area Governments

Dorene M. Giacopini U.S. Department of Transportation

Federal D. Glover Contra Costa County

Anne W. Halsted San Francisco Bay Conservation and Development Commission

Steve Kinoy Marin County and Cities

Sue Lampert Cities of San Mateo County

Tom Rubin San Francisco Mayor's Appointee

Bijan Sarrafi State Business, Transportation and Housing Agency

James P. Spring Solano County and Cities

Adrienne J. Tinsler San Mateo County

Amy Warth Cities of Contra Costa County

Ken Yeager Santa Clara County

Steve Heminger Executive Director

Ann Fleming Deputy Executive Director, Operations

Andrew B. Fremier Deputy Executive Director, Bay Area Toll Authority

Theresa W. McMillan Deputy Executive Director, Policy

Mr. Mehdi Morshed Executive Director California High Speed Rail Authority 925 L Street, Suite 1425 Sacramento, CA 95814-3704

Dear Mehdi:

The Commission has directed me to request that the California High-Speed Rail Authority extend its comment period for the Bay Area to Central Valley HSR DEIR/DEIS by 30-days, changing the close of comment date to October 28, 2007. We believe that this time extension will afford the public and the Commission with additional time to consider the high-speed rail planning analysis and make an informed recommendation about high-speed rail alignment options for the Bay Area.

As you know, MTC's Planning Committee voted unanimously to refer adoption of MTC's Regional Rail Plan to the Commission at its September 26, 2007 meeting. The Regional Rail Plan assesses how proposed CHSRA high-speed rail alignments could be integrated into recommended regional rail improvements as stipulated by Regional Measure 2.

While Regional Measure 2 does not require MTC to endorse HSR or choose a particular high-speed rail alignment in adopting the Regional Rail Plan, the Commission wants to discuss these issues further at its October 2007 meetings; hence their request to extend the HSR DEIR/DEIS comment period to October 28, 2007.

If you or your staff has any questions or comments regarding this request, please contact me or Doug Kimsey, MTC Planning Director, at 510.817.5790.

Sincerely,

Steve Heminger Executive Director

SH:DK J:\PROJECT\HSR\_RR\_Study\Correspondence\CHSRA DEIS comment extension.doc

L005-1



---

**Response to Letter L005 (Steve Heminger, Metropolitan Transportation Commission, September 17, 2007 )**

---

**L005-1**

The public comment period was extended from September 28 to October 26, 2007.



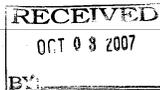
Comment Letter L006 (Susan Frost, City of Livermore, September 28, 2007)



L006

September 28, 2007

Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814



Mehdi Morshed  
Page 2  
September 28, 2007

RE: City of Livermore Comments  
Draft Bay Area to Central Valley High Speed Train (HST) Program Environmental  
Impact Report/ Environmental Impact Statement (EIR/EIS)

Dear Mr. Morshed:

Thank you for the opportunity to comment on the Draft Bay Area to Central Valley High Speed Train (HST) Program Environmental Impact Report/ Environmental Impact Statement (EIR/EIS). The City of Livermore endorses and encourages the proposal of high speed rail as a regional and statewide transportation option.

L006-1

Because portions of the Altamont Pass option are being proposed through existing urban areas of Livermore, the City acknowledges its role as a responsible and coordinating agency on this significant infrastructure project, both in assessing environmental issues and impacts related to the project, as well as during the design and implementation stage of the project. As a responsible agency, Livermore has been a participating member of the Tri-Valley technical and policy groups that have worked closely with both the high speed and regional rail planning teams.

L006-2

The City acknowledges that at this stage of review, specific design details for many aspects of the proposed alignment are not yet finalized and the EIR/EIS analyzes more broadly potential impacts based on the level of information that is currently available. Because exact locations and design details for various facilities are not included in this Draft EIR/EIS, the City of Livermore wishes to note that additional environmental review may be warranted or required for those facilities within City limits. Of particular concern to Livermore is the need to identify specific right-of-way acquisitions, and/or proposals for aerial structures. Because of the potentially significant impacts associated with these issues, the City supports continued study of the "Hybrid" alternative, which we understand minimizes these impacts while maintaining options for high speed service through the Altamont Pass.

L006-3

L006-4

Thank you again for the opportunity to comment on the Draft EIR/EIS. We welcome and support the continuation of further studies for this project. City staff is available to answer any questions or clarify any of the comments that have been provided to you if needed.

L006-5

Please contact Crystal DeCastro, Assistant Planner, at (925) 960-4450 with any questions regarding the above comments or attached comments or any other assistance we can provide.

L006-5  
Cont.

Sincerely,

Susan Frost  
Principal Planner

Attachments: 1. City of Livermore Draft EIR/EIS Comments

cc: Marc Roberts, Community Development Director  
Cheri Sheets, City Engineer  
Bob Vinn, Asst. City Engineer  
Ken Ross, Senior Civil Engineer



**Comment Letter L006 - Continued**

**Draft Bay Area to Central Valley High Speed Train (HST) Program  
Environmental Impact Report/ Environmental Impact Statement  
(EIR/EIS)**

**City of Livermore Comments**

**General Comments**

- o All references to City’s General Plan should be dated 2003 (p 3.7-36). | L006-6
- o Additional environmental review may be required by the City of Livermore to determine potential visual, land use, noise, and aesthetic impacts, once the exact location of these areas is known. | L006-7
- o Additional studies describing the effectiveness of attracting ridership. | L006-8

**Section 3.1 – Traffic, Transit, Circulation, and Parking**

- Page 3.1-34, 35 | L006-9
  - Livermore I-580, Downtown, and Greenville I-580.* Each paragraph indicates an increase parking demand would range from 6,900 to 9,100 spaces. It is suggested additional environmental review be required, once specific details of the project are known during the design phase to determine approximate parking spaces needed to determine impacts.

**Section 3.4 – Noise and Vibration**

Since exact details of the location and amount of noise that will be generated by the temporary construction and permanent facility are not known at this time, please be aware that the City of Livermore may require additional environmental review of this particular project at the design phase and prior to construction to determine potential impacts to surrounding area.

**Section 3.7 – Land Use and Planning, Communities and Neighborhoods, Property, and Environmental Justice**

Please note that additional environmental review may be necessary to determine any new impacts, based on a finalized alignment and design, as well as consistency with Livermore General Plan and land use compatibility.

**Section 3.9 – Aesthetics and Visual Resources**

Please note that additional environmental review may be necessary to determine any new impacts, based on a finalized alignment and design, as well as consistency with Livermore General Plan Visual Resources and Scenic Corridor policies.



---

**Response to Letter L006 (Susan Frost, City of Livermore, September 28, 2007)**

---

**L006-1**

The Authority and FRA appreciate the City of Livermore's endorsement and encouragement for high-speed rail as a regional and statewide transportation option.

**L006-2**

The Authority and FRA acknowledge the City of Livermore's role as a responsible agency and as a participating member of the Tri-Valley technical and policy groups. The Authority and FRA appreciate the opportunities that we have had to work with these groups.

**L006-3**

Pacheco Pass is identified as the Preferred Alternative for the HST system in this Final EIS/EIR, and project-level preliminary engineering and environmental review will be performed by the Authority and FRA for this Preferred Alternative, which would not traverse the City of Livermore. Please see Standard Response 3 and Chapter 8 regarding the Preferred Alternative.

**L006-4**

The Authority and FRA acknowledge the City of Livermore's concerns regarding right-of-way requirements and the impacts of aerial structures. These concerns played a role in the identification of Pacheco Pass as the Preferred Alternative. Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

The Authority and FRA acknowledge the City of Livermore's support for the "hybrid" alternative, with HST in the Pacheco Pass and regional rail improvements in the Altamont Corridor. Pacheco Pass has been identified as the HST Preferred Alternative, and the Authority is in the process of working with the regional partners and stakeholders to plan and pursue regional rail improvements in the Altamont Corridor.

The Authority and FRA agree that regional rail improvements would have lower levels of right-of-way impacts and would require fewer sections of aerial alignment, if any. The Authority and FRA agree that regional rail improvements in the Altamont Corridor could be developed in such a way as to provide for higher speed commuter rail in this corridor.

**L006-5**

The Authority and FRA appreciate the support for continued studies on this project.

**L006-6**

References to the City of Livermore's General Plan are now dated 2003 in this Final Program EIR/EIS (page 3.7-36).

**L006-7**

Please see Response to Comment L006-3. HST improvements are not proposed for the City of Livermore, so additional environmental review will not be performed as part of the HST Program. Regional Rail improvements in this corridor would undergo their own environmental review.

**L006-8**

Additional ridership and revenue analysis will be done as part of future project-level analysis.

Substantial analysis has already been undertaken regarding the "effectiveness of attracting ridership" for different network, alignment, and station alternatives, including those that could potentially pass through Livermore on an Altamont Pass alignment. These analysis results have been included in summary comparative fashion in the Draft Program EIR/EIS. The forecasting process and results have been completely documented in a series of technical reports that are posted on the Authority's web site at <http://www.cahighspeedrail.ca.gov/ridership/>.

These reports have been available at this location throughout the public comment period for the Draft Program EIR/EIS.

**L006-9**

Please see Response to Comment L006-7.

**Comment Letter L007 (Charles Rivasplata, City and County and San Francisco, Planning Department, September 21, 2007)**



**PLANNING DEPARTMENT**

City and County of San Francisco • 1650 Mission Street, Ste 400 • San Francisco, CA • 94103

<b>MAIN NUMBER</b> (415) 558-6378	<b>DIRECTOR'S OFFICE</b> PHONE: 558-6411	<b>ZONING ADMINISTRATOR</b> PHONE: 558-6350	<b>PLANNING INFORMATION</b> PHONE: 558-6377	<b>COMMISSION CALENDAR</b> INFO: 558-6422
	<b>4TH FLOOR</b> FAX: 558-6426	<b>5TH FLOOR</b> FAX: 558-6409	<b>MAJOR ENVIRONMENTAL</b> FAX: 558-5991	<b>INTERNET WEB SITE</b> WWW.SFGOV.ORG

RECEIVED  
SEP 26 2007

L 007

September 21, 2007

California High Speed Rail Authority  
EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, California 95814

**Re: San Francisco Planning Dept. Comments on Draft Bay Area to Central Valley HST Program EIR/EIS**

Dear Sir/Madam:

The San Francisco Planning Department appreciates this opportunity to review the Draft Bay Area to Central Valley High Speed Train (HST) Program EIR/EIS. The document provides a comprehensive view of the principal alternatives for bringing high speed rail to the Bay Area. In response, we offer the following comments.

First, we fully support bringing high speed rail into downtown San Francisco. As a major financial and cultural center (as well as an important transit hub) for the entire Bay Area region, it is only logical that a principal focal point of the system should be downtown San Francisco, i.e., where direct links can be established with Caltrain, BART and other transit carriers from a rebuilt Transbay Terminal.

We believe that important synergies can be harnessed to make High-Speed Rail most effective, operationally efficient and productive when service between Southern California and San Francisco are directly connected with intermediate service to San José. It is important to recognize the operational benefit of a high-speed rail system that, in combination with a conventional rail system (e.g., Caltrain), could yield significant user benefits. This integrated rail network would prioritize a high-speed corridor for linking San Francisco with major population centers and would rely on conventional rail to link the smaller centers where demand is less and travel time differences marginal.

For these reasons, we strongly support direct service to San Francisco from Los Angeles, via the Pacheco Pass Entry. An alignment passing through both San Francisco and San José could permit a greater number of connections to key population centers. Any sort of spur service to San Jose (e.g., via Altamont Pass) could defeat this purpose and jeopardize service improvements to the Caltrain line.

Thank you again.

Sincerely,

Charles Rivasplata, Ph.D.  
Senior Transportation Planner

G:\WP51\HSR Bay Area EIR Comments Letter.doc

L007-1



---

**Response to Letter L007 (Charles Rivasplata, City and County and San Francisco, Planning Department, September 21, 2007)**

---

**L007-1**

The Authority and FRA acknowledge the City of San Francisco Planning Department's support for HST to downtown San Francisco at the Transbay Transit Center, with direct links to other transit carriers.

The Pacheco Pass is identified as the Preferred Alternative in this Final Program EIR/EIS, consistent with the Planning Department's letter. One reason for this selection is the opportunity to use the existing Caltrain Corridor for high-speed service, in concert with a regional commuter rail system providing more local service and feeding the statewide HST system.

Connections of the major population centers in the region on one HST line (with no splitting of the line and decrease in train frequencies) played a role in the selection of Pacheco Pass as the Preferred Alternative.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

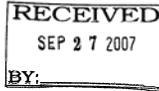


Comment Letter L008 (Fred Diaz, City of Fremont, September 25, 2007)



Office of the City Manager
3300 Capitol Avenue, P.O. Box 5006, Fremont, CA 94537-5006
510 284-4000 ph | 510 284-4001 fax | www.fremont.gov

L 008



September 25, 2007

California High Speed Rail Authority
EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814

RE: High Speed Rail Draft EIR/EIS

To Whom It May Concern:

Thank you for giving the City of Fremont the opportunity to provide comments on the draft program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Bay Area to Central Valley segment of the proposed high-speed train system. These comments are specifically related to the alternative routes proposed for the Bay Area to Central Valley region. The two primary alignment options between the Bay Area and the Central Valley continue to be the Pacheco Pass into Gilroy and San Jose, or over the Altamont Pass and then through Niles Canyon to Fremont.

Our review of the possible alignments necessitated from the Altamont Pass/Niles Canyon high-speed train alternative indicates an alarming amount of track would need to be elevated through and adjacent to Fremont neighborhoods. After emerging from a long tunnel at the west end of Niles Canyon, three track alignments, north, west, and south, would be required in order to fully serve the Bay Area. These three alignments would all be originating in Fremont, creating an undue burden of visual and auditory impacts on Fremont residents.

In particular, the primary western alignment option to San Francisco would require an aerial structure very close to homes in the Centerville area and would pass over the local business district. The visual impact of the elevated high-speed trains bisecting the neighborhood, and the potential for noise and vibration would be very disruptive to the community. The secondary western alignment option in the draft EIR/EIS seems similarly onerous as it would require a costly subway under Central Park, then emerge on to an aerial track structure through the remainder of Fremont, creating the same environmental concerns as the Centerville route.

In contrast, the Pacheco Pass Alignment alternative appears to offer more practical routes to fully service the Bay Area, while using existing transportation corridors and with minimal disruption of neighborhoods. In addition to the alignment from San Jose to San

L008-1

California High Speed Rail Authority
EIR/EIS Comments

September 25, 2007
Page Two

Francisco, the East Bay extension would service Fremont and extend up to Oakland. The East Bay extension would have the least impact on the City of Fremont as it would build on existing transportation infrastructure along I-880, BART and UPRR corridors and pass by fewer homes. The Pacheco route also includes high speed train stations in Warm Springs and Union City to provide easy access for Fremont residents. In summary, the City of Fremont supports the Pacheco Pass Alignment with the East Bay Extension, given the relative ease of implementation within Fremont and the level of access to the high-speed train system it provides our community. Comparably, the City opposes the Altamont Pass/Niles Canyon alignment, as it would present the greatest impacts on Fremont neighborhoods, primarily from the western extension alternatives into San Francisco.

L008-1
Cont.

Please keep us informed of any future meetings or progress that occurs on this project. We are very interested in staying involved as the project moves forward.

L008-2

Sincerely,

[Handwritten signature of Fred Diaz]

Fred Diaz
City Manager

cc: Mayor and City Council
Jim Pierson, Transportation and Operations Director



U.S. Department of Transportation
Federal Railroad Administration

---

**Response to Letter L008 (Fred Diaz, City of Fremont, September 25, 2007)**

---

**L008-1**

As noted in the Draft Program EIR/EIS and in this letter from the City of Fremont, aerial structures are expected to be necessary along the Altamont alignment in the City of Fremont west of the Niles Canyon tunnel. The aerial segments would be needed due to the narrow rail rights-of-way in the City of Fremont. The Draft Program EIR/EIS notes that portions of this aerial alignment would be adjacent to the Fremont local commercial center and to residential areas in the Centerville area. As noted in the letter, the tunnel option through Fremont would have higher capital costs along with aerial segments and associated impacts.

The Authority and FRA acknowledge the City of Fremont's support for the Pacheco Pass Alternative with an East Bay extension, which, as indicated in the letter, would have fewer impacts on the City of Fremont.

The City of Fremont's support for the Pacheco Pass Alternative and opposition to the Altamont Pass alternatives played a role in the identification of the Pacheco Pass as the Preferred Alternative.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L008-2**

The City of Fremont will be notified of future planning activities and pending actions for the HST system.



Comment Letter L009 (Mark Green, City of Union City, September 25, 2007)



34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA 94587  
(510) 471-3232

L 009

September 25, 2007

California High Speed Rail Authority  
EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

Re: Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS

To Whom It May Concern:

The City Council of Union City is in support of the Altamont Pass Alternative. As identified in the Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS, it appears that the Altamont Pass Alternative is superior for the following reasons:

- It is the least expensive to build;
- It is the least expensive to operate;
- It allows for future phasing;
- It provides good interconnection among transit providers at the Union City Intermodal, including BART, Capitol Corridor, Dumbarton Rail and bus;
- It is the least environmentally destructive; and
- Provides the fastest service between the Bay Area and Sacramento.

Based upon these considerations, we believe that the High-Speed Train (HST) Altamont Pass Alternative that accesses Union City Intermodal should be a preferred alternative for final consideration by the California High Speed Rail Authority.

We also offer the following, more detailed, comments on the Draft EIR/EIS.

1. The EIR/EIS discusses two options for a HST station in Union City. Station Fact Sheet Figures Page 2-F-28 and Page 2-F-29 appear to show both HST station options on the Niles Subdivision, 900 feet from BART. Are both options on the Niles Subdivision, or is one option on the Oakland Subdivision adjacent to the BART/Union City Intermodal Station? L009-2
2. In 2005 Union City certified an EIR that analyzed the environmental impacts of a passenger rail station that is interconnected to the BART station on the Oakland Subdivision (Union City Intermodal Station Passenger Rail Project EIR). This new passenger rail station would interconnect the Capitol Corridor, Dumbarton Rail, and possible ACE to Union City BART. L009-3

High Speed Train EIR/EIS  
September 24, 2007  
Page 2

The Draft EIR/EIS should indicate that the Oakland Subdivision could be a HST station alignment alternative between Niles Canyon and Industrial Parkway in south Hayward in order to connect directly to BART, Capitol Corridor, Dumbarton Rail, and ACE. We believe that a HST station that directly connects to other transit providers would provide higher ridership than a station on the Niles Subdivision, 900 feet from BART.

L009-3  
Cont.

3. If a HST station is provided on the Niles Subdivision, then the station should be a two sided station that allows free pedestrian pass-through to the mixed use development and regional rail station on the west side of the Niles Subdivision and the Research and Development job centers on the east side of the Niles Subdivision. Additionally, the overhead PG&E power lines on the east side of the proposed station should be undergrounded to allow for unencumbered access to the station.

L009-4

4. If the HST Niles/880 Alignment Alternative is located exclusively on the Niles Subdivision, how would freight continue to operate in this corridor? Freight uses are shown in the Appendices on the Union City Station Fact Sheet Page 2-F-28, but not on Union City Station Fact Sheet Page 2-F-29.

L009-5

5. The Draft Regional Rail Plan indicates that by 2015 the Capitol Corridor will be relocated to the Oakland Subdivision in order to connect to BART at the Union City Intermodal. This alignment has been cleared environmentally. Is it the intent of High Speed Rail to place Capitol Corridor back onto the Niles Subdivision?

L009-6

We hope you will consider these points when identifying preferred High Speed Train (HST) alignment alternatives, station location options, and the preferred HST alignment network alternative for the Bay Area to the Central Valley.

L009-7

The City Council of Union City believes that regional transportation solutions are critical to the economic future of the Bay Area. We have strived to incorporate a regional transportation vision as we have planned locally around our BART station. We would be pleased to meet with the High Speed Rail Authority to inform you of our most recent developments. If you would like to follow up, please contact our City Manager, Larry Cheeves, at (510) 675-5344.

Sincerely,

Mark Green  
Mayor, City of Union City

Cc: Jim Navarro, Vice-Mayor  
Richard Valle, Councilmember  
Carol Dutra-Vernaci, Councilmember  
Manny Fernandez, Councilmember  
Steve Heminger, Metropolitan Transportation Commission



U.S. Department  
of Transportation  
Federal Railroad  
Administration

## Response to Letter L009 (Mark Green, City of Union City, September 25, 2007)

### L009-1

As noted in the Draft Program EIS/EIR, capital cost estimates for the various network alternatives vary, depending on the alignments included and the urban centers served. As stated in the Summary:

*Capital costs for the HST Network Alternatives range from \$6.0 billion for Altamont Pass Union City terminus—the shortest network alternative—to \$20.4 billion for a combination of the Altamont and Pacheco Network options with service to all three urban centers—the longest network alternative. The average cost per mile ranges from \$37.5 million for a Pacheco Pass alternative terminating at San Jose to \$74.3 million for a Pacheco Pass alignment serving San Francisco and Oakland with a new transbay tube.*

*The highest costs per mile are for the network alternatives that include a new San Francisco Bay crossing in a tube or a bridge. Network alternatives that include a new transbay tube between Oakland and San Francisco exhibit costs per mile of between \$61.4 and \$74.3 million. Network alternatives that include a new bridge crossing of the Bay near Dumbarton exhibit costs between \$54.0 and \$62.6 million per mile. (page S-11)*

Thus, some Altamont Pass network alternatives cost less than Pacheco Pass network alternatives, and vice versa. For example, the Altamont Pass Network Alternative serving both San Francisco and San Jose is estimated to cost more to build (\$12.7 billion) than the Pacheco Pass Alternative serving these same urban centers (\$12.4 billion); while the Altamont Pass Network Alternative serving all three urban centers (San Francisco, Oakland, and San Jose), assuming a bridge over the San Francisco Bay, is estimated to cost less (\$15.1 billion) than the Pacheco Pass Network Alternative serving all three centers (\$16 billion).

Although the least costly of the network alternatives, the Authority and FRA have determined that the Altamont Pass

network alternative that terminates in Union City fails to meet the Project's purpose and need because it does not provide direct HST service to San Francisco, Oakland, or San Jose (the major Bay Area cities), nor does it provide interface with the major commercial airports.

The Draft Program EIR/EIS notes that the Altamont Pass Network Alternatives are less costly to operate, assuming the same number of trains. As stated in the Draft Program EIR/EIS:

*The cost to operate and maintain an HST system varies proportionately with the length of the network and the frequency of the service to be provided. For the comparison presented in this document, the frequency of trains serving the Bay Area was kept consistent between the network alternatives considered. The systemwide operating and maintenance (O&M) costs are the lowest for the Altamont Pass network alternatives, ranging from \$1.07 to \$1.12 billion per year, because of the substantially shorter length for Sacramento to Bay Area services. The systemwide O&M costs for the Pacheco Pass network alternatives are approximately \$80 million per year more than the Altamont Pass network alternatives serving the same markets.*

*The Altamont Pass network alternatives would require the system to split in two separate directions to serve both San Jose and San Francisco given a constant number of trains. This decreases the frequency of service from other markets in the state to these stations by a factor of two, as compared to network alternatives using the Pacheco Pass alignment alternatives. (page S-11)*

Both the Altamont and Pacheco Pass alternatives would allow for phasing of the system.

The Altamont Pass alternatives would provide for good interconnection at the Union City intermodal station, as recognized in the Draft Program EIR/EIS. The Authority and FRA note that this interconnection would also be possible, should the Pacheco Pass Preferred Alternative be extended at a future date from San Jose to Union City or up to Oakland.

A number of factors need to be considered when comparing the environmental impacts of the Altamont Pass and Pacheco Pass alternatives. As noted in the Draft Program EIR/EIS, both network alternatives would potentially result in significant environmental impacts, even with mitigation strategies incorporated. Both alternatives are in areas that have undergone human change, either through the development of buildings or transportation facilities or through ranching, farming, or other agricultural activities.

The Authority and FRA note that the alignments for both alternatives were located to minimize impacts on both the built and natural environments.

The Pacheco Pass network alternative identified as the Preferred Alternative in this Final Program EIR/EIS serves both San Francisco and San Jose; minimizes impacts on wetlands, water bodies, and the environment; and minimizes construction issues associated with a San Francisco Bay crossing, which can lead to delay and cost escalation.

The Preferred Alternative best serves the connection between northern and southern California, with the greatest potential frequency and capacity, superior connectivity between the South Bay and southern California, and fewer potential intermediate stops. It fully uses the Caltrain Corridor and is consistent with the Authority's adopted phasing strategy. Much of the Bay Area (MTC, City of San Francisco, cities along the San Francisco Peninsula, City of San Jose, the South Bay, and Monterey Bay area) strongly supports the Pacheco Pass with HST service on the Caltrain Corridor to San Francisco.

The Altamont Pass network alternatives that require a new transbay tube to serve San Francisco would have high potential environmental impacts on aquatic and sensitive resources and considerable construction issues. These alternatives would have more than 38 acres of potential direct impacts on the San Francisco Bay and other water bodies and more than 33 acres of potential direct impacts on wetlands, 70% of that occurring in the area of the Bay. The Altamont Pass network alternatives

that require an elevated Bay crossing along the Dumbarton corridor to serve San Francisco would have even greater potential environmental impacts. These alternatives would also impact the nationally recognized Don Edwards San Francisco Bay National Wildlife Refuge. The network alternatives crossing at this location would result in more than 39 acres of potential direct impacts on the Bay and other water bodies and up to 46.3 acres of potential direct impact on wetlands, 73% occurring in the area of the Bay. For any alternatives that include a new Bay crossing, extensive coordination would be required with the U.S. Army Corps of Engineers (USACE) under Section 10 of the Rivers and Harbors Act, USFWS, and the California Coastal Commission. Proposed facilities crossing the Bay would also be subject to the USACE, CDFG, and BCDC permit processes.

The Authority's Preferred Pacheco Pass Alternative serving San Francisco and San Jose via Henry Miller Road was also located to minimize impacts. Extensive use of tunnels and elevated sections of the HST system have been included to minimize impacts on the Diablo Range and the GEA. This network alternative would result in potential direct impacts on 3.8 acres of water bodies and 15.6 acres of wetlands, 74% of that occurring along the Henry Miller alignment.

In comparing the preferred Pacheco Pass Preferred Alternative with the Altamont Pass alternatives that serve San Francisco, the Pacheco Pass alternative serving San Francisco and San Jose via Henry Miller Road (UPRR Connection) would not impact the Don Edwards San Francisco Bay National Wildlife Refuge but would extend through portions of the GEA. The Authority-recommended Pacheco Pass Preferred Alternative would extend along Henry Miller Road and would not directly impact the San Luis National Wildlife Refuge Complex, existing wildlife management areas, or state parks in the area generally identified as the GEA.

Impacts on wetlands, water bodies, and sensitive aquatic habitat would be less for the Authority-recommended alternative than for the Altamont alternatives that cross the San Francisco Bay,

but the Pacheco alternative would result in higher impacts on farmlands and streams.

The Draft Program EIR/EIS notes that:

*Express train travel times from San Francisco to Los Angeles vary by 2 minutes between the Pacheco Pass and Altamont Pass network alternatives, assuming a new Bay Crossing at Dumbarton for the Altamont Pass. (page S-12)*

As noted in Union City's letter, travel times would be less between the Bay Area and Sacramento for the Altamont Pass alternatives with a Bay crossing. The Draft EIS/EIR notes that, for Altamont Pass options with a new Bay crossing at Dumbarton, a trip:

*from San Francisco to Sacramento would take 1 hour and 6 minutes. The Pacheco Pass network alternatives would take an additional 41 minutes. An express trip between Oakland and Sacramento would take 53 minutes over the Altamont Pass and an additional 45 minutes over the Pacheco Pass. From San Jose to Sacramento, the express travel time over the Pacheco Pass would be 49 minutes, with an additional 29 minutes over the Pacheco Pass. (page S-12)*

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

#### **L009-2**

The station fact sheet shows a station location option on the Niles Subdivision approximately 900 ft from the BART station.

#### **L009-3**

The current plans for an HST station at Union City approximately 900 ft from the Union City Passenger Rail Project allow for reasonable transfers between the HST and BART, Capitol Corridor, ACE, and other local transit services. The time and potential inconvenience of this transfer is reflected in the HST ridership and revenue forecast results that use this station.

#### **L009-4**

The station configurations shown here are conceptual. The suggested changes to the design will be addressed at the project level of analysis.

#### **L009-5**

The Union City fact sheet has been updated to show the freight use.

#### **L009-6**

It is acknowledged that the future Union City Intermodal Station will have the Capitol Corridor trains on the Oakland sub-division. The fact sheet has been updated to reflect the proposed HST station but not the Union City Intermodal Station.

#### **L009-7**

The Authority and FRA appreciate Union City's offer to meet and inform the HST program.

Comment Letter L010 (Dave Potter, Monterey County, Board of Supervisors, August 28, 2007)

L 010

# MONTEREY COUNTY

## THE BOARD OF SUPERVISORS

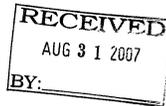
FERNANDO ARMENTA, *Vice Chair*

LOUIS R. CALCAGNO

SIMÓN SALINAS

JERRY C. SMITH

DAVE POTTER, *Chair*



August 28, 2007

The Honorable Quentin L. Kopp, Chair  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

**SUPPORT: High-Speed Rail Southern Pacheco Pass Alignment**

Dear Judge Kopp:

The Monterey County Board of Supervisors supports the southern Pacheco Pass alignment for the High-Speed Rail project. The southern alignment across the Pacheco Pass would have the train stopping at Gilroy and San Jose and thus would bring more riders though Gilroy and would likely increase ridership on the Caltrain corridor to Gilroy.

The Transportation Agency for Monterey County is planning two rail projects in Monterey County: extension of Caltrain commuter rail service to Monterey County, and passenger service to and from the Monterey Peninsula. These projects complement each other and will result in removing auto trips from Highways 1, 101 and 156. A third planned rail project is Amtrak's Coast Daylight service that would connect downtown Los Angeles with downtown San Francisco.

All three Monterey County rail projects will complement and connect with the High-Speed Rail system at Gilroy and San Jose if the southern Pacheco Pass alignment is chosen as the preferred alignment, thereby further increasing ridership on this segment. The Pacheco Pass alignment would be beneficial for Monterey County due to the increased ridership on train services through Monterey County and the regional economy would benefit from increased investment in infrastructure in the region and around train stations.

Monterey County's population was 401,000 in 2000 and is projected to reach 603,000 by 2030. Our growing population needs an alternative means of getting to jobs, health care, and shopping around the region and across the state. Increased access to the rail network and connectivity to the high-speed rail system in Gilroy will help the region be more sustainable economically, environmentally and socially.

We appreciate the opportunity to comment on this exciting project.

Sincerely,

Dave Potter

Chair, Board of Supervisors

Clerk to the Board • 168 W. Alisal St., Salinas, California 93901 • (831) 755-5066 • cttb@co.monterey.ca.us

L010-1



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

---

**Response to Letter L010 (Dave Potter, Monterey County, Board of Supervisors, August 28, 2007)**

---

**L010-1**

Service to the growing Monterey County and Monterey Bay area, as well as interconnectivity with existing and future transit systems at Gilroy and along the Caltrain Corridor, were among the reasons for identification of the Pacheco Pass Alternative as the Preferred Alternative in this Final EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

Comment Letter L011 (Don Marcus, County of San Benito, Board of Supervisors, September 26, 2007)

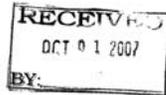


COUNTY OF SAN BENITO BOARD OF SUPERVISORS

L 011

481 Fourth St • Hollister, CA 95023 Phone: 831-636-4000 • Fax: 831-636-4010

Don Marcus, District No. 1 Anthony Botelho, District No. 2 Pat Loe, District No. 3 Reb Monaco, District No. 4 Jaime De La Cruz, District No. 5



September 26, 2007

California High-Speed Train California High-Speed Rail Authority Draft Program EIR/EIS Comments 925 L Street Suite 1425 Sacramento, CA 95814

Subject: Comments regarding the Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS

To Whom It May Concern:

Thank you for the opportunity to review and comment on the proposed California High-Speed Train project. On behalf of the San Benito County Board of Supervisors, we wish to express significant concerns regarding the DEIR/DEIS for the proposed project and question the overall necessity of the project.

The proposed California High-Speed Train project would link the Bay Area, Central Valley, Sacramento, and southern California. As we understand it, the study region is bounded by the following: Pacheco Pass to the south, the Altamont Pass to the north, the Burlington Northern Santa Fe (BNSF) Railroad Company to the east, and the Caltrain Corridor to the west. The two preferred alternatives are San Jose to Central Valley via Pacheco Pass, and East Bay to Central Valley via Altamont Pass.

Potential Environmental Impacts to San Benito County:

Proximity to San Felipe Lake (Soap Lake) and other properties

- If the Pacheco Pass alternative is chosen, the route would lie approximately parallel to Highway 152, with San Felipe Lake lying between the proposed route and the County line. This area is mapped as lying entirely within the Flood Plain. Furthermore, the potential impacts to the Pajaro River need to be considered.

Sensitive Habitat Area(s)

- Portions of the proposed project have been identified as lying within critical habitat of the California Tiger Salamander, as listed in the Department of the Interior Fish and Wildlife Service Federal Register. (Please refer attached map)

Traffic Increase

- The proposed High-Speed Train project has the potential to create a substantial amount of vehicle traffic originating from the Monterey County area. Highways 101, 152, 25, and 156 are currently under tremendous capacity strain. The proposed rail project has the potential to substantially increase these strains. Analysis should be provided to determine the potential for increased traffic within our County for this project.

L011-4

Air pollution

- San Benito County is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District. The proposed project is located in the North Central Coast Air Basin, which consists of Monterey, Santa Cruz, and San Benito counties. The North Central Coast Air Basin is currently classified as "in attainment/unclassified" for all current federal air quality standards. San Benito County is classified "Attainment" for State ambient air quality standards, fine particulate matter. It is classified "Non-attainment" for ozone and respirable particulate matter, and "Unclassified" for carbon monoxide. Consideration should be given to the potential for lower air quality and attainment status within our County due to increased traffic to the proposed Gilroy station by populations to the South of San Benito County.

L011-5

Farmland Impacts

- The proposed project could convert Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance, as shown on California Department of Conservation, Division of Land Resource Protection maps. Consideration should be given to the conversion of this Farmland to non-agricultural use.

L011-6

Potential Financial Impacts to San Benito County:

Our Board has significant concerns about the financial cost of this project. We are opposed to any diversion of State tax dollars away from badly needed community items, such as local transportation projects and homeless shelters.

L011-7

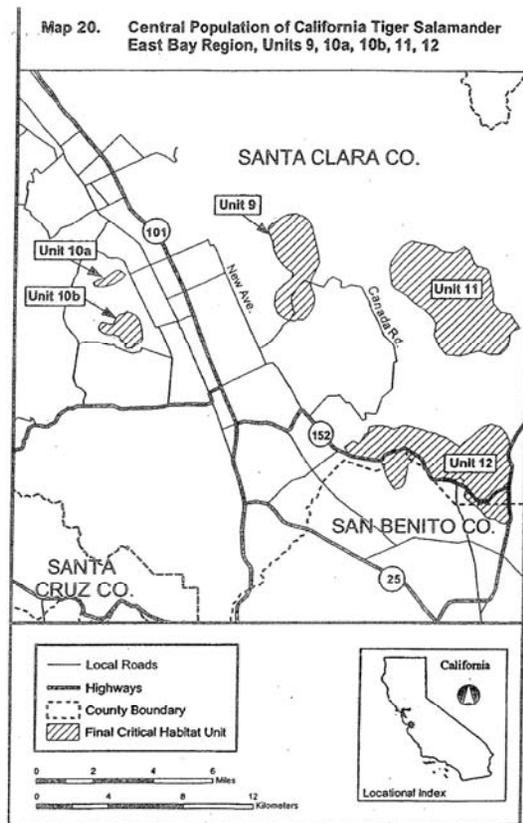
Respectfully,

Don Marcus, Chair San Benito County Board of Supervisors

Cc: Board of Supervisors CAO Association of Monterey Bay Governments (AMBAG) Monterey Bay Unified Air Pollution Control District



**Comment Letter L011 – Continued**



---

**Response to Letter L011 (Don Marcus, County of San Benito, Board of Supervisors, September 26, 2007)**


---

**L011-1**

Chapter 1 of the Draft Program EIR/EIS, "Purpose and Need and Objectives," discusses the purpose of and need for a High Speed Rail system in the Bay Area to Central Valley and statewide. The proposed project would link the Bay Area, Central Valley, Sacramento, and southern California.

As established by the Authority Board, the study region is bounded by Pacheco Pass to the south, Altamont Pass to the north, the BNSF Railroad to the east, and the Caltrain Corridor to the west. HST alignment and 21 network alternatives are described and evaluated in the Draft Program EIR/EIS.

**L011-2**

As noted in Section 3.14 of the Final Program EIR/EIS, the Pacheco alignment alternative extends at-grade or on aerial structure through the 100-year floodplain. As noted in the comment, the largest area of floodplain being crossed is between Gilroy and the Diablo Range. The HST would restore the floodplain to its prior operation by constructing culverts under the tracks to convey anticipated storm flows and to minimize ponding. Impacts on the floodplain from aerial structures would be limited to column footings. Future Tier 2 project-level environmental analyses will be coordinated with detailed engineering to further refine the HST alignments and station locations and avoid or minimize impacts to the greatest extent practicable.

**L011-3**

The proposed Pacheco Pass alignment alternative would be in tunnel through the potential California tiger salamander habitat shown in the illustration provided by the commenter. Future Tier 2 project-level analyses would include focused surveys for state and federal threatened and endangered species and detailed identification of habitat, wildlife movement/migration corridors, and wetlands and water resources to further identify impacts and develop site specific

mitigation measures. In addition, engineering design refinements would be undertaken to avoid and/or minimize environmental impacts. Design practices incorporated into the project include underpasses or overpasses or other appropriate passageways that would be designed to avoid, minimize, and/or mitigate any potential impacts on wildlife movement, including the tiger salamander.

**L011-4**

The expected effect of either the Pacheco or Altamont Pass HST alternatives would be to decrease traffic on most intercity highways while increasing it locally on streets in station areas. Table 3.1-2 in Section 3.1, Traffic, Transit, Circulation, and Parking, shows that traffic is expected to decrease on State Route (SR) 152 by 4.2% under the Pacheco Pass alternative and increase by 0.6% under the Altamont Pass alternative. On US 101, peak period traffic between San Jose and Gilroy is expected to decrease by 4% under the Pacheco Pass alternative and by 1.6% under the Altamont Pass alternative. SR 25 and SR 156 were not analyzed because no impact was expected.

**L011-5**

The air quality analysis for the program-level document was conducted at a regional level. If the project is to move forward, the project-level air quality analysis will take the different air quality basins into consideration in the analysis.

Microscale impacts at station location options will be examined in the project-level analyses currently being conducted.

**L011-6**

The California Farmland Mapping and Monitoring Program (FMMP) was used to identify potential farmland impacts. This included evaluating the study area impacts of the alignment alternatives and station location options on Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. These are described in Section 3.8, Agricultural Lands, along with

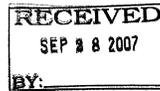
potential impacts of severance, as well as potential conflicts with farmland programs and policies.

**L011-7**

The Authority is charged to develop a proposed HST network that is fully coordinated with other public transportation systems (California Public Utility Code Section 185030 et seq.). Coordination with public transit agencies will be continued in future project-specific studies and planning for stations along HST alignments. It is not the intention of the system to divert funding from existing transit systems or other programs.

Comment Letter L012 (Maria Ayerdi, Transbay Joint Power Authority, September 27, 2007)

L 012



September 27, 2007

Mehdi Morshed, Executive Director
California High-Speed Rail Authority, EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Draft Bay Area to Central Valley High-Speed Train
Program Environmental Impact Report/Environmental Impact Statement

Dear Mr. Morshed:

The Transbay Joint Powers Authority (TJPA) wishes to congratulate the California High-Speed Rail Authority on the publication of the Draft Bay Area to Central Valley High-Speed Train (HST) Program Environmental Impact Report/ Environmental Impact Statement (EIR/EIS). The Draft EIS/EIR represents a significant milestone in your efforts to bring high speed rail service to California.

We have reviewed the Draft EIR/EIS and offer comments that are specific to the evaluation and selection of the high-speed rail terminus in San Francisco. In addition, the attached table contains technical comments related to specific sections in the EIR/EIS that reference the San Francisco terminus of the proposed system.

The TJPA fully supports San Francisco and the Transbay Transit Center building as the primary Bay Area destination for California high-speed rail. The new Transit Center is ready to play a major role in the region as a City center destination with full multimodal connectivity serving the greater San Francisco Bay Area as a regional transit hub. The scope and design of the Transit Center is being developed in accordance with MTC Resolution 3434, focused on transit-oriented development and is an integral part of the Regional Rail Planning for future regional rail service for Northern California.

The Transit Center operating as the California high-speed rail stop for San Francisco has advantages when compared with other potential locations. The foremost of these are:

- The Transit Center is a true multimodal transportation hub designed to provide access to both local and regional transportation networks consisting of buses, rail transit, commuter rail and future high-speed rail.
The Transbay Transit Center Program is being developed in general conformance to the policies and principles for transit-oriented development.

201 Mission Street, Suite 1960, San Francisco, CA 94105 • 415.597.4620 • transbaycenter.org

Page 2 of 4

- The Transbay Transit Center Program is largely funded, integrating public-private investment and allowing the development and construction of the Transit Center to proceed. The project has gained national recognition as a true state-of-the-art transportation gateway for Northern California and the first in the western United States.

- The Transbay Transit Center Program, consisting of the Transit Center and downtown rail extension, is an environmentally cleared project.

The development of the Transbay Transit Center Program and its inclusion of high-speed rail is supported by the voting public of California and San Francisco through the enactment of the following legislation:

- Proposition H (Nov 99), overwhelmingly adopted by San Francisco voters, makes it City law to extend Caltrain to downtown San Francisco to a new or rebuilt regional transit station on the site of the existing Transbay Terminal and mandates that the new transit station serve high-speed rail.
Senate Bill 1856 (Sep 02) clearly states that high-speed rail will connect Los Angeles Union Station to the San Francisco Transbay Terminal.
Senate Bill 916 (MTC Regional Measure 2) (Oct 03) clearly states that Caltrain be extended to Transbay, and that accommodation of a future high-speed passenger rail line to Transbay and eventual rail connection to the East Bay be provided.

The Transit Center is undoubtedly the preferred San Francisco destination for high-speed rail, embodied in the actions of the legislature and votes of San Francisco and Bay Area residents.

Notwithstanding the enacted legislation, the Transbay location meets or exceeds key high-speed rail station location objectives and evaluation criteria, presented in Table 2.5-2, Page 2-28 of the Draft EIR/EIS, as demonstrated in the following sections:

Maximize Ridership/Revenue Potential

- Table S.5-1 of the Draft EIR/EIS indicates an express travel time from Los Angeles to San Francisco of 2:36 hours. The travel time to downtown San Francisco is optimized with a Transit Center location as no additional mode transfer is necessary. With an alternative terminal location, additional travel time must be added to the 2:36 hours to account for a modal transfer to reach the downtown location. As the Draft EIR/EIS recognizes on Page 1-13, limited intermodal connections exist and where they do exist, they are cumbersome, involving long waits. The time associated with the intermodal connection must be included in the estimated downtown travel time for alternative station locations. Additional travel time could be in the region of 15-20 minutes.
The Draft EIR/EIS Section 7.3.1, Page 7-128, indicates that a Transit Center location will generate an additional 2.5 million passengers per year and \$19 million per year in revenue compared with a Fourth and Townsend street terminus. This finding is consistent with the Charles River Associates 1996 study performed for the Intercity High-Speed Rail Commission, the predecessor to the California High-Speed Rail Authority.

L012-2 Cont.

L012-3

L012-4

Transbay Joint Powers Authority • 201 Mission Street, Suite 1960, San Francisco, CA 94105 • 415.597.4620 • transbaycenter.org



U.S. Department of Transportation
Federal Railroad Administration

Comment Letter L012 – Continued

Page 3 of 4

**Maximize Connectivity and Accessibility**

- As evidenced by Draft EIR/EIS Table 3.1-4, Page 3.1-13, the Transit Center provides maximum connectivity with both City and regional transit service. As indicated, the Transit Center offers connectivity with providers Muni, AC Transit, SamTrans, and Golden Gate Transit. However, in addition to those providers listed, the Transit Center will also provide direct connectivity with Greyhound, WestCAT, Caltrain, and BART by means of a direct underground pedestrian connection.
- MTC Resolution 3434 (Dec 01) gives Transbay MTC's highest rating for system connectivity in terms of number of connecting operators, and frequency of connections and system access, in terms of the number of modal access options.

**Minimize Operating and Capital Costs**

The cost of the Transit Center is fully funded, and it will be a state-of-the-art facility. The Transit Center provides a rail destination which will take advantage of cost saving through the use of green design concepts. The multimodal station by default results in shared use, thus reducing costs for single operators, as costs for common areas are not borne by any one individual operator. Furthermore, no single operator is burdened with the capital costs for the facility. This is similar to business models used in the airline industry where no one airline is burdened with the cost for the entire airport; airlines instead are provided access through passenger service charges and other such financial arrangements.

**Maximize Compatibility with Existing & Planned Development**

MTC Resolution 3434 (Dec 01) gives the Transit Center MTC's highest rating for supportive land use for both residences and employment in the Transbay vicinity, consistent with the transit-oriented development goals of high-speed rail. The Neighborhood Redevelopment Plan, an integral component of the Transbay Program, will transform a currently underutilized section of downtown San Francisco, consisting of parking lots and irregular parcels of State-owned land previously occupied by structures that were demolished after the Loma Prieta earthquake, into a thriving transit-oriented neighborhood. Adopted by the City of San Francisco in June 2005, the Neighborhood Redevelopment Plan will facilitate the development of nearly 3,400 new homes (35% of which will be affordable), 1.2 million square feet of new office, hotel, and commercial space, and 60,000 square feet of retail, not including retail in the Transit Center. The buildings will include townhouses, low- and mid-rise buildings, and high-rise towers, all of which will be within easy walking distance of the high-speed rail terminal within the Transit Center.

**Maximize Avoidance of Areas with Geologic and Soils Constraints**

While the soil conditions at the Transit Center site are variable, the foundations for the structure bear upon an extremely competent layer of Colma Sand, which is used extensively as a foundation layer for structures in San Francisco. Conversely, the soils at the Fourth and King Street Station site comprise fill material overlying Bay Mud, with increased susceptibility to liquefaction during a seismic event and differential settlements, respectively.

Furthermore, as identified within the CHSRA Draft EIR/EIS (Table 3.11-1), no areas of potential hazardous materials have been identified for the Transbay Transit Center building location.

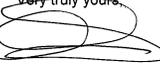
Based upon these high-speed rail criteria, we maintain that the most advantageous destination for high-speed rail in San Francisco is downtown at the new Transit Center. This opinion is

Page 4 of 4

shared by the voting public, as recognized in the Draft EIR/EIS Section 10.3, Page 10-6. Transbay is the San Francisco destination that the public wants.

The TJPA recognizes the importance of the high-speed train system to the future transportation and economic well-being of the State of California, and continues to support the implementation of the California high-speed train system.

Should you have any questions related to the TJPA's comments, please contact Robert Beck, TJPA Senior Program Manager, at 415.597.4620.

Very truly yours,  


Maria Ayerdi  
Executive Director

cc: Senator Don Perata  
Assemblywoman Fiona Ma  
Honorable Quentin Kopp

L012-4  
Cont.

L012-4  
Cont.



U.S. Department of Transportation  
Federal Railroad Administration

Comment Letter L012 – Continued

TJPA's Technical Comments on the Draft Bay Area to Central Valley HST EIR/EIS

Comment No.	EIR/EIS Reference	TJPA Comment	
1	Section 1.4.2 Page S-11	It is unclear how costs of additional travel time have been addressed. If the figures reflect only capital investment costs, an attempt should be made to evaluate the costs versus benefits of alternative alignments (for example the costs of additional travel time associated with inconveniently located stations or the potential for employment growth).	L012-5
2	Section 1.4.3 Page S-12	With reference to footnote 5, a route from San Francisco to Sacramento via the Altamont Pass with a Transbay Tube at Oakland would appear to be the most direct route.	L012-6
3	Chapter 2 general	The EIR/EIS needs to explain the relationship between the HST project and the Transit Center more explicitly, describing which TJPA facilities require expansion/alteration to efficiently operate and co-locate HST and Caltrain at the Transit Center, and which agency is responsible for these critical capital improvements.	L012-7
4	Section 2.3.2 Page 2-9	It is stated that technology exists to allow shared track operations, which would require four tracks at stations and three to four mainline tracks. It should be noted that the Transit Center Project is planning a configuration which would allow shared track operations consistent with this technology.	L012-8
5	Section 2.3.3 Page 2-16	Caltrain electrification will support operation to the Transit Center. <i>Transbay Terminal</i> is the term used to reference the existing facility.	L012-9
6	Table 2.5-1 Pages 2-24 and 2-25	It appears that the Transit Center is exclusively linked to a Transbay Crossing. The Transit Center should be the San Francisco terminus under all San Francisco network alternatives.	L012-10
7	Table 2.5-3 Page 2-30	Reference is made to a station at 4 <sup>th</sup> and Townsend streets. Reference is made elsewhere to a station at 4 <sup>th</sup> and King streets, which is understood to be the existing Caltrain terminus. A definition of the 4 <sup>th</sup> and Townsend station location should be provided. It should also be noted that as part of the planning for the Transbay Program, an underground station is planned at the intersection of 4 <sup>th</sup> and Townsend streets. As agreed by Caltrain and TJPA through coordination on the development of the Transbay Program, this station is designated the <i>4<sup>th</sup> and Townsend Street Station</i> , and the existing Caltrain surface station is designated as the <i>4<sup>th</sup> and King Street Station</i> . We would recommend that the EIR/EIS adopt the same nomenclature for consistency.	L012-11

8	Table 2.5-3 Page 2-34 Map TB-2	The EIR/EIS does not confirm whether a 4th and King transbay tube alignment can be established from that location without significant environmental and local disturbance to existing businesses/residences and major drainage structures. In addition, the Federal Transit Administration Record of Decision for the Transbay Program issued on February 8, 2005, has preserved the Townsend Street right-of-way for the Caltrain Downtown Extension (DTX). Constructing a high-speed rail East Bay crossing tunnel along this corridor may create a conflict for the DTX alignment.	L012-12
9	Section 3.1	At several intersections surrounding the Transbay Terminal, pedestrian circulation will be affected, according to the information in the Final EIS/EIR for the Transbay Transit Center Program. This information should be included for the Transit Center and 4 <sup>th</sup> and King Street Station.	L012-13
10	Table 3.1-3 Page 3.1-9	We have a number of concerns related to results of the traffic study presented in Table 3.1-3, and subsequently discussed on Pages 3.1-14 and 3.1-15 as follows:	L012-14
		The Final EIS/EIR for the Transbay Transit Center Program identifies study area intersections around the Transit Center that are and will continue to operate at LOS F with or without high-speed rail, which is different from the information presented in Table 3.1-3.	L012-15
		The discussion of the tabulated volume to capacity (v/c) ratios is for a "cordon around this station location option" for the Transit Center and for the 4th and King street sites. The EIR/EIS does not indicate which roadways are included in the "cordon," nor does it indicate how the v/c ratio was calculated, i.e., for the AM peak hour or PM peak hour, or for a peak period or on a daily basis. San Francisco Planning Department MEA analyzes PM peak hour conditions, and depending on the intensity of the proposed use, the AM peak hour conditions. Also, a v/c ratio analysis on a cordon basis is not appropriate for city conditions that are oversaturated during peak periods. During oversaturated conditions, the volume that is counted is artificially low because vehicles can't get through and are in queue instead. The capacity has to then be adjusted to reflect these conditions. This was probably not done correctly. In any event, the traffic analysis should be for intersections, rather than for a cordon.	L012-16

Comment Letter L012 – Continued

		Table 3.1-3 indicates the streets around the 4 <sup>th</sup> and King Street Station currently operate and will continue to operate at LOS A. We believe this does not accurately reflect peak period conditions at 3rd/King and 4th/King. The use of the cordon results in a significant difference in the results for the existing v/c ratios for the Transit Center and for the 4th and King street sites, which is then carried through the 2030 analysis. Intersection operating conditions in the vicinity of the 4th and King street site are much more congested than the v/c ratio reflects, and by 2030, many of the intersections are projected to operate at LOS F. The Final Transportation Study report for a project at 178 Townsend Street shows LOS E or F conditions at 2nd/King, 3rd/King, 3rd/Brannan and 2nd/Bryant. Preliminary (subject to review by the FHWA) results from the Central Subway Project analysis indicate LOS F conditions at 3rd/King, 4th/King, and 6th/Brannan. (Only five intersections were analyzed for that study.) Other reports also indicate significant impacts that cannot be mitigated at nearby intersections.	L012-16 Cont.
11	Table 3.1-3 Page 3.1-9	Table 3.1-3 indicates that 2,000-3,000 parking spaces will be required for high-speed train (HST) service for the Pacheco alignment and 1,500 and 2,100 for Altamont for either a Transit Center or 4 <sup>th</sup> /King terminal. These figures also need to be justified. The parking demand for the two station location options does not seem to correctly reflect the difference in transit accessibility between them. We would not expect the required access by auto to be the same for the two sites. This argument is reflected in the impact discussion for the Transit Center on page 3.1-27 that presents a qualitative statement of Transbay's transit accessibility: "Being in an urban hub, much of the HST station traffic would use transit services to access the station." The traffic projections/modeling do not appear to have accounted for the intermodal connectivity at Transbay as a means of reducing traffic congestion.	L012-17
12	Table 3.1-4 Page 3.1-13	The connecting transit service at the Transit Center will also include WestCAT, Greyhound, Caltrain and BART. As part of the proposed Downtown Extension of Caltrain under the Transit Center Program, an underground station will be constructed beneath Townsend Street at 4 <sup>th</sup> Street adjacent to the existing Caltrain Yard. This station is being referred to as the 4 <sup>th</sup> and Townsend Street Station to distinguish it from the existing station, which is referred to as the 4 <sup>th</sup> and King Street Station.	L012-18
13	Table 3.1-4 Page 3.1-13	The table lists 4 <sup>th</sup> /Townsend as a potential HST location, whereas previously and subsequently 4 <sup>th</sup> and King has been identified as a potential terminal location. A consistent term should be used for the Transbay alternative. It is recommended to use 4 <sup>th</sup> and King.	L012-19

14	Section 3.1.1 Page 3.1-14	The current Caltrain terminus should be identified as the 4 <sup>th</sup> and King Street Station, not 4 <sup>th</sup> and Townsend. As part of the proposed Downtown Extension of Caltrain under the Transbay Transit Center Program, an underground station will be constructed beneath Townsend Street at 4 <sup>th</sup> Street adjacent to the existing Caltrain Yard. This station is being referred to as the 4 <sup>th</sup> and Townsend Street Station to distinguish it from the existing station which is referred to as the 4 <sup>th</sup> and King Street Station.	L012-20
15	Section 3.1.1 Page 3.1-14	The Transit Center will extend to Beale Street, not Fremont Street as indicated.	L012-21
16	Section 3.1.1 Page 3.1-14	It should be noted that the Transit Center is a future facility, which does not yet exist. The document should use the term <i>Transit Center</i> when referring to the future facility, and <i>Transbay Terminal</i> when referring to the existing facility. A global check should be performed on the document. (See also page 3.2-26, Table 3.7.3, Page 3.16-15 & elsewhere.)	L012-22
17	Section 3.1.1 Page 3.1-15	It is intended that Transbay will become the principal terminus for Caltrain service.	L012-23
18	Section 3.1.1 Page 3.1-15	The distance between Transbay and 4th and King streets is 1.3 miles, not less than one mile as stated. The distance is also stated as 1.2 miles on page 3.2-32. This too should be corrected to read 1.3 miles.	L012-24
19	Section 3.1.1 Page 3.1-18	The discussion on Bay crossings should include reference to the fact that Senate Bill 916 (MTC Regional Measure 2) (Oct 03) states that accommodation for an eventual rail connection to the East Bay be provided within the Transbay design.	L012-25
20	Section 3.1.3 Page 3.1-27	The EIR/EIS states that the Metropolitan Transportation Commission's Transit Center Improvement Plan details a new 600,000-square-foot bus and rail transit facility as well as new transit-oriented development surrounding the terminal. The footprint of the center has been expanded. The Transit Center Scope Definition Report (March 2007) states the square footage of the building footprint is approximately 1 million square feet. Page 2-14 of the Final EIS/EIR for the Transbay Transit Center Program indicates that the Transit Center will have a total floor area of just over 1 million square feet.	L012-26
21	Section 3.1.3 Page 3.1-27	The current Transit Center configuration provides for 30 bus bays on a single elevated bus level and 10 bus bays on a below-grade mezzanine level.	L012-27

Comment Letter L012 – Continued

22	Section 3.1.3 Page 3.1-27	It does not seem that parking supply and cost was correctly reflected in the calculation of ridership demand; parking supply was assumed unconstrained, as stated on page 3.1-27: "It is assumed that the private sector would respond to the demand at market rates and provide sufficient parking at or close to this location to accommodate the demand at this location." This is not the City's policy or experience. The parking supply in the area around the Transbay Terminal is decreasing. We do not believe it is realistic to assume that "HST riders have adequate parking if they pay \$25 per day, the current market rate for the area." Neither do we believe that the level of parking indicated is warranted.	L012-28
23	Section 3.1.5 Page 3.1-38	It is stated that an increase in traffic and congestion is anticipated at HST station locations. However, on Page 3.1-27 it is stated, "Being in an urban hub, much of the HST station traffic would use transit services to access the station." The basis for this statement regarding increased traffic and congestion is not clear.	L012-29
24	Section 3.1.5 Page 3.1-38	The basis for the statement that the HST station options have capacity deficiencies to meet transit demand is not provided. The capacity of the Transit Center has been based upon the future operating requirements of both bus and rail transit providers.	L012-30
25	Table 3.2-7 Page 3.2-12	The table indicates a travel time of 3 hours and 24 minutes from downtown Los Angeles to downtown San Francisco. The travel time will be increased with a 4 <sup>th</sup> and Townsend terminus, which will require a modal transfer to reach the downtown location.	L012-31
26	Table 3.2-7 Page 3.2-12	No travel time for San Francisco to Sacramento is indicated.	L012-32
27	Section 3.2.3 Page 3.2-17	Further statistics on HST timeliness should be available from South Korea and Taiwan.	L012-33
28	Section 3.2.3 Page 3.2-21	HST will also share track with commuter and freight service in the Los Angeles area.	L012-34
29	Section 3.2.3 Page 3.2-30	It is stated that parking charges of \$25 contribute significantly to the cost of a trip from San Francisco. Based upon previous comments related to the accessibility of Transbay by other transit systems, there seems to be little justification for this statement.	L012-35
30	Section 3.2.3 Page 3.2-32	It is recognized in the text that the Transit Center offers far superior connectivity than 4th and King, and that travel times to downtown could be expected to be superior. It would reasonably be expected that an analysis of the travel time from 4th and King to downtown would be performed to quantify the difference in performance of the two options.	L012-36

31	Section 3.3.6 Page 3.3-20	A more detailed traffic analysis at Transit Center and 4th/King stations would provide a more accurate determination of localized air quality impacts at these locations than is currently provided.	L012-37
32	Table 3.4-4 Page 3.4-14	The table indicates a vibration impact rating of <i>medium</i> for the Transit Center. This contradicts the text on page 3.4-13, which states that vibration impacts are low. Shared use of the DTX tunnel and San Francisco terminal stations should not produce noise and vibration impacts for HST operation. The basis for indicating <i>medium potential</i> of effect at these locations is not clear.	L012-38
33	Section 3.7.2 Page 3.7-14	It should be noted that an East Bay crossing from the Transit Center would be located on Main Street to be consistent with current studies for the Transbay Program.	L012-39
34	Table 3.7-3 Page 3.7-20	Table 3.7-3 should reflect the modifications to the planning code and redevelopment plan documents that are currently in process for the South of Market area to more accurately determine if land use, population, and housing impacts would occur with the implementation of the HST project.	L012-40
35	Section 3.7.3 Page 3.7-30	It is stated that an underground HST station location option at 4th and King streets would be highly compatible with the existing Caltrain station and yard under which it would be located. The report should demonstrate the feasibility and practicality of constructing an underground facility at this location including HST station infrastructure—waiting rooms, servicing, etc.—capable of supporting 1,400 foot HST consists, while maintaining uninterrupted Caltrain service at the surface station.	L012-41
36	Table 3.9.1 Page 3.9-11	The table indicates no visual impacts for the Bay crossing alternatives. It should be recognized that ventilation structures will be required on either shoreline for air intake and exhaust for normal and emergency conditions. The impacts of these structures should be examined in the project-level EIR/EIS.	L012-42
37	Section 3.10.6 Page 3.10-11	The alignment profile shown in Appendix 2D, Page 2-D-2 shows HST below grade as it approaches the 4 <sup>th</sup> and King station. At this location an existing sewer is referenced—the San Francisco Public Utilities Commission Division Street Outfall. The Transbay Program has sought to avoid any conflict with this major sewer location, which comprises a four compartment box sewer at the interface with the HST alignment. The potential conflict with this sewer, feasibility of proposed mitigation, and associated construction cost impacts should be recognized within the EIR/EIS.	L012-43



Comment Letter L012 – Continued

38	Table 3.11-1 Page 3.11-10	Although the table indicates no hazardous material impacts would occur in the South of Market area due to HST implementation, a more thorough analysis of the transbay crossing may reveal potential hazardous materials impacts.	L012-44
39	Table 3.12-1 Page 3.12-12	Although no recorded archaeological and architectural resources are indicated in the table for the Transit Center and 4th/King stations, the sensitivity rating for both is <i>high</i> . This apparent inconsistency should be clarified. The information presented should also correlate with that contained in the Final EIS/EIR for the Transbay Transit Center Program.	L012-45
40	Table 3.14-1 Page 3.14-14	The table indicates that there are groundwater impacts at the Transit Center and 4th/King stations. The impacts and their relationship to HST operation in shared use facilities should be described.	L012-46
41	Table 3.14-2 Page 3.14-18	The table subheading Lakes should be changed to something more relevant to indicate the hydrologic effects of the transbay tunnel.	L012-47
42	Table 3.15-1 Page 3.15-26	Under the heading Wildlife Corridor Movement, it appears that there is an impact identified for the San Francisco side of the transbay tunnel. This is also stated on Page 3.15-16 and indicated on Figure 3.15-3. However, the wildlife species is not specifically identified.	L012-48
43	Section 3.15.3 Page 3.15-35	The text describes impacts on Bay Waters and one special-status species in the area around the Transit Center and 4 <sup>th</sup> and King Street Station. However, it is not clear whether this relates to the Transbay Crossing alignment only or the proposed station locations. The plant species is not identified. For the Transbay location, the impacts should be compared with those identified within the Final EIS/EIR for the Transbay Transit Center Program.	L012-49
44	Table 4.2-1 Page 4.2	The costs for Transit Center are stated as being \$786 million, and the Caltrain Downtown Extension, \$398 million. The breakdown and basis for these costs should be coordinated with current estimates for the Transbay Program.	L012-50
45	Chapter 5	The beneficial as well as adverse economic effects of the HST project on San Francisco need to be described using the most recent planning documents for the South of Market area. The analysis lacks a comprehensive perspective of project-related direct and indirect economic impacts on the City economy and tax base, which should be included in the project-level document.	L012-51

46	Section 5.2.2 Page 5-4	It is stated that quantitative modeling was performed for the San Francisco and San Jose termini because prior studies performed by California High-Speed Rail Authority suggested that these termini are likely to produce the highest system ridership, and hence the highest potential for induced growth and secondary impacts. We believe strongly that this was an accurate prediction; this statement is not supported by the ridership figures presented in Table S-5.1. Based upon the outcomes of the prior studies, an explanation of why the anticipated results were not realized should be given. If the results suggest that the qualitative assessment of the other alignment/station options is overly optimistic, this should be stated.	L012-52
47	Table 7.2-1	All network alternatives presented use Transbay as the basis of the comparison. It should be noted within the travel times that with a 4th and King terminus, the travel time indicated to downtown San Francisco would reasonably be expected to increase by approximately 15-20 minutes.	L012-53
48	Section 7.3.1 Page 7-127	The TJPA agrees with the statements made related to key aspects of the analysis for the Transit Center. The Transit Center provides greater connectivity to San Francisco and the greater Bay Area; is very compatible with existing and planned development; offers superior travel times to downtown; will be a truly multimodal hub; affords the opportunity for many potential HST passengers to walk to the station; and has low environmental impacts. TJPA believes that a station at the Transit Center best meets the vision of a multimodal hub surrounded by transit-oriented development, which aligns with California's new policy initiative for reducing greenhouse gases based on ridership potential.	L012-54
49	Section 7.3.1 Page 7-127	It should be recognized that Muni bus service will be located directly at the Transit Center, in addition to the light rail service one block away. It should also be recognized that a direct underground pedestrian connection will be provided between the Transit Center and BART/Muni service on Market Street.	L012-55
50	Section 7.3.1 Page 7-127	It should be noted that extensive analysis of the tunneling option has proven its feasibility.	L012-56
51	Section 7.3.1 Page 7-128	It is stated that the travel time from a 4 <sup>th</sup> and King station would be 2.5 minutes shorter than to the Transit Center. This statement is misleading, in that the Transit Center represents a downtown location. The additional travel time to journey downtown should be added to the travel time for the 4 <sup>th</sup> and King station for a true comparison.	L012-57

**Comment Letter L012 – Continued**

52	Section 7.3.1 Page 7-128	We believe there are considerable construction logistics and rail operations impacts which must be mitigated at the 4 <sup>th</sup> and King site to accommodate the construction of an underground facility. These should be addressed within the report. The cost and schedule impacts of the staging required to maintain Caltrain service during construction of the permanent facility must be reflected in the project cost estimate.	L012-58
53	Figure 7.3-9	The figure indicates a transbay crossing to the Transit Center, which is inconsistent with the current studies being performed as part of the conceptual engineering for the Transit Center. The EIR/EIS should be coordinated with the Transbay Program's engineering studies.	L012-59
54	Appendix 2-D Figures 2-D-2 and 2-D-98	The Alignment Plan shows a transbay crossing to a Transit Center located on Howard Street, and also indicates a 3rd Street alignment for the Caltrain Downtown Extension. The Transit Center and Caltrain Downtown Extension alignments and locations should be shown in accordance with the Final EIS/EIR for the Transbay Transit Center Program. There is no basis or justification for arbitrarily altering the station location or rail alignment.	L012-60
55	Appendix 2-D Figure 2-D-2	The profile is stated as being based on the HST station at 4 <sup>th</sup> and Townsend (assumed 4 <sup>th</sup> and King per previous comments). This profile involves a significant length of tunneling at shallow depth from the 22 <sup>nd</sup> Street Station into the City, which at the depth indicated would presumably be by cut-and-cover methods. The impacts of this tunneling on the Caltrain operation should be assessed.	L012-61
56	Appendix 2-D Figures 2-D-92, 2-D-93, and 2-D-97	All network alternative descriptions and travel times indicated in Section 7 are based upon HST coming to Transit Center. The figures both represent a Transbay destination at 4 <sup>th</sup> and King streets, which is not a previously identified HST station location. It is suggested in the figures that only a future BART line is destined for the vicinity of the Transit Center. There is an obvious inconsistency in the information presented that should be resolved.	L012-62
57	Appendix 2-F Pages 2-F-1 to 2-F-3	The station designation should be 4 <sup>th</sup> and King.	L012-63
58	Appendix 2-F Page 2-F-1	It is stated that San Francisco General Plan Policy 5.5 calls for "development of high-speed rail that links downtown San Francisco to major...national passenger rail corridors" and is "integrated with the transit network of the city and region." It should be acknowledged that neither of these parameters is accomplished in full by the 4 <sup>th</sup> and King station location.	L012-64

59	Appendix 2-F Page 2-F-1	The description of the proposed station layout suggests an at-grade station, with a similar configuration to the existing Caltrain station. Elsewhere it is suggested that an underground station will be constructed for HST in this location. The text and drawings for this station location should be reconciled to promote a consistent solution.	L012-65
60	Appendix 2-F Page 2-F-2 to 2-F-3	Neither sketch shown appears consistent with the description (12 track/6 platform) provided on page 2-F-1. The drawings also appear to indicate that the proposed station is above grade, which again appears inconsistent with the EIR/EIS.	L012-66
61	Appendix 2-F Page 2-F-2	The drawing 2-F-2 appears to indicate a two-track alignment for the Caltrain Downtown Extension. This is not consistent with the environmentally cleared and approved configuration for the Caltrain Downtown Extension, which comprises a three-track alignment between the proposed underground 4 <sup>th</sup> and Townsend station, and the six-track approach to the Transit Center platforms at the intersection of Second and Tehama streets approximately.	L012-67
62	Appendix 2-F Page 2-F-4	The discussion of the station layout appears to suggest that the Transit Center rail station is dedicated to HST. It should be acknowledged that operation of the station will be shared with Caltrain.	L012-68

---

**Response to Letter L012 (Maria Ayerdi, Transbay Joint Power Authority, September 27, 2007)**

---

**L012-1**

The Authority and FRA agree that publishing and circulating the Draft Program EIR/EIS is a milestone for the HST program.

**L012-2**

The Preferred Alternative identified in this Final Program EIR/EIS consists of the Pacheco Pass Alternative with the Transbay Transit Center as the Bay Area's northern terminus station.

The Authority and FRA are aware, and the Draft Program EIR/EIS notes, that the Transbay Transit Center is located in a major destination in the state and that this facility would provide multimodal connectivity to the San Francisco Bay Area region.

The Authority and FRA acknowledge, and the Draft Program EIR/EIS notes, that an integral part of the Transbay Transit Center is transit-oriented development proposed on properties near the center, consistent with MTC policies and the Regional Rail Plan.

The Authority and FRA are aware of the existing and proposed public/private funding, the national recognition, the completed environmental review, and the voter and legislative support for the Transbay Transit Center.

These factors played into the identification of the Transbay Transit Center's identification as the Preferred Alternative identified in this Final Program EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L012-3**

The travel time of 2:36 is an optimized travel time that accounts only for vehicle travel between downtown Los Angeles and downtown San Francisco and does not include station access time. If the 4<sup>th</sup> and King terminal were the destination, the in-vehicle travel time would be shorter by 2.5 minutes.

**L012-4**

Comment acknowledged.

**L012-5**

Comment acknowledged. Section 1.4.2 (page S-11) of the Draft Program EIR/EIS presented a comparison of capital costs of the HST system and operational costs. It did not attempt to address the costs of additional travel times for passengers. The different passenger costs (both travel time and total costs) for different station location options were accounted for in the ridership and revenue forecasts. Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L012-6**

Travel times between Sacramento and San Francisco are less for the Altamont Pass alternatives than for the Pacheco Alternatives. As noted in Table S.5-1, travel time between San Francisco and Sacramento with a transbay tube between Oakland and San Francisco would be 57 minutes, compared to 1 hour and 47 minutes for the Pacheco Pass Alternative, a difference of 50 minutes.

The Preferred Alternative identified in this Final Program EIR/EIS does not include a San Francisco Bay crossing due to construction issues, logistical constraints, costs, and environmental impacts. The Altamont Pass alternatives with a new transbay tube between Oakland and San Francisco would have high potential environmental impacts and considerable construction issues. This alternative would have more than 36 acres of potential direct impacts on the San Francisco Bay and 38.8 acres of potential impacts on water bodies (lakes + San Francisco Bay), whereas the Oakland and San Jose Termini Altamont Pass Network Alternative would have only 2.3 acres of potential direct impacts. In addition, for any alternatives that included a new Bay crossing, extensive coordination would be required with the USACE under Section 10 of the Rivers and Harbors

Act, USFWS, and the California Coastal Commission. Proposed facilities crossing the Bay would also be subject to the USACE, CDFG, and BCDC permit processes.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

### **L012-7**

The Authority and the Caltrain JPB have developed and signed a cooperative agreement regarding the need to fully coordinate the design/engineering, facility needs, service levels, funding, right-of-way, and other issues between Caltrain and the Authority. The Authority proposes that such an agreement also be developed and executed between the Transbay Joint Powers Authority (TJPA) and the Authority. The detailed relationships between the TJPA, Caltrain, and the Authority will be more precisely developed and defined as the project proceeds into the preliminary engineering and project-level environmental review.

### **L012-8**

The Authority and FRA acknowledge and appreciate the extensive planning and engineering that that has been undertaken to date by the TJPA and Caltrain to enable shared track operations along the Caltrain Corridor and into the new Transbay Transit Center. The Authority anticipates additional detailed planning and coordination between the TJPA, Caltrain, and the Authority as the project proceeds into the preliminary engineering and project-level environmental review.

### **L012-9**

The Authority and FRA acknowledge that the Caltrain electrification project is being planned to be fully consistent with the HST equipment and requirements.

The Authority and FRA understand that the current terminal building is referred to as the Transbay Terminal, and the proposed new terminal is referred to as the Transbay Transit Center, and the Final

Program EIR/EIS has been revised to be consistent with this comment.

### **L012-10**

The Preferred Alternative identified in this Final Program EIR/EIS includes the Transbay Transit Center as the northern terminus for the Pacheco Pass/Caltrain Corridor. Other alternatives are not identified as preferred. Please see Standard Response 3 and Chapter 8 of the Final Program EIR/EIS.

### **L012-11**

Table 2.5-3 does not make reference to a “station at 4<sup>th</sup> and Townsend streets.” As appropriately labeled, this table references an end-point of a segment as “4<sup>th</sup>/Townsend.”

### **L012-12**

Please see Standard Response 3 and Chapter 8 which identify the Transbay Transit Center as the northern terminus for the Preferred Alternative. The Authority and FRA are aware of the Downtown Extension alignment identified in the Transbay Terminal/Caltrain Downtown Extension/ Redevelopment EIS/EIR and the associated Record of Decision issued by the Federal Transit Administration.

### **L012-13**

The project-level EIR/EIS will evaluate in more detail the various access modes and their associated impact for each of the station location options identified in the Preferred Alternative, including pedestrian access. For the Transbay Transit Center, the Authority and FRA will use as a starting point for this analysis the Transbay Terminal/Downtown Extension/Redevelopment Final EIS/EIR. The Preferred Alternative identified in the Final Program EIR/EIS does not include an HST station at 4<sup>th</sup> and King.

### **L012-14**

Please see the Response to Comments L012-15 through L012-21 regarding the traffic analysis in the Draft Program EIR/EIS.

**L012-15**

Because the HST environmental document is a program-level document, it is concerned with defining where impacts might occur and relative magnitude of those impacts compared with other locations across much of California. Consequently, the document uses methodology and data suited for rapidly screening and comparing locations, such as cordon analysis and traffic projections from the regional model. This approach is suited to screening impacts over the thousands of intersections that might be affected by HST, which is the purpose of the HST environmental document. A more detailed project-level environmental document will be developed prior to construction of any facilities. The final EIS/EIR for the Transbay Transit Center Program was a project-level document that was focused on a corridor just over 1 mile long. Its different methodology and focus led to different results compared with the HST document. The Transbay document's level of detail and accuracy for its assessment of the base and future traffic conditions in this local area were much higher than that of the program-level HST document, as is appropriate for a project-level document. But its methodology is not appropriate for screening the HST alignments through California.

Please also see Standard Responses 1 and 2 regarding the level of detail of a program EIR/EIS.

**L012-16**

See Response to Comment L012-15.

**L012-17**

The parking demand for an HST station at the Transbay Transit Center is worst case analysis that is likely overstated because it uses airport access as a model. In practice, much of the auto access trips forecast for the Transbay Transit Center will either switch to transit access or use the Millbrae station for drive access.

**L012-18**

Table 3.1-4 of the Final Program EIR/EIS has been revised to reflect the additional transit providers.

**L012-19**

Section 3.1, Traffic, Transit, Circulation, and Parking, of the Final Program EIR/EIS has been revised to make terminology being used for the 4<sup>th</sup> and King (existing)/4<sup>th</sup> and Townsend (future) station consistent.

**L012-20**

Section 3.1, Traffic, Transit, Circulation, and Parking, of the Final Program EIR/EIS has been revised to make terminology being used for the 4<sup>th</sup> and King (existing)/4<sup>th</sup> and Townsend (future) station consistent.

**L012-21**

The text on page 3.1-13 the Final Program EIR/EIS has been updated to reflect the Beale Street limits of the Transbay Transit Center.

**L012-22**

In this Final Program EIR/EIS, the future downtown San Francisco station is now referred to as the Transbay Transit Center, and the existing facility is referred to as the Transbay Terminal.

**L012-23**

Text on page 3.1-14 the Final Program EIR/EIS has been revised to reflect the Transbay Transit Center as the principal terminus of Caltrain.

Comment acknowledged.

**L012-24**

The text on page 3.1-15 the Final Program EIR/EIS has been revised to reflect 1.3 miles between the Transbay Terminal/Transbay Transit Center and the 4<sup>th</sup> and King Caltrain station.

**L012-25**

The Authority and FRA are aware of the provision in Senate Bill 916 requiring the Transbay design to accommodate an eventual rail connection to the East Bay. The Preferred Alternative identified in this Final Program EIR/EIS does not include a San Francisco Bay crossing for the reasons provided in Response to Comment L012-6. Future development of such a crossing would be the responsibility of others. During preliminary engineering and the project-level EIS/EIR, the Authority and FRA will discuss with the TJPA the design options that are currently under review by the TJPA for provision of such a crossing.

**L012-26**

Section 3.1.3 of the Final Program EIR/EIS has been revised to reflect the 1 million square feet (ft) now programmed for the Transbay Transit Center.

**L012-27**

Section 3.1.3 of the Final Program EIR/EIS has been revised to include the 30 bus bays on a single elevated bus level and 10 bus bays on a below-grade mezzanine level.

**L012-28**

The text in Section 3.1.3 of the Final Program EIR/EIS assumes that parking goes to the highest bidder, which could be the intercity travelers if they were willing to outbid others. Parking may be well away from the site with access provided by shuttles, reflecting the constrained parking conditions in the immediate neighborhood. See also Response to Comment L012-17 regarding the magnitude of the demand.

**L012-29**

The methodology for determining the change in traffic and congestion is described in Section 3.1.1, Regulatory Requirements and Methods of Evaluation, of the Final Program EIR/EIS.

**L012-30**

Table 3.1-3 of the Final Program EIR/EIS indicated peak hour bus transit capacity issues serving downtown San Francisco based on observation of Muni buses. The capacity of the future Transbay Transit Center was not considered an issue.

**L012-31**

Preliminary ridership forecasts have acknowledged that there would be some decrease in ridership if 4<sup>th</sup> and King is the terminus instead of the Transbay Transit Center. Please see Section 7.3.1, "Transbay Transit Center" and "4<sup>th</sup> and King."

See Response to Comment L012-3.

**L012-32**

These are representative travel times between cities; this is not an exhaustive list of potential city pairs on the HST system.

**L012-33**

The Authority and FRA believe the examples provided in the Program EIR/EIS are adequate for the purposes of this program-level document.

HST service has proven to be reliable around the world.

**L012-34**

There is the possibility that track could be shared between the HST system and Metrolink and other passenger services, but not with the freight railroads between Anaheim and Los Angeles (south of Fullerton, limited freight operations would be run overnight when passengers service would not be operating).

**L012-35**

Parking costs would contribute to the overall cost of a trip; however, it was not stated that this would be a significant cost to the project.

The ridership analysis assumed a high degree of auto access, with corresponding parking charges. Please see Response to Comment L012-17.

Even with the excellent transit accessibility of the Transbay Transit Center, some passengers would still need to drive to the station and park. Consequently, it is not reasonable to assume that all passengers would be able to take transit to the terminal; therefore, the parking costs are included in the overall cost of a trip.

**L012-36**

See Response to Comment L012-3. A more detailed analysis will be conducted at the project-level evaluation.

**L012-37**

A more detailed traffic and air quality analysis will be conducted at the project-level environmental analysis.

**L012-38**

Table 3.4-4 has been changed to reflect the text on page 3.4-13. Transbay Transit Center and 4<sup>th</sup> and King (Caltrain) should be shown as low potential impacts for both noise and vibration.

**L012-39**

Please see Response to Comment L012-25.

**L012-40**

A more detailed evaluation of land use impacts will be performed during the preliminary engineering and project-level environmental process. The planning code and redevelopment plan documents currently in process for the South of Market area will be reviewed as part of this more detailed land use review.

**L012-41**

The Preferred Alternative identified in this Final Program EIR/EIS includes the northern terminus station at the Transbay Transit Center. The Transbay Transit Center was selected as the terminus station, in part, due to the constraints for such a station at 4<sup>th</sup> and King. Please also see Standard Response 3 and Chapter 8 of this Final Program EIR/EIS.

**L012-42**

Please see Response to Comment L012-6, which notes that the Preferred Alternative does not include a Bay crossing. An evaluation of the visual impacts of a Bay crossing is therefore not necessary and will not occur during the preliminary engineering and project-level environmental review.

**L012-43**

The Authority and FRA are aware of the existence of this major sewer facility and will work with Caltrain and the TJPA during preliminary engineering and the project-level EIS/EIR review process to avoid, if possible, conflicts with this major sewer.

**L012-44**

Please see Response to Comment L012-6, which notes that the Preferred Alternative does not include a Bay crossing. An evaluation of the hazardous impacts associated with a Bay crossing is therefore not necessary and will not occur during the preliminary engineering and project-level environmental review.

**L012-45**

Information related to cultural resources has been added to Section 3.12 in the Final Program EIR/EIS from the May 25, 2006 Addendum for the Transbay Terminal/Downtown Extension/Redevelopment Project Final EIS/EIR. The discussion in the Draft Program EIR/EIS had indicated that the Transbay Terminal was a National Register resource within the area of potential effects (APE) but also noted that it was identified to be removed for the new Transbay Transit Center. Table 3.12-1 showed a high rating for the Transbay Transit

Center and the 4<sup>th</sup> and King stations, noting that these locations would likely have high sensitivity based on knowledge and experience in the area of potential effect.

**L012-46**

At this stage of program level of analysis, it is unknown to what extent groundwater at the Transbay Transit Center and 4<sup>th</sup> and King stations would affect operations in a shared-use facility. The tunnel segments and underground stations would likely encounter groundwater. Dewatering would likely be required during construction and potentially during operation of the HST where the tunnels and stations would encounter groundwater.

**L012-47**

The headings for Table 3.14-1 and 3.14-2 have been revised in the Final Program EIR/EIS to “Lakes/Bay” to better identify the type of resource potentially affected.

**L012-48**

As noted on page 3.15-34 in Section 3.15.3 of the Draft Program EIR/EIS, the western shore of the San Francisco Bay provides a critical movement corridor for nesting and foraging birds and other wildlife.

**L012-49**

The plant species identified through the California Natural Diversity Data Base (CNDDDB) within the program-level study area was identified to be the beach layia (*Layia carnosia*). Future Tier 2 project-level environmental surveys within a more defined study area may find that the species is not present because the habitat is primarily associated with sand dunes.

**L012-50**

The project costs were independently derived. The Authority will coordinate future cost estimates for the project-level environmental analysis with the TJPA.

The basis for the costs of the Transbay Transit Center and the Caltrain Downtown Extension are found in Appendices 4B and 4A, respectively. The Authority will coordinate future cost estimates during the project-level environmental analysis with the TJPA.

**L012-51**

Comment acknowledged.

**L012-52**

Section 5.2.2 refers to the “San Francisco and San Jose Termini” network alternative. Please see Chapter 2, Section 2.5 and Table 2.5-1, for an explanation of the network alternatives.

**L012-53**

Comment acknowledged. Table 7.2-1 provides comparisons of the network alternatives (which all use the Transbay Transit Center for alternatives to San Francisco). Please see Table 7.3.1 under “Bay Area to Central Valley Station Options” for the comparison between the Transbay Transit Center and 4<sup>th</sup> and King station location options. Please also refer to Chapter 8 of this Final EIR/EIS and Standard Response 3.

**L012-54**

The characteristics of the Transbay Transit Center provided in Section 7.3.1 played a role in the identification of the Transbay Transit Center as the preferred northern terminus of the Preferred Alternative identified in this Final Program EIR/EIS.

**L012-55**

Muni bus service has been added to the Transbay Transit Center table, Section 7.3.1. Direct connections to BART are referenced in this table.

**L012-56**

The Authority and FRA acknowledge the extensive tunnel investigations that have been undertaken by the TJPA.

**L012-57**

Comment acknowledged. The travel times presented in Section 7.3.1 are “line-haul” travel times. Total travel time estimates were used to develop the ridership and revenue forecasts.

**L012-58**

Please see Response to Comment L012-41. The construction requirements and impacts for such a station played a role in the selection of the Transbay Transit Center as the Preferred Alternative northern terminus station.

**L012-59**

The Authority is not considering a transbay crossing as part of its Preferred Alternative. See also Response to Comment L009-25.

**L012-60**

Please see Response to Comment L012-42. Future project-level drawings will be corrected to not to show a Third Street alignment option. See also Response to Comment L009-25.

**L012-61**

Impacts on Caltrain will be considered in more detail at the project level, when specific construction impacts will be analyzed and mitigation measures refined. Mitigation measures will include planning to avoid or minimize disruption of Caltrain service during construction.

**L012-62**

Please refer to Chapter 2 for the purpose of the network alternatives and for the potential station locations evaluated as part of this Program EIR/EIS. The 4<sup>th</sup> and King location is clearly identified as a potential station location option (Section 2.5.1).

**L012-63**

Comment acknowledged. Figures in project-level documents will be changed to read “4<sup>th</sup> and King.” See Response to Comment L009-25.

**L012-64**

The 4<sup>th</sup> and King Station fact sheet has been updated to reflect the fact that the 4<sup>th</sup> and King station does not meet the goals of Section 5.5 of the general plan.

**L012-65**

Appendix 2-F, pages 2-F-2 and 2-F-3, has been updated to reflect a subterranean station.

**L012-66**

Appendix 2-F, page 2-F-2, has been updated to reflect a subterranean station.

**L012-67**

The station fact sheet has been updated to show a three-track configuration between 4<sup>th</sup> and King and the Transbay Transit Center.

Appendix 2-F, page 2-F-2, has been updated to reflect a three-track alignment between the 4<sup>th</sup> and King station and the six-track approach to the Transbay Transit Center platforms at the intersection of Second and Tehama Streets, approximately.

**L012-68**

The station fact sheet in Appendix 2-F in this Final Program EIR/EIS has been updated to state that the Transbay Transit Center usage will be shared between Caltrain and the HST system.

**Comment Letter L013 (Steve Tate, City of Morgan Hill, September 27, 2007)**



COMMUNITY DEVELOPMENT DEPARTMENT  
17555 PEAK AVENUE  
MORGAN HILL, CA 95037-4128  
PLANNING: 408-779-7247  
BUILDING: 408-779-7244  
FAX: 408-779-7236  
WWW.MORGAN-HILL.CA.GOV

September 27, 2007

L 013

Mr. Mehdi Morshed  
Executive Director  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814



Subject: Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS

Dear Mr. Morshed,

Thank you for the opportunity to comment on the subject Environmental Impact Report and Environmental Impact Statement. Our City Council reviewed the document at its meeting of September 26, 2007. We examined the environmental impacts of the several variations to the two base alignments, the first connecting to the Bay Area over Altamont Pass in the East Bay and the other over Pacheco Pass serving South County, with direct connections to San Jose and San Francisco. Upon this review, the City has adopted a position endorsing the Southern Pacheco Pass Alignment for the High Speed Rail project. The Pacheco Alignment will benefit Morgan Hill, the South County and Monterey, Santa Cruz and San Benito Counties by providing connectivity to the high-speed rail system. This will increase ridership on the high speed rail and on Caltrain that will in turn help to reduce traffic congestion on Highway 101 through Morgan Hill. The City also believes that a Pacheco Pass alignment makes the most sense at the entry point for the high speed rail into the Bay Area. The route would provide faster, more direct, and more frequent service to the largest population centers in the Bay Area - San Jose and San Francisco and thus, is a better fit for high-speed rail's basic project objectives to provide fast and efficient intercity travel. The Pacheco Alignment is also environmentally superior, as it does not require a new San Francisco Bay crossing, which would pose considerable environmental challenges, be more costly and would result in schedule delays.

L013-1

Once again, thank you for the opportunity to comment on the Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS document.

Sincerely,

Steve Tate  
Mayor

c: Morgan Hill Council Members  
Ed Tewes, City Manager



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

---

**Response to Letter L013 (Steve Tate, City of Morgan Hill, September 27, 2007)**

---

**L013-1**

The City of Morgan Hill's support for the Pacheco Pass alternative and the stated reasons for this support played a role in the identification of Pacheco Pass as the Preferred Alternative in this Final Program EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

Comment Letter L014 (Kathi Hamilton, Town of Atherton, Office of the City Clerk, September 28, 2007)

L 014



Town of Atherton  
Office of the City Clerk

91 Ashfield Road  
Atherton, California 94027  
650-752-0529  
Fax 650-688-6528

September 28, 2007

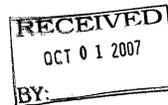
California High-Speed Rail Authority, EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

Enclosed please find a true and correct copy of Resolution No. 07-26 adopted by the City Council of the Town of Atherton on September 19, 2007. The Resolution includes comments regarding the EIR/EIS for the Bay Area to Central Valley High Speed Train.

Sincerely,

Kathi Hamilton  
Acting City Clerk

Enclosure



RESOLUTION 07-26

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON  
REGARDING THE DRAFT PROGRAM ENVIRONMENTAL IMPACT  
REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR BAY AREA TO  
CENTRAL VALLEY HIGH SPEED TRAIN

The City Council of the Town of Atherton hereby resolves as follows:

**RESOLVED**, that the town of Atherton provide comments to the California High-Speed Rail Authority regarding the Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS, with the following points:

1. The Town of Atherton opposes high-speed rail on the Peninsula and within the Caltrain Railway Corridor.
  - a. High-speed rail would not directly benefit the Peninsula because express high-speed trains would not stop on the Peninsula, requiring Peninsula travelers to Southern California to transfer, either in San Francisco or San Jose, to the express train in order to benefit from express service. L014-1
  - b. Construction of high-speed rail along the Caltrain Corridor would be devastating to the long-established and heavily developed communities through which the corridor passes. Construction and operation of high-speed trains along this corridor would have a significant adverse environmental affect on the communities.
2. For the reasons stated above, we support the Altamont alignment for high-speed rail, with access to San Jose along the Capital Corridor (East Bay) route, and with access directly to Oakland via Altamont, with a new TransBay Tunnel connecting Oakland with San Francisco.
3. If the Pacheco alignment is ultimately chosen with a Peninsula route for high-speed rail, the preferred routing should be along Highway 280 or 101, in order to avoid the disastrous consequences of construction within established communities. As stated above, high-speed rail on the Peninsula will not provide easier access to express trains to Southern California. Accordingly, the Peninsula should rely upon existing Caltrain service to access either San Francisco or San Jose as starting off points, from which express trains to Southern California would depart. L014-2
4. In all events, if a Caltrain Corridor route is ultimately chosen for high-speed rail alignment, the HST should run in a tunnel or a trench in order to minimize environmental impacts and to maximize the availability of surface land for positive redevelopment. L014-3

Resolution No. 07-26  
Adopted September 19, 2007  
Page 1 of 2



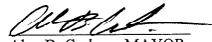
**Comment Letter L014 – Continued**

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the Town of Atherton that this Resolution shall be effective immediately upon adoption.

\* \* \* \* \*

*I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 19th day of September 2007, by the following vote.*

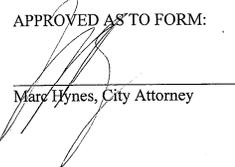
AYES:	5	Council Members:	Janz, J. Carlson, Marsala, A. Carlson, McKeithen
NOES:	0	Council Members:	
ABSENT:	0	Council Members:	
ABSTAIN:	0	Council Members:	

  
 Alan B. Carlson, MAYOR  
 Town of Atherton

ATTEST:

  
 Kathi Hamilton, Acting City Clerk

APPROVED AS TO FORM:

  
 Marc Hynes, City Attorney

I HEREBY CERTIFY THAT THE FOREGOING DOCUMENT IS A TRUE AND CORRECT COPY ON FILE AT 91 ASHFIELD ROAD ATHERTON, CA  
 DATE Sept. 28, 2007  
 SIGNED BY Kathi Hamilton  
 Acting City Clerk

Resolution No. 07-26  
 Adopted September 19, 2007  
 Page 2 of 2



---

**Response to Letter L014 (Kathi Hamilton, Town of Atherton, Office of the City Clerk, September 28, 2007)**

---

**L014-1**

The Authority and FRA acknowledge the Town of Atherton's opposition to the HST system in the Caltrain Corridor and its support for the Altamont Pass alternative with a transbay tube between Oakland and San Francisco.

The Authority and FRA note that the Caltrain commuter rail service would be complementary service to the HST system by taking train riders from the more local stations to the HST stations. This rail feeder service approach has been shown to be highly effective for other HST systems in Europe and Japan. The Preferred Alternative identified in this Final Program EIR/EIS would include HST stations not only in San Jose but also in Palo Alto or Redwood City and in Millbrae.

Environmental impacts of the HST along the Caltrain Corridor on the peninsula are reviewed in the Draft Program EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L014-2**

As noted in Table 2.5-4 of the Draft Program EIR/EIS (page 2-43), both the I-280 and US 101 options were rejected from further consideration. As shown in the table, principal reasons for rejection of these alignments included construction, right-of-way, and environmental concerns, particularly visual and land use (right-of-way acquisition) impacts. Please also see Appendix 2-G1.1 for a discussion of alignment alternatives and station location options eliminated from further consideration. Please also see Response to Comment L014-1.

**L014-3**

The Preferred Alternative identified in this Final Program EIR/EIS is the Pacheco Pass alignment using the Caltrain Corridor. The precise alignment and profile options for the HST system in the Caltrain

Corridor will be further evaluated and refined as part of the preliminary engineering and project-level environmental review and could include trench and/or tunnel concepts. Available right-of-way, impacts on adjacent communities and costs will be among the key factors considered as part of this review.

The Authority and FRA are keenly aware of the sensitive land uses adjoining the Caltrain Corridor in the Town of Atherton, and impacts on these residences and neighborhoods will be carefully considered as the proposed plan/profiles are developed during the preliminary engineering phase.

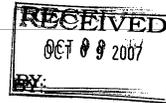
**Comment Letter L015 (Michael T. Burns, Santa Clara Valley Transportation Authority, October 2, 2007)**

L015



October 2, 2007

California High-Speed Rail Authority, EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814



**Subject:** Comments on the Draft Bay Area to Central Valley High-Speed Train (HST) Program

The Santa Clara Valley Transportation Authority (VTA) strongly endorses the High-Speed Train (HST) and supports the Pacheco Pass alignment as the entry point for the HST into the Bay Area.

L015-1

The HST is a vital transportation link, providing a competitive alternative to air travel between Northern and Southern California that will support the continuing economic development of the state. The Pacheco Pass alignment provides a faster, more direct alignment between Southern California and Silicon Valley, a primary engine for growth in the California and national economies. The Pacheco Pass alignment provides the opportunity to serve the three Bay Area urban centers—San Jose, San Francisco and Oakland—with the HST without having to construct a new crossing of San Francisco Bay. The Mineta San Jose International Airport is projected to have more air travelers between the Bay Area to Southern California than the Oakland and San Francisco Airports combined. The Pacheco Pass alignment better supports this demand.

L015-2

The Caltrain Commuter Rail Corridor from San Jose to San Francisco is fully utilized by the Pacheco Pass alignment and is already in public ownership, requiring the least acquisition of private freight rail rights-of-way in the Bay Area for the HST.

L015-3

In contrast, the Altamont Pass alignment requires a new crossing of San Francisco Bay to serve San Francisco, which will have unnecessary environmental impacts to sensitive South Bay wetlands that are currently being restored in a decades-long process. Furthermore, the Altamont Pass alternative is designed to address a Central Valley to Bay Area commute. There are less expensive ways to address this problem, such as upgrading the existing Capitol Corridor and Altamont Commuter Express (ACE) rail services. VTA supports efforts to improve rail service to relieve commuter traffic from the Central Valley to the Bay Area, but not by using the HST, which must tie San Francisco-Silicon Valley-Los Angeles together without degrading San Francisco Bay.

L015-4

L015-5

The attachment provides additional comments on the Draft EIR/EIS.

L015-6

Sincerely,

*Michael T. Burns*  
Michael T. Burns  
General Manager

3331 North First Street • San Jose, CA 95134-1906 • Administration 408.321.5555 • Customer Service 408.321.2300



**Comments on the Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS by the Santa Clara Valley Transportation Authority**

**Purpose and Need**

The Statewide Need (S-1.2.2) for the project is related to future growth for intercity travel (Northern to Southern California), capacity constraints at commercial airports, and limits on the ability of airport and highway expansion to accommodate that growth. The Regional Need (S-1.2.3) is related to the Central Valley to Bay Area commute. The draft EIR/EIS should recognize that there are trade-offs for the HST serving both a statewide and regional need, and present those trade-offs when analyzing the alternatives. These trade-offs are reflected in the *Bay Area/California High-Speed Rail Ridership and Revenue Forecasting Study*, August 2007, prepared by Cambridge Systematics. The Cambridge Report states on page 2-7 that the Pacheco Pass alternative has higher ridership in the Los Angeles-Silicon Valley/San Francisco market. This is an important piece of information that should be highlighted in the Executive Summary. The difference in travel markets served by the two primary alternatives, Altamont and Pacheco, should be clearly understood by the public and decision-makers, and included in the Executive Summary. The Pacheco Pass alternative best serves a statewide need connecting California's major urban centers with few intermediate stations and provides a direct routing between Los Angeles, Silicon Valley and San Francisco. The Altamont Pass alternatives better serves the Northern Central Valley to Bay Area commute market.

L015-7

The limits of expanding airport capacity to address intrastate travel and the role that the HST can play in providing an alternative to intrastate airport trips is not adequately discussed. As California's economy expands and as global markets and travel become increasingly more important to the state, airport expansion must address those needs as a priority, with intrastate travel addressed by rail transit. Mineta San Jose International Airport will carry more Bay Area to Southern California air trips than the other two major Bay Area airports combined, showing the important economic relationship between Silicon Valley and Southern California, as well as the need to have a high-speed rail alternative to address that travel need. Table S.5-1 omits Mineta San Jose International Airport, which is served by alignments using Pacheco Pass. Travelers to and from this airport could use a bus shuttle to and from the San Jose Diridon Station.

L015-8

L015-9

The unique impacts of the continuing growth in Silicon Valley jobs are not adequately discussed in this section of the document. The synergy between new technologies being developed in Silicon Valley and the entertainment industry in Southern California, for example, increases the need for high quality intrastate travel best addressed by the Pacheco Pass alignment.

L015-10

3331 North First Street • San Jose, CA 95134-1906 • Administration 408.321.5555 • Customer Service 408.321.2300



U.S. Department of Transportation  
**Federal Railroad Administration**

**Comment Letter L015 – Continued**

**Alternatives Description**

There are 21 alternatives summarized in Table S.5-1. An additional Pacheco Pass alternative that does not include service to Modesto should be added in order to compare the least expensive Pacheco Pass alternative that goes to San Francisco to the least expensive Altamont Pass alternative to San Francisco.

L015-11

The alternatives do not adequately address lower-cost ways of improving transit travel times from the Central Valley to the Bay Area. For example, if the HST is designed to meet a statewide need to relieve airport congestion by linking the Bay Area to Southern California, the Pacheco Pass alignment best fulfills that purpose. This could be combined with improvements to the existing regional rail network, such as expanding and improving the Altamont Commuter Express (ACE) and Capitol Corridor Intercity Rail routes at a lower cost to achieve the purpose of relieving Central Valley to Bay Area traffic congestion. A hybrid alternative using HST with a Pacheco Pass alignment combined with a package of improvements to the ACE and Capitol Corridor routes should be evaluated.

L015-12

**Capital Costs**

The capital costs may be underestimating some elements. For example, a new San Francisco Bay crossing would have extraordinary construction costs, plus substantial environmental and construction mitigation costs.

L015-13

The inclusion of a connection to the Modesto area in every Pacheco Pass alternative does not provide information on the least expensive HST alternative between Southern California and the Bay Area. This is important information that needs to be provided in the document.

L015-14

**Operating Plan**

The EIR/EIS is not clear on the level of service being provided to individual cities in the Bay Area under different alignment options. For example, the frequency of HST service at San Jose Diridon Station is not clearly delineated for any option. This information needs to be included in the document.

L015-15

**Travel Times**

Table S.5-1 shows the express trip travel times for San Jose/Silicon Valley-Los Angeles to be 2:09 with a Pacheco Pass alignment versus 2:19 for the Altamont Pass alignment. This is a significant finding and points to the different markets served by the two alternatives.

L015-16

**Ridership**

The ridership discussion in the Executive Summary (S-1.4.4) and presented in Table S.5-1 does not adequately convey the work done by Cambridge Systematics contained in the previously referenced report. Figure 2.7 in the Cambridge Report shows that Los Angeles-San Francisco ridership is more than 3 million annual riders higher with the Pacheco Pass alternative than with the Altamont Pass alternative. This important point—the fact that Pacheco Pass better serves this intrastate travel market—should be included in the Executive Summary. Figure 2.8 shows that the Pacheco Pass alternative generates \$3.1 billion in revenue versus \$2.84 billion for Altamont, with Pacheco doing particularly better than Altamont in the Los Angeles-Silicon Valley/San Francisco market. Tables 2.3 and 2.4 show station boardings, and there are sharp contrasts between Pacheco and Altamont that are not conveyed in the Executive Summary. For example, the San Francisco-Transbay Station draws 3 million annual riders more with Pacheco compared to Altamont. San Jose draws 3.3 million annual riders more with Pacheco than with Altamont. This information is important and needs to be conveyed to the public and decision-makers who do not have the time to wade through the background technical reports associated with the EIR/EIS.

L015-17

**Environmental Impacts**

A new crossing of San Francisco Bay is evaluated as a wetlands impact. The document should treat this as a more extraordinary impact, given the fragile nature of the Bay ecology, and the lengths and expense to which federal, state and local agencies have gone in restoring these wetlands. A more extensive evaluation of a new Bay crossing should be undertaken as part of disclosing environmental impacts of the alternatives.

L015-18

The efforts to restore South Bay wetlands and the detailed impact of a new Bay crossing, including construction impacts, must be studied in more depth as part of a full disclosure environmental document. This effort should include review panels with regulatory agencies and environmental groups, similar to the level of effort taken to peer review the ridership forecasts.

---

**Response to Letter L015 (Michael T. Burns, Santa Clara Valley Transportation Authority, October 2, 2007)**


---

**L015-1**

Support from the VTA for the Pacheco Pass Network Alternative played a role in the identification in this Final Program EIR/EIS of this alternative as Preferred.

**L015-2**

Reasons provided by VTA for its support of the Pacheco Pass Network Alternative were among the reasons that this alternative is identified in this Final Program EIR/EIS as the Preferred Alternative. Please see Standard Response 3 and Chapter 8 regarding the Preferred Alternative.

**L015-3**

The Authority and FRA agree that a major benefit of the Pacheco Pass Network Alternative that uses the Caltrain Corridor is the reduced right-of-way acquisition required, given that the Caltrain Corridor is already in public ownership.

**L015-4**

Impacts on the San Francisco Bay and sensitive wetlands for the Altamont Pass alternatives serving San Francisco were among the reasons that the Pacheco Pass Alternative is identified in this Final Program EIR/EIS as preferred.

The Preferred Alternative identified in this Final Program EIR/EIS is the Pacheco Pass, San Francisco and San Jose Termini, which includes the Henry Miller alignment and would not impact the South Bay wetlands or the Don Edwards San Francisco Bay National Wildlife Refuge. Please see Standard Response 3 and Chapter 8 regarding the Preferred Alternative

**L015-5**

The Authority and FRA agree that the Central Valley to Bay Area commute is a critical issue that should be addressed. The Authority

is working with local and regional government agencies to evaluate and pursue regional rail improvements in the Altamont Corridor to address the important travel demand in this corridor.

**L015-6**

The additional comments attached to the VTA letter are responded to below.

**L015-7**

The Authority agrees that the Pacheco Pass best serves the purpose and need for the proposed HST system. This has been included in Chapter 8 and the Executive Summary of this Final Program EIR/EIS. Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L015-8**

The Draft Program EIR/EIS notes in the Purpose and Need Section, Chapter 1, that:

*... The interstate highway system, commercial airports, and conventional passenger rail system serving the intercity travel market are operating at or near capacity and will require large public investments for maintenance and expansion to meet existing demand and future growth over the next 20 years and beyond. Moreover, the ability to expand many major highways and key airports is uncertain; some needed expansions may be impractical or may be constrained by physical, political, and other factors."*  
(page 1-5)

This chapter goes on to note:

*As described in the regional transportation plans for areas that would be served by the proposed HST system, the highways and airports serving key cities are operating at capacity, and plans for expansion will not keep pace with projected growth over the next 20-40 years. (page 1-8)*

**L015-9**

Mineta San Jose International Airport has been added to Table S.8-1 in recognition that HST riders could use a bus shuttle to and from the San Jose HST station.

**L015-10**

Please see Response to Comment L015-7.

**L015-11**

The HST system is proposed to ultimately serve not only Modesto but also Sacramento. To provide a fair and objective comparison of the network alternatives (in terms of capital costs, overall impacts, ridership, etc.), the northernmost location in the Central Valley (included in the Bay Area to Central Valley study area) was held constant. Thus the National Environmental Policy Act / California Environmental Quality Act (NEPA/CEQA) evaluation and alternatives comparison was not influenced nor biased by the phasing plan for the HST system. Standard Response 3 and Chapter 8 regarding the Preferred Alternative acknowledge the differences that the Authority's adopted Phasing Plan would have on the cost and ridership for the network alternatives.

**L015-12**

The Authority and FRA acknowledge VTA's suggestion for a "hybrid" alternative, with HST in the Pacheco Pass and regional rail improvements in the Altamont Corridor. Pacheco Pass has been identified as the HST Preferred Alternative, and the Authority is in the process of working with the regional partners and stakeholders to plan and pursue regional rail improvements in the Altamont Corridor.

The Authority and FRA agree that regional rail improvements in the Altamont Corridor would exhibit lower levels of adverse impacts (e.g., less right-of-way required, fewer sections of aerial alignment) when compared to an HST system in this corridor. The Authority and FRA agree that Regional Rail improvements in the Altamont Corridor could be developed in such a way as to provide for higher

speed commuter rail to better meet commuter travel demand in this corridor. Please see Standard Response 3 and Chapter 8 regarding the Preferred Alternative.

**L015-13**

The costs associated with the transbay crossing have been examined closely. The two alternatives that include a new transbay tube would have more than 36 acres of potential direct impacts on the San Francisco Bay. To put this into perspective, these alternatives would have 40.3–41 acres of potential impacts on water bodies (lakes + San Francisco Bay), whereas the Preferred Pacheco Pass Alternative (HST to San Francisco via the San Francisco Peninsula) would have only 3.8 acres of potential direct impacts. The cost of the additional 8.8-mile HST segment needed to implement a new transbay tube is estimated at about \$4.6 billion—over \$500 million per mile. Moreover, there is only slightly higher ridership and revenue potential (about 2% higher ridership, or 1.9 million passengers, per year by 2030) when comparing the transbay tube alternative via the San Francisco Peninsula versus the Preferred Alternative. To implement alternatives that included a new transbay tube, extensive coordination would be required with the USACE under Section 10 of the Rivers and Harbors Act, USFWS, and the California Coastal Commission. Crossing the Bay would also be subject to the USACE, CDFG, and BCDC permit process.

**L015-14**

Please see Response to Comment L015-11. Table 4.2-3 provides the costs for the HST network alternatives. The remainder of the preferred alignment between Los Angeles and Merced is constant. The alternatives and their associated costs presented in Table 4.2-3 represent the full range of costs for the Bay Area. Assuming the remainder of the system is constant, the delta, or difference, in cost in these alternatives would be the difference for the system costs between Los Angeles and the Bay Area.

**L015-15**

Section 2.3.3 D (see excerpt below) outlines a conceptual operating plan for the statewide system. A more definitive operating schedule will be developed as part of the project-level analysis. However, a major station like San Jose with the Preferred Alternative will be served by several trains an hour. A description of the types of service that would serve the network is outlined below.

*According to the 2030 operating plan, a total of 124–139 weekday trains in each direction would be provided to serve the statewide HST travel market as forecast for the low- and high-end scenarios. Ninety-one to ninety-six of the trains would run between northern and southern California, and the remaining 33–43 trains would serve shorter distance markets. The basic service pattern would provide most passenger service between 6 a.m. and 8 p.m., with a few trains starting or finishing trips beyond these hours. One hundred and twenty-four to one hundred and thirty-nine trains per day could be a highly frequent operation; however, as shown below, when divided into five types of service, the frequency is greatly reduced. Frequencies would be further reduced to serve multiple end points. For example, for HST service between northern and southern California through the Central Valley, some trains would go to the Bay Area and others to Sacramento. Therefore, although there could be 19–25 local trains, only a portion of these would serve each endpoint. The following five types of intercity trains are planned:*

- *Express (16 trains per day): Trains running between Sacramento, San Jose, or San Francisco and Los Angeles or San Diego without intermediate stops.*
- *Semi-Express (17–26 trains per day): Trains running between Sacramento, San Jose, or San Francisco and Los Angeles and San Diego with intermediate stops at major Central Valley cities such as Modesto, Fresno, and Bakersfield.*
- *Suburban-Express (30–35 trains per day): Trains running between northern and southern California and locally within the major metropolitan areas (i.e., the San Francisco Bay Area and the Los Angeles area) at the*

*beginning and end of the trip without intermediate stops in the Central Valley.*

- *Local (19–25 trains per day): Trains stopping at all stations. Some of these local trains might ultimately be operated as a “skip stop” or semi-express service, where trains would stop at only a portion of the possible stations on a specific line, to improve the service and better match patterns of demand.*
- *Regional (33–43 trains per day): Sacramento to San Francisco service and early morning service from the Central Valley to San Francisco or Los Angeles/San Diego.*

**L015-16**

Comment acknowledged.

**L015-17**

Chapter 8 of this Final Program EIR/EIS and Appendix 8A evaluate the differences between the network alternatives. Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

The Altamont Pass and Pacheco Pass HST alternatives have competitive advantages over each other in particular travel markets. While Altamont Pass generally achieves higher ridership between the Bay Area and northern Central Valley (Merced northward) and the Pacheco Pass achieves higher ridership between the Bay Area and areas from Fresno southward (including Los Angeles and San Diego regions), the relative magnitude of these differences varies among the network alternatives, alignment alternatives, and station location options. It is not possible to convey the nuanced differences among the dozens of key travel markets in the Executive Summary, and it would be misleading to single out the ridership differences for any single travel market or the boardings at any individual station. As noted by the commenter, the key comparative ridership information is fully disclosed in Chapters 2 and 7.

**L015-18**

The Authority considered the comments received on the Draft Program EIR/EIS prior to identifying the Preferred Alternative. Because of potential impacts on the South Bay wetlands restoration, the Don Edwards San Francisco Bay National Wildlife Refuge, and other environmental impacts as well as logistical and operational issues, the Authority identified the Pacheco Pass, San Francisco and San Jose Termini as the Preferred Alternative for the Bay Area to Central Valley portion of the HST system. Please see Standard Response 3 and Chapter 8 regarding the Preferred Alternative.

**Comment Letter L016 (James R. Helmer, City of San Jose, October 26, 2007)**



October 26, 2007

Mr. Mehdi Morshed  
 Executive Director  
 California High Speed Rail Authority  
 925 L Street, Suite #1425  
 Sacramento, CA 95814

Subject: Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS

Dear Mr. Morshed:

The City of San Jose is pleased to participate in the review of the Draft Program Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the Bay Area to Central Valley Segment of the California High Speed Train Project. The City of San Jose is a strong supporter of the project and its goals to improve mobility, protect the environment, enhance the economy, and responsibly plan for the future. We commend the California High Speed Rail Authority Board and staff for their leadership in developing this important project.

L016-1

As you are aware, San Jose Mayor Chuck Reed and other San Jose representatives have testified at the recent project hearings stating the City's support for the project and the City's strong preference for the Pacheco Pass alignment providing direct service between San Francisco, San Jose/Silicon Valley, Los Angeles and Southern California. There are significant benefits to connecting the State's largest centers of population, business and tourism on a convenient high-speed train line.

Pacheco Pass Alignment Recommendation

The Pacheco Pass alignment has many clear statewide advantages over the Altamont Pass alignment that include the following:

- Highest ridership and farebox revenue for travel between Northern and Southern California
- Greatest diversion of air travel demand for major airports in Northern and Southern California
- Provides convenient service to the Monterey Bay area – one of the State's major travel destinations
- Avoids the highly significant environmental disturbance proposed by the Altamont Pass alignment to the sensitive wetland and wildlife habitats at the Don Edwards National Wildlife Refuge and the southern San Francisco Bay
- Ease of implementation due to integration with the existing Caltrain passenger rail corridor extending for 77-miles between San Francisco, San Jose and Gilroy.

L016-2

L 016

Department of Transportation  
 JAMES R. HELMER - DIRECTOR

Mr. Mehdi Morshed  
 Subject: High Speed Train EIR/EIS  
 October 26, 2007  
 Page 2 of 3

On October 24, 2007, the Metropolitan Transportation Commission for the nine-county Bay Area endorsed the Pacheco Pass alignment as the main High Speed Rail express line between Northern and Southern California. We urge the California High Speed Rail Authority to also support the Pacheco Pass alignment.

L016-3

Comments on Environmental Document

City staff has closely reviewed the Draft Program EIR/EIS and we have the following comments to share.

L016-4 ▪ Community Noise Impacts - Implementation of the proposed project alignment (Pacheco Pass alignment) through San Jose is disclosed to have potential noise impacts. We understand that the electrification of the High Speed Trains and the Caltrain service, along with the construction of grade separations and sound barriers are intended to help mitigate these impacts. We look forward to collaborating with the affected San Jose neighborhoods on the development of a satisfactory noise mitigation strategy.

L016-5 ▪ Visual Impacts - One significant project design issue is the development of an acceptable architectural plan for the proposed 45-foot elevated guideway at the approach to the Diridon Station in Downtown San Jose. The elevated alignment is necessary due to the location of existing rail facilities, roadways and waterways. We acknowledge the project's commitment to provide an "attractive design" that is "sensitive to the context". We look forward to close coordination on developing an aesthetic design concept for the elevated guideway so that it is considered to have a "positive" visual impact on the Downtown San Jose skyline.

L016-6 ▪ Diridon Station Expansion - The EIR accurately acknowledges the significance of the Diridon Station in Downtown San Jose as a major regional multimodal hub with direct service throughout the greater Silicon Valley area based on connectivity with Caltrain, ACE Commuter Rail, the Capitol Corridor, Amtrak, VTA buses, light rail, regional express buses (to Santa Cruz and Monterey), as well as planned Bus Rapid Transit lines and BART. A planned Automated People Mover (APM) system at the nearby Mineta San Jose International Airport will help connect Diridon Station passengers with the Airport via connections with BART, Caltrain, light rail and Bus Rapid Transit.

The City has developed a conceptual plan for an expansion of the Diridon Station to accommodate High Speed Trains, as well as an enhanced integration of other transit modes and supporting facilities. We look forward to facilitating a partnership on the Diridon Station expansion with the California High Speed Rail Authority, MTC, VTA, Caltrain and other stakeholders.



**Comment Letter L016 - Continued**

Mr. Mehdi Morshed  
Subject: High Speed Train EIR/EIS  
October 26, 2007  
Page 3 of 3

L016-7 Station Area Design Guidelines - We commend the Authority for including Station Area Development Guidelines as part of the project scope. We support policies that require high density, transit oriented development around the High Speed Train stations as a method to assure "smart growth", the capture of system ridership, and the promotion of sustainable economic development. In June 2005, the San Jose City Council approved the Diridon/Arena Strategic Development Plan that facilitates expansion of the Downtown San Jose core as a high density mixed use transit village for the area surrounding the Diridon Station. We encourage the Authority to require similar proactive land use planning efforts for other High Speed Train station locations throughout the State.

L016-8 Again, we appreciate the opportunity to participate in the development of the High Speed Train project. We urge your support for the Pacheco Pass alignment and we look forward to continued progress towards project implementation.

Sincerely,

*James R. Helmer, Deputy*  
for James R. Helmer  
Director of Transportation

---

**Response to Letter L016 (James R. Helmer, City of San Jose, October 26, 2007)**

---

**L016-1**

The Authority and FRA acknowledge the support from the City of San Jose for the HST Program. The Authority and FRA acknowledge the preference for the Pacheco Pass alignment expressed by the mayor of San Jose and other San Jose representatives.

**L016-2**

Reasons given in the letter for San Jose's support for the Pacheco Pass alternative are among the factors leading to the identification of the Pacheco Pass as the Preferred Alternative in this Final Program EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L016-3**

The Authority and FRA acknowledge the MTC endorsement of Pacheco Pass as the main high-speed rail express line between northern and southern California. This alternative is identified in this Final Program EIR/EIS as the Preferred Alternative.

**L016-4**

Comment acknowledged.

**L016-5**

During the preliminary engineering and project-level environmental review phase, the Authority will work closely with the City of San Jose on the visual impacts and elements of the proposed San Jose HST station.

**L016-6**

During the preliminary engineering and project-level environmental review phase, the Authority and FRA will coordinate directly with the City of San Jose on the proposed expansion of the Diridon station to

accommodate the HST system. The Authority and FRA note that the city's conceptual plans for this expansion represent a logical starting point for such coordination. Partnering with MTC, VTA, Caltrain, and other stakeholders in the planning and design for this facility and for the HST system is viewed by the Authority and FRA as a critical component of the anticipated future preliminary engineering and project-level environmental review.

**L016-7**

The Authority and FRA have in the past and will continue to promote "smart growth" in the form of transit-oriented development around the HST stations and commend the City of San Jose for its efforts in this regard in the Diridon station area.

Please also see Chapter 6.

**L016-8**

As noted above, Pacheco Pass is identified in this Final Program EIR/EIS as the Preferred Alternative.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**Comment Letter L017 (Steve Heminger, Metropolitan Transportation District, October 26, 2007)**

L 017



**METROPOLITAN  
TRANSPORTATION  
COMMISSION**  
Joseph P. Bore MetroCenter  
101 Eighth Street  
Oakland, CA 94612-4700  
TEL 510.817.5700  
TTY/TDD 510.817.5709  
FAX 510.817.5848  
E-MAIL info@mtc.ca.gov  
WEB www.mtc.ca.gov

Mr. Mehdi Morshed  
October 26, 2007  
Page Two

October 26, 2007

- Bill Dunkel*  
Vice President and Chief
- Scott Haggerty, Vice Chair*  
San Francisco
- Tom Amodeo*  
City and County of San Francisco
- Tom Eschbach*  
U.S. Department of Housing and Urban Development
- Tom Bates*  
City of San Francisco
- Bob Blawie*  
San Francisco
- Dora J. Chu*  
City of San Francisco
- Doris Carver*  
San Francisco
- Doreen M. Giacopini*  
U.S. Department of Transportation
- Fabrizio D. Galzer*  
City of San Francisco
- Gene H. Hallock*  
San Francisco Bay Area Council on Environment and Development
- Steve Kinney*  
San Francisco
- Sam Leppner*  
San Francisco
- Joe Rubin*  
San Francisco
- Diane Swartz*  
San Francisco
- James P. Spring*  
San Francisco
- Adrienne J. Tinker*  
San Francisco
- Sue Heath*  
City of San Francisco
- Ken Tronger*  
San Francisco
- Steve Heminger*  
Metropolitan Transportation Commission
- Ann Farmer*  
Metropolitan Transportation Commission
- Andrew R. Freeman*  
Metropolitan Transportation Commission
- Thomas H. McMillan*  
Metropolitan Transportation Commission

Mr. Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

RE: California High-Speed Rail Authority, Bay Area to Central Valley Draft EIR/EIS Comments.

Dear Mr. Morshed,

As you know, the Metropolitan Transportation Commission adopted Resolution No. 3829 (see attached) on October 24, 2007, which contains its comments on the California High Speed Rail Authority's (CHSRAs) Bay Area to Central Valley Draft EIR/EIS. In summary, MTC:

1. Supports building a statewide high-speed rail (HSR) system -- HSR has the potential to reduce local and statewide vehicle congestion, divert air passenger demand away from congested airports, and reduce statewide greenhouse gas emissions. L017-2
2. Re-confirms support for the Pacheco alignment, as previously stated in MTC Resolution 3198, as the main HSR express line between Northern and Southern California as outlined in #3 and 4 below, and supports improvements in the Altamont corridor, as described in #5, 6 and 7 below, to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. L017-3
3. Supports the Pacheco alignment due to several of the reasons stated in MTC Resolution No. 3198: L017-4
  - has the highest statewide ridership demand, and best serves HSR's key market - Northern California to Southern California, connecting the two most congested regions in the state
  - provides direct service to all three major cities - San Francisco, San Jose and Oakland
  - avoids construction of a new bay crossing or tube required by the Altamont Pass entry for San Francisco service.
4. Recommends a new Pacheco alignment that routes all trains up the San Francisco peninsula through San Jose and San Francisco, with a connecting Transbay tube to Oakland. This variant provides a superior operating plan compared to the previous Commission adopted Pacheco alignment with all three cities on a single line, is about \$2 billion less than the previous alignment, avoids duplication with BART/Capitol Corridor/ACE, avoids risk of negotiating with Union Pacific Railroad (UPRR) for East L017-5

Bay rail right of way needs and avoids construction within the I-880 freeway in Santa Clara County.

5. Endorses the Altamont route as better suited to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. At the same time the Pacheco pass alignment is being built, the CHSRA should upgrade interregional services between Peninsula - Tri Valley - Sacramento & San Joaquin Valley. As a first step, ACE service can be improved by adding tracks and improving signaling to provide higher speed and more reliable service that would connect with a future BART station in Livermore (Greenville Road or Isabel/Stanley based on further BART analyses); these improvements would need to be compatible with future HSR. Electrification of ACE trains should be implemented once the UPRR tracks have been acquired. An electrified regional train capable of higher speeds, with additional grade separations would improve road circulation, and would also be compatible with lightweight equipment operating in the Dumbarton corridor.

6. Requests that the CHSRA also evaluate an alternative in the Altamont corridor that terminates HSR at a proposed BART Livermore station where HSR passengers could be dispersed to Bay Area locations throughout the BART system, together with improved ACE service to Santa Clara County.

7. Requests that CHSRA consider seeking additional HSR bond funds dedicated to upgrading the Altamont corridor for regional service.

If you or your staff has any questions regarding these comments, please contact Doug Kimsey of our staff by phone at 510.817.5790 or email at [dkimsey@mtc.ca.gov](mailto:dkimsey@mtc.ca.gov).

MTC looks forward to working with you and the Authority in helping deliver HSR to California and the Bay Area.

Sincerely,  
*Steve Heminger*  
Steve Heminger  
Executive Director

cc: Honorable Gavin Newsom, Mayor of San Francisco  
Honorable Chuck Reed, Mayor of San Jose  
Honorable Ron Dellums, Mayor of Oakland

SH: DK  
J:\PROJECT\HSR\_RR\_Study\HSR Element\DEIR-DEIS\CHSRA Comment Letter.doc  
Attachments



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

**Comment Letter L017 – Continued**

Date: October 24, 2007  
Referred by: Planning Committee

ABSTRACT  
Resolution No. 3829

This resolution adopts MTC's comments on the California High Speed Rail Authority (CHSRA) Draft Environmental Impact Statement/Report for Potential High Speed Rail Service into the Bay Area and authorized the Executive Director or his designee to transmit those comments to the CHSRA.

Further discussion of this action is contained in the MTC "Executive Director's Memorandum" dated October 5, 2007.

Date: October 24, 2007  
Referred by: Planning Committee

RE: Adopts MTC's comments on the California High Speed Rail Authority (CHSRA) Draft Environmental Impact Statement/Report for Potential High Speed Rail Service into the Bay Area and authorized the Executive Director or his designee to transmit those comments to the CHSRA.

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3829

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, the California High-Speed Rail Authority (Authority), established pursuant to Public Utilities Code Section 185000 et seq., is developing a proposal to finance and construct a statewide high speed rail system for voter consideration on the November, 2008 statewide ballot; and

WHEREAS, the Authority has released a Draft Environmental Impact Statement/Report for potential high speed rail service into the Bay Area, with a close of comment date of October 26, 2007; and

WHEREAS, MTC has assisted the Authority in discharging its duties by providing travel forecasting information, other technical assistance, and co-hosting public outreach workshops in the Bay Area; and

WHEREAS, it is in the best interest of the region for MTC to express its recommendations on the Bay Area entry alignment and terminal locations prior to the Authority's final selection; and

WHEREAS, MTC previously took a position to support the Pacheco Pass alignment into the Bay Area based on its higher ridership, service distribution characteristics, compared to the Altamont Pass; and

WHEREAS, it is in the further interest of the region that MTC clarify its position with respect to these issues; now, therefore, be it



**Comment Letter L017 – Continued**

MTC Resolution No. 3829  
Page 3

RESOLVED, that MTC:

1. Support building a statewide high-speed rail system – HSR has the potential to reduce local and statewide vehicle congestion, divert air passenger demand away from congested airports, and reduce statewide greenhouse gas emissions.
2. Re-confirm support for the Pacheco alignment as the main HSR express line between Northern and Southern California as outlined in #3 and 4 below and support improvements in the Altamont corridor, as described in #5, 6 and 7 below, to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley.
3. Support the Pacheco alignment due to several of the reasons stated in Resolution No. 3198:
  - has the highest statewide ridership demand, and best serves HSR's key market - Northern California to Southern California, connecting the two most congested regions in the state
  - provides direct service to all three major cities - San Francisco, San Jose and Oakland
  - avoids construction of a new bay crossing or tube required by the Altamont Pass entry for San Francisco service
4. Recommend a new Pacheco alignment that routes all trains up the San Francisco peninsula through San Jose and San Francisco, with a connecting Transbay tube to Oakland. This variant provides a superior operating plan compared to the previous Commission adopted Pacheco alignment with all three cities on a single line, is about \$2 billion less than the previous alignment, avoids duplication with BART/Capitol Corridor/ACE, avoids risk of negotiating with Union Pacific Railroad (UPRR) for East Bay rail right of way needs and avoids construction within the I-880 freeway in Santa Clara County.
5. Endorse the Altamont route as better suited to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. At the same time the Pacheco pass alignment is being built, the CHSRA should upgrade interregional services between Peninsula – Tri Valley – Sacramento & San Joaquin Valley. As a first step, ACE service can be improved by adding tracks and improving signaling to provide higher speed and more reliable service that would connect with a future BART station in Livermore (Greenville Road or Isabel/Stanley based on further BART analyses); these improvements would need to be compatible with future HSR. Electrification of ACE trains should be implemented once the UPRR tracks have been

MTC Resolution No. 3829  
Page 4

acquired. An electrified regional train capable of higher speeds, with additional grade separations would improve road circulation, and would also be compatible with lightweight equipment operating in the Dumbarton corridor.

6. Request that the CHSRA also evaluate an alternative in the Altamont corridor that terminates HSR at a proposed BART Livermore station where HSR passengers could be dispersed to Bay Area locations throughout the BART system, together with improved ACE service to Santa Clara County.
7. Request that CHSRA consider seeking additional HSR bond funds dedicated to upgrading the Altamont corridor for regional service.

RESOLVED, that copies of this resolution be transmitted to the California High-Speed Rail Authority; the mayors of San Francisco, Oakland, and San Jose; and other interested parties.

FURTHER RESOLVED, this resolution supersedes Resolution No. 3198.

METROPOLITAN TRANSPORTATION COMMISSION

\_\_\_\_\_  
Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on October 24, 2007.



---

**Response to Letter L017 (Steve Heminger, Metropolitan Transportation District, October 26, 2007)**

---

**L017-1**

The Authority and FRA acknowledge receipt of MTC's Resolution 3829.

**L017-2**

The Authority and FRA appreciate MTC's support for a statewide HST system to reduce vehicle congestion, divert air passengers away from congested airports, and reduce greenhouse gas emissions.

**L017-3**

The Pacheco Pass alignment is identified in this Final Program EIR/EIS as the Preferred Alternative—as the main HST express line between northern and southern California. The Preferred Alternative does not, however, include a San Francisco Bay crossing for the reasons identified in Response to Comment S010-8. Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L017-4**

The reasons specified in the MTC resolution supporting Pacheco Pass as the HST alignment played a role in the identification of this alternative in this Final Program EIR/EIS as the Preferred Alternative. The Preferred Alternative does not include a San Francisco Bay crossing, for the reasons identified in Response to Comment S010-8.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L017-5**

The Preferred Alternative identified in this Final Program EIR/EIS is on the Pacheco and Caltrain alignment but does not include a San Francisco Bay crossing for the reasons identified in Response to Comment S010-8.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L017-6**

While the Pacheco Pass is identified as the Preferred Alternative, serving as the primary north/south alignment between southern and northern California, the Authority has also recommended that additional improvements be made in the Altamont Corridor and is working in concert with regional partners to identify such improvements. Correspondingly, the Authority is working with these partners to pursue high-speed rail bond funds for such improvements

The exact nature of these improvements has not been defined, but it is clear that improvements to train services in the Altamont Corridor would provide additional mobility and accessibility to Central and Tri-Valley residents. The Authority and regional partners are working to define the priorities for such improvements. It is envisioned that this approach would involve incremental improvements in the Altamont Corridor during the initial phase of the adopted HST phasing plan, and these improvements could come before the development of the Pacheco Pass portion of the HST alignment.

Please also see Chapter 8 and the "Summary."

**L017-7**

An extension of the HST system to a BART Livermore station is not part of the Preferred Alternative identified in this Final Program EIR/EIS. That said, the Authority and FRA believe that provision of high speed service, including higher speed regional rail service, to this location can and should be evaluated as a separate project with a different purpose and need for future project-level EIR/EIS studies than the proposed HST system. Please see Response to Comment L017-6.

**L017-8**

Please see Response to Comment L017-6

**L017-9**

The Authority appreciates the cooperative working relationship that has been established with MTC, particularly during the collaborative efforts between the HST studies and development of MTC's Regional Rail Plan. The Authority looks forward to continuing this cooperative working relationship in the future.

Comment Letter L018 (Dennis R. Fay, Alameda County, Congestion Management Agency, October 26, 2007)



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

L 018

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185  
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

AC Transit  
Director  
Greg Horser

Alameda County  
Supervisors  
Neil Milroy  
Scott Haggerty  
Chair

City of Alameda  
Mayor  
Bevelly Johnson

City of Albany  
Councilmember  
Paul Jaramol

BART  
Director  
Thomas Blalock

City of Berkeley  
Councilmember  
Neil Westergaard

City of Dublin  
Mayor  
Janet Lockhart

City of Emeryville  
Vice-Mayor  
Ruh-Abin

City of Fremont  
Vice-Mayor  
Robert Wlaskowski

City of Hayward  
Mayor  
Michael Greeney

City of Livermore  
Mayor  
Marshall Korman

City of Newark  
Councilmember  
Luis Flores

City of Oakland  
Councilmember  
Larry Reed

City of Piedmont  
Councilmember  
John Chang

City of Pleasanton  
Mayor  
Jennifer Westerman

City of San Leandro  
Councilmember  
Joyce R. Staroscak

City of Union City  
Mayor  
Mark Green  
Vice Chair

Executive Director  
Dennis R. Fay

October 26, 2007

Mr. Dan Leavitt, Deputy Director  
Ms. Carrie Pourvahidi, Deputy Director  
California High-Speed Rail Authority, EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

SUBJECT: Comments on the Draft Program Environmental Impact Report/  
Statement for a Proposed High-Speed Train System

Dear Mr. Leavitt and Ms. Pourvahidi:

Thank you for the opportunity to comment on the Draft Bay Area to Central Valley High Speed Train Program EIR/EIS. The EIR/EIS generally describes the environmental impacts of a proposed High Speed Rail (HSR) system within this broad corridor including two pass alignments: Altamont Pass in eastern Alameda County and Pacheco Pass in southern Santa Clara County. The EIR/EIS analyzes impacts of and proposed general mitigation strategies for both proposed alignment alternatives, including their station location options.

L018-1

At their October 25<sup>th</sup>, 2007 Board meeting, the Alameda County Congestion Management Agency (ACCMA) Board endorsed MTC's position as articulated in the attached letter and Resolution.

L018-2

Additionally, the ACCMA respectfully submits the following comments on the Draft EIR/EIS:

L018-3

The following issues should be addressed in detail in the project-specific EIR/EIS:

Funding

A funding plan addressing capital, operations and maintenance for the alternatives should be identified. This would include funding plans for both the ultimate project and usable segments.

L018-4

Connectivity and Phasing

The High Speed Rail would connect with commuter rail, such as ACE, at some locations in Alameda County. The design and operating plan for these stations should demonstrate that the connections are feasible and easy to use. When HSR connects to ACE, electrification of the Commuter Rail system should occur in order to improve service and connections.

L018-5

California High Speed Rail Authority  
October 26, 2007  
Page 2

In some of the rail segments, High Speed Rail would share tracks with regional rail, allowing regional rail to improve travel times and increase ridership. The construction of High Speed Rail, including the regional rail overlay system, should be phased so that railway sections are usable in the short-term.

L018-6

Ridership Impacts on Existing Rail System

The EIR/EIS should address how the High Speed Rail would affect ridership on existing rail systems, such as the impact of High Speed Rail to San Jose on ACE or on the future BART extension to San Jose.

L018-7

Station Location & Design

As an alignment is chosen, and additional environmental review is undertaken, specific community concerns should be addressed with regards to station and design location and design and access.

L018-8

Once again, thank you for the opportunity to comment on this program EIR/EIS. Please do not hesitate to contact me at 510/836-2560 if you require additional information.

L018-9

Sincerely,

Dennis R. Fay  
Executive Director

cc: Beth Walukas, Manager of Planning  
Diane Stark, Senior Transportation Planner  
file: CMP - Environmental Review Opinions - Responses - 2007



U.S. Department  
of Transportation  
Federal Railroad  
Administration

Comment Letter L018 - Continued



ALAMEDA COUNTY  
CONGESTION MANAGEMENT AGENCY

L 018

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2590 • FAX: (510) 836-2185  
E-MAIL: mail@acoma.ca.gov • WEB SITE: acoma.ca.gov

Mr. Mehdi Morshed  
October 26, 2007  
Page Two

- AC Transit  
Director  
Greg Meyer
- Alameda County  
Supervisor  
Neil Maly  
Scott Nagarty  
Chair
- City of Alameda  
Mayor  
Barbara Johnson
- City of Albany  
Councilmember  
Paul Javandel
- BART  
Director  
Thomas Blaisick
- City of Berkeley  
Councilmember  
Kris Worthington
- City of Dublin  
Mayor  
James Lockhart
- City of Emeryville  
Vice-Mayor  
Ruth Aikin
- City of Fremont  
Vice-Mayor  
Robert Woodcock
- City of Hayward  
Mayor  
Michael Sweeney
- City of Livermore  
Mayor  
Marshall Kemena
- City of Newark  
Councilmember  
Luis Freitas
- City of Oakland  
Councilmember  
Lynn Ford
- City of Piedmont  
Councilmember  
John Chang
- City of Pleasanton  
Mayor  
Jennifer Heyman
- City of San Leandro  
Councilmember  
Joyce R. Starostski
- City of Union City  
Mayor  
Mark Rosen  
Vice Chair
- Executive Director  
Doreta R. Fay

October 26, 2007

Mr. Dan Leavitt, Deputy Director  
Ms. Carrie Pourvahidi, Deputy Director  
California High-Speed Rail Authority, EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

SUBJECT: Comments on the Draft Program Environmental Impact Report/  
Statement for a Proposed High-Speed Train System

Dear Mr. Leavitt and Ms. Pourvahidi:

Thank you for the opportunity to comment on the Draft Bay Area to Central Valley High Speed Train Program EIR/EIS. The EIR/EIS generally describes the environmental impacts of a proposed High Speed Rail (HSR) system within this broad corridor including two pass alignments: Altamont Pass in eastern Alameda County and Pacheco Pass in southern Santa Clara County. The EIR/EIS analyzes impacts of and proposed general mitigation strategies for both proposed alignment alternatives, including their station location options.

At their October 25<sup>th</sup>, 2007 Board meeting, the Alameda County Congestion Management Agency (ACCMA) Board endorsed MTC's position as articulated in the attached letter and Resolution.

Additionally, the ACCMA respectfully submits the following comments on the Draft EIR/EIS:

The following issues should be addressed in detail in the project-specific EIR/EIS:

Funding

A funding plan addressing capital, operations and maintenance for the alternatives should be identified. This would include funding plans for both the ultimate project and usable segments.

Connectivity and Phasing

The High Speed Rail would connect with commuter rail, such as ACE, at some locations in Alameda County. The design and operating plan for these stations should demonstrate that the connections are feasible and easy to use. When HSR connects to ACE, electrification of the Commuter Rail system should occur in order to improve service and connections.

L018-1

L018-2

L018-3

L018-4

L018-5

Bay rail right of way needs and avoids construction within the I-880 freeway in Santa Clara County.

5. Endorses the Altamont route as better suited to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. At the same time the Pacheco pass alignment is being built, the CHSRA should upgrade interregional services between Peninsula – Tri Valley – Sacramento & San Joaquin Valley. As a first step, ACE service can be improved by adding tracks and improving signaling to provide higher speed and more reliable service that would connect with a future BART station in Livermore (Greenville Road or Isabel/Stanley based on further BART analyses); these improvements would need to be compatible with future HSR. Electrification of ACE trains should be implemented once the UPRR tracks have been acquired. An electrified regional train capable of higher speeds, with additional grade separations would improve road circulation, and would also be compatible with lightweight equipment operating in the Dumbarton corridor.

6. Requests that the CHSRA also evaluate an alternative in the Altamont corridor that terminates HSR at a proposed BART Livermore station where HSR passengers could be dispersed to Bay Area locations throughout the BART system, together with improved ACE service to Santa Clara County.

7. Requests that CHSRA consider seeking additional HSR bond funds dedicated to upgrading the Altamont corridor for regional service.

If you or your staff has any questions regarding these comments, please contact Doug Kimsey of our staff by phone at 510.817.5790 or email at [dkimsev@mtc.ca.gov](mailto:dkimsev@mtc.ca.gov).

MTC looks forward to working with you and the Authority in helping deliver HSR to California and the Bay Area.

Sincerely,  
  
Steve Heminger  
Executive Director

cc: Honorable Gavin Newsom, Mayor of San Francisco  
Honorable Chuck Reed, Mayor of San Jose  
Honorable Ron Dellums, Mayor of Oakland

SH: DK  
J:\PROJECT\HSR\_RR\_Study\HSR Element\DEIR-DEIS\CHSRA Comment Letter.doc  
Attachments



U.S. Department  
of Transportation  
Federal Railroad  
Administration

Comment Letter L018 - Continued

Date: October 24, 2007  
Referred by: Planning Committee

ABSTRACT  
Resolution No. 3829

This resolution adopts MTC's comments on the California High Speed Rail Authority (CHSRA) Draft Environmental Impact Statement/Report for Potential High Speed Rail Service into the Bay Area and authorized the Executive Director or his designee to transmit those comments to the CHSRA.

Further discussion of this action is contained in the MTC "Executive Director's Memorandum" dated October 5, 2007.

Date: October 24, 2007  
Referred by: Planning Committee

RE: Adopts MTC's comments on the California High Speed Rail Authority (CHSRA) Draft Environmental Impact Statement/Report for Potential High Speed Rail Service into the Bay Area and authorized the Executive Director or his designee to transmit those comments to the CHSRA.

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3829

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, the California High-Speed Rail Authority (Authority), established pursuant to Public Utilities Code Section 185000 et seq., is developing a proposal to finance and construct a statewide high speed rail system for voter consideration on the November, 2008 statewide ballot; and

WHEREAS, the Authority has released a Draft Environmental Impact Statement/Report for potential high speed rail service into the Bay Area, with a close of comment date of October 26, 2007; and

WHEREAS, MTC has assisted the Authority in discharging its duties by providing travel forecasting information, other technical assistance, and co-hosting public outreach workshops in the Bay Area; and

WHEREAS, it is in the best interest of the region for MTC to express its recommendations on the Bay Area entry alignment and terminal locations prior to the Authority's final selection; and

WHEREAS, MTC previously took a position to support the Pacheco Pass alignment into the Bay Area based on its higher ridership, service distribution characteristics, compared to the Altamont Pass; and

WHEREAS, it is in the further interest of the region that MTC clarify its position with respect to these issues; now, therefore, be it



**Comment Letter L018 - Continued**

MTC Resolution No. 3829  
Page 3

RESOLVED, that MTC:

1. Support building a statewide high-speed rail system -- HSR has the potential to reduce local and statewide vehicle congestion, divert air passenger demand away from congested airports, and reduce statewide greenhouse gas emissions.
2. Re-confirm support for the Pacheco alignment as the main HSR express line between Northern and Southern California as outlined in #3 and 4 below and support improvements in the Altamont corridor, as described in #5, 6 and 7 below, to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley.
3. Support the Pacheco alignment due to several of the reasons stated in Resolution No. 3198:
  - has the highest statewide ridership demand, and best serves HSR's key market - Northern California to Southern California, connecting the two most congested regions in the state
  - provides direct service to all three major cities - San Francisco, San Jose and Oakland
  - avoids construction of a new bay crossing or tube required by the Altamont Pass entry for San Francisco service
4. Recommend a new Pacheco alignment that routes all trains up the San Francisco peninsula through San Jose and San Francisco, with a connecting Transbay tube to Oakland. This variant provides a superior operating plan compared to the previous Commission adopted Pacheco alignment with all three cities on a single line, is about \$2 billion less than the previous alignment, avoids duplication with BART/Capitol Corridor/ACE, avoids risk of negotiating with Union Pacific Railroad (UPRR) for East Bay rail right of way needs and avoids construction within the I-880 freeway in Santa Clara County.
5. Endorse the Altamont route as better suited to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. At the same time the Pacheco pass alignment is being built, the CHSRA should upgrade interregional services between Peninsula - Tri Valley - Sacramento & San Joaquin Valley. As a first step, ACE service can be improved by adding tracks and improving signaling to provide higher speed and more reliable service that would connect with a future BART station in Livermore (Greenville Road or Isabel/Stanley based on further BART analyses); these improvements would need to be compatible with future HSR. Electrification of ACE trains should be implemented once the UPRR tracks have been

MTC Resolution No. 3829  
Page 4

acquired. An electrified regional train capable of higher speeds, with additional grade separations would improve road circulation, and would also be compatible with lightweight equipment operating in the Dumbarton corridor.

6. Request that the CHSRA also evaluate an alternative in the Altamont corridor that terminates HSR at a proposed BART Livermore station where HSR passengers could be dispersed to Bay Area locations throughout the BART system, together with improved ACE service to Santa Clara County.
7. Request that CHSRA consider seeking additional HSR bond funds dedicated to upgrading the Altamont corridor for regional service.

RESOLVED, that copies of this resolution be transmitted to the California High-Speed Rail Authority; the mayors of San Francisco, Oakland, and San Jose; and other interested parties.

FURTHER RESOLVED, this resolution supersedes Resolution No. 3198.

METROPOLITAN TRANSPORTATION COMMISSION

  
Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on October 24, 2007.



**Response to Letter L018 (Dennis R. Fay, Alameda County, Congestion Management Agency, October 26, 2007)****L018-1**

The Authority and FRA appreciate receipt of ACCMA's comments on the Draft Program EIR/EIS.

**L018-2**

The Authority and FRA acknowledge ACCMA's endorsement of MTC's Resolution 3829. Please see the Response to MTC's Comments (Comment Letter L017).

**L018-3**

Responses to the ACCMA's additional comments are provided below.

**L018-4**

Comment acknowledged.

**L018-5**

The Preferred Alternative identified in this Final Program EIR/EIS does not include HST alignments and stations in Alameda County. Please also see Response to Comments L017-3 and L017-6.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L018-6**

The Preferred Alternative identified in this Final Program EIR/EIS involves shared tracks with regional rail in the Caltrain Corridor. The Authority will work closely with Caltrain during the construction to ensure that Caltrain service can remain in service to the extent possible.

In terms of regional rail improvements in Alameda County, please refer to Standard Response 3.

**L018-7**

Comment acknowledged.

HST will draw about 98% of ridership from diversion of auto, air, and conventional passenger rail (intercity and region) trips around the state. About 75% of this diversion will come from auto, 13% from intra-state air, and 12% from conventional passenger rail. For travel within the Bay Area in year 2030, the Pacheco Pass alternative is projected to divert about 4,000 trips per day from other transit services, while the Altamont Pass alternative is projected to divert about 4,900 trips per day. The majority of this regional transit diversion is expected to occur from Caltrain (3,170 trips per day on Pacheco and 2,000 trips per day on Altamont) and BART (600 trips per day on Pacheco and 2,500 trips per day on Altamont). This diversion to HST is small compared to the Bay Area's projected future daily regional transit usage of about 2.7 million trips per day<sup>1</sup>.

It is not possible to convey all ridership results within the body of the Draft Program EIR/EIS. Key comparative ridership information that identifies substantive differences between network, alignment, and station alternatives is fully disclosed in Chapters 2 and 7. Remaining ridership results have been completely documented in a series of technical reports that are posted on the Authority web site at <http://www.cahighspeedrail.ca.gov/ridership/>. These reports have been available at this location throughout the public comment period for the Draft Program EIR/EIS.

---

<sup>1</sup> Travel Forecasts for the San Francisco Bay Area, 1990 – 2030, Data Summary; Metropolitan Transportation Commission; January 2005

**L018-8**

The Authority and FRA agree that specific community concerns regarding station location, design, and access need to be addressed during the preliminary engineering and project-level environmental review process.

**L018-9**

The Authority and FRA appreciate receipt of ACCMA's comments on the Draft Program EIR/EIS and the contact information.

**Comment Letter L019 (Andrew Chesley, San Joaquin Council of Governments, October 26, 2007)**



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202

209.468.3913 • 209.468.1084 (fax)  
www.sjocog.org

View Map  
CHAIR

Ed Chavez  
VICE CHAIR

Andrew T. Chesley  
EXECUTIVE DIRECTOR

Member Agencies  
COUNTIES OF  
ESCALON,  
LATHROP,  
LOOS,  
MANTEC,  
RIPON,  
STOCKTON,  
TRACY,  
AND  
THE COUNTIES OF  
SAN JOAQUIN

October 26, 2007

Honorable Quentin Kopp, Chairman  
California High Speed Rail Authority  
925 L. Street, Suite 1425  
Sacramento, CA 95814

Dear Chairman Kopp:

I am writing on behalf of the San Joaquin Council of Governments to provide comments on the draft Bay Area to Central Valley High Speed Train (HST) Program EIR/EIS. We appreciate the opportunity to formally comment on this document and wish to thank the Authority again for conducting an extensive public outreach effort, including an additional meeting in Stockton.

The Governing Board of the San Joaquin Council of Governments (SJCOC) has taken a position in support of the Altamont Pass alignment. This position is consistent with that taken by the San Joaquin Policy Council, which is comprised of elected officials from each of the eight counties in the San Joaquin Valley. It is also consistent with that of the Partnership for the San Joaquin Valley, which was established by Governor Schwarzenegger and includes representatives appointed by the Governor. As you know, a representative from this agency and the San Joaquin Policy Council was present and testified at nearly all of the public hearings concerning the EIR/EIS. This is indicative of the level of interest and importance we have placed on the decision before the Authority.

The San Joaquin Valley includes 3.7 million residents and has the highest growth rate in the State. This trend is expected to continue; the Department of Finance expects the Valley's population to increase 104% between 2000 and 2040. Key to the position of the agencies represented above is the necessity that the first phase of High Speed Rail serves the entire Valley, not just a segment. Valley users represent the largest proportion of all riders based on studies prepared for the Authority, with 44% of expected ridership involving people traveling within or in and out of the Valley. The northern San Joaquin Valley, north of Merced represents a major market segment for High Speed Rail; it makes no sense to establish a baseline network which ignores this market, particularly when all other primary objectives of establishing High Speed service to and from the Bay Area can be accomplished through this alignment.

It makes the most sense to, put the train where there are major population centers and significant transportation issues to be resolved. Two essential goals adopted by the High Speed Rail Authority are to reduce congestion and improve air quality. A point of access through San Joaquin County using the Altamont Pass and into the East Bay would provide congestion relief which directly benefits the Interstate 5/Interstate 205 corridor, which has the highest levels of congestion in the Northern San Joaquin Valley. It further would provide direct relief to the Interstate 580/238/880 corridors in the East Bay, which

L 019

High-Speed Rail Authority Continued Page 2

- L019-4 Cont. collectively represent 25% of all congestion in the Bay Area, including the second and third worst peak travel corridors.
- L019-5 The Pacheco Pass alignment, on the other hand would result in a 60-70 mile zone that would not serve any population centers, a questionable strategy from a cost effectiveness viewpoint and one that again misses the opportunity to serve the rapidly growing north end of the San Joaquin Valley.
- L019-6 As you know the San Joaquin Valley faces one of the most difficult challenges in the United States to achieve air quality standards. While our population has increased by 20% over the past 20 years our vehicle miles traveled (VMT) has increased by 40%. Approximately 80% of our NOX emissions come from mobile sources. This is both an economic and public health issue. A high speed route serving the entire San Joaquin Valley would do the most to assist in resolving this vexing issue. The benefit to the Valley in VMT reduction is particularly significant given that 79% of all trips coming to the high speed system would have otherwise been made by private automobile.
- L019-7 It is anticipated that High Speed Rail will also provide significant economic benefits to the San Joaquin Valley. As you know, the Valley has some of the highest unemployment rates in the State. The job creation resulting from development of the High Speed System for the entire Valley would provide direct employment opportunities but also support other economic development opportunities that would benefit from a speedy interregional connection to northern and southern California. This benefit is even more pronounced when considering the limited passenger air service available in the Valley.
- L019-8 The Altamont alignment provides the best opportunity to connect to the BART system, either in the Tri-Valley area or at Union City. This would significantly increase the scope of local and regional transit connectivity to the High Speed System, particularly to the City of Oakland and other communities in the East Bay. This alignment also allows High Speed service to be paired with the proposed Dumbarton regional rail service, linking the East Bay with the Peninsula.
- L019-9 The performance findings for high speed service are close in many respects as the system matures in 2030. The Altamont alignment provides superior service to the East Bay. When the Altamont service is considered for the base case alternatives via a Bay crossing at Dumbarton it is very competitive in terms of total interregional trips, travel time, construction costs and operating costs.
- L019-10 One of the most disparate findings of the environmental analysis concerns the travel time differences for service to the State Capitol and the growing Sacramento region. The Altamont alignment would result in dramatically shorter travel times for service to Sacramento in comparison to the Pacheco Pass alternative. It simply defies logic to expect Sacramento bound passengers to be attracted to High Speed Rail via the Pacheco Pass alignment. Why effectively disenfranchise another major market when an option exists, which is at least equal by many other key measures and which could provide attractive and competitive service to the fourth largest region in the State and the seat of state government.

L019-1

L019-2

L019-3

L019-4



U.S. Department of Transportation  
Federal Railroad Administration

**Comment Letter L019 - Continued**

High-Speed Rail Authority Continued Page 3

- L019-11 | The Altamont service would have substantially less farmland impacts and flood plain impacts than the Pacheco alignment. The Altamont alignment would also have a lesser overall impact on sensitive wildlife habitats.
- L019-12 | In conclusion, funding realities are inherent to all decisions about development of a major transportation system. So are choices about what portions of the system are built first. Due to the exceptional investment required to bring High Speed Rail online, it may take many more years for the remainder of the system to be built. Given this reality, it is our position that the Altamont alignment must be part of the first phase of any alternative for the Bay Area – Central Valley connection which is selected by the Commission. If the Commission chooses a preferred alternative which includes eventual high speed service for both alignments, for the reasons articulated in this letter, we strongly believe the best choice is to designate the Altamont alignment as part of the first phase of system development.
- L019-13 | Thank you again for the opportunity to comment. We look forward to working with you to as you continue forward in the completion this environmental document and deliberations towards an alignment decision. Please feel free to call me at (209) 468-3913 if there are any questions.

Sincerely,



Andrew Chesley  
San Joaquin Council of Governments  
Executive Director



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

---

**Response to Letter L019 (Andrew Chesley, San Joaquin Council of Governments, October 26, 2007)**

---

**L019-1**

The Authority and FRA appreciate receipt of the San Joaquin Council of Governments' comments on the Draft Program EIR/EIS. The Authority and FRA are also pleased that we were able to add two additional public hearings in Stockton and Sacramento on the Draft Program EIR/EIS and extend the public review comment period on the Draft Program EIR/EIS from September 28 to October 26, 2006, in response to requests from agencies and the public, thus allowing for the extensive public comments received on the Draft Program EIR/EIS.

**L019-2**

The Authority and FRA acknowledge the San Joaquin Council of Governments' support for the Altamont Pass alignment and acknowledge that this support is consistent with the San Joaquin Policy Council (made up of elected officials from each of the eight counties in the San Joaquin Valley) and with the governor-created Partnership for San Joaquin Valley. The Authority and FRA are keenly aware of the interest that has been shown in the identification of the HST Preferred Alternative, as evidenced by the extensive comments received during the public review process regarding alignment preferences.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L019-3**

In terms of the HST project purpose and need, service to the fast-growing San Joaquin Valley is viewed as a critical part of the statewide system. The HST system approved at the conclusion of the statewide program EIR/EIS includes corridors and stations for HST service through the entire Central Valley, from southern California to Sacramento. This has not changed. The subject at hand is the service connecting the Central Valley to the Bay Area,

but the Authority Board has clearly stated its intent to serve the entire Central Valley.

Consistent with the current statewide bond measure for 2008, the Authority Board has selected as its first phase the line from Anaheim to the Bay Area and has stated its intent to subsequently add service to both Sacramento and San Diego. The first phase of the Board-adopted phasing plan includes development of a test track from Bakersfield to Merced, regardless of whether the Altamont or Pacheco alignment is selected. Thus, for the initial phase, the Central Valley is served between Bakersfield and Merced for either alternative.

The Authority recommendation recognizes the desire of the full Central Valley to be served. While the Pacheco Pass is identified as the Preferred Alternative in this Final Program EIR/EIS—the primary north/south alignment between southern and northern California—the Authority is working with regional partners on the identification of additional improvements in the Altamont Corridor and the pursuit of high-speed rail bond funds for such improvements.

The exact nature of these improvements has not been defined, but it is clear that improvements to train services in the Altamont Corridor would provide additional mobility and accessibility to Central Valley residents and would likely involve improvements in the Central Valley. The Authority and regional partners, including the Central Valley, would need to define the priorities for these improvements.

It is envisioned that this approach would involve incremental improvements in the Central Valley and Altamont Corridor during the initial phase of the adopted phasing plan, and these improvements could come before the development of the Pacheco Pass portion of the HST alignment.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative, as well as a description of the "Altamont Corridor Project."

**L019-4**

Comment acknowledged. Please see Response to Comment L019-1. Both the Pacheco Pass and Altamont Pass alternatives would have high ridership potential. The Altamont Pass and Pacheco Pass options would have similar congestion and air quality benefits. Please also see Standard Response 3 and Chapter 8.

**L019-5**

The Authority carefully considered how best to capture riders from these two markets—interregional travel and long-distance commuters. The HST service is most competitive in the intermediate to long-distance California markets where it offers:

- Much faster travel times than the lower cost and more convenient auto mode, particularly for people traveling in groups.
- Much faster travel times and higher frequencies than the lower cost conventional rail model.
- Equivalent door-to-door travel times and frequencies as the more expensive air mode.

A competitive service for long-distance commuters requires more frequent station stops so that travel times for the commuters from the origin to the ultimate destination is competitive with the automobile.

A system with HSTs that includes a commuter-oriented overlay service would require more closely spaced stations and two additional express tracks so that HST trains could pass through the stations without stopping, as would be the case for the Caltrain Corridor. Without these express tracks, HST travel times would be compromised and the ability to capture interregional passengers would be reduced.

In short, a combined HST and commuter rail overlay in the Altamont Pass corridor would involve more stations, each with four tracks. Additionally, the Altamont Pass alignment requires provision for two freight tracks, so six tracks would need to be provided for the Altamont stations and station areas. The transition from two to four

HST tracks requires some distance on either side of the stations, and for very closely spaced stations, this transition would not occur (i.e., there would be four tracks between the stations). For example, this is the proposed approach for the Caltrain Corridor.

The Authority's Preferred Alternative would allow for the HST north/south interregional travel to be provided via the Pacheco alignment, with the long-distance commuter rail trains in the Altamont Corridor stopping at each of the more closely spaced stations.

The Tri-Valley Policy Working Group and Technical Advisory Committee (Tri-Valley PAC) is a partnership that includes the cities of Dublin, Livermore, Pleasanton, Danville, San Ramon, and Tracy, along with transportation providers Livermore Amador Valley Transit Authority (LAVTA), ACE, and BART. This group understood the need for six tracks in the station areas—four high-speed tracks and two freight tracks—and provided the following statement.

*The Draft Bay Area EIR/EIS includes a Bay Area HST alignment that would include High Speed Train service through the Pacheco Pass and regional overlay service provided through the Altamont pass. The Policy Advisory Committee believes that this option may present the best way of addressing our concerns and delivering optimal HST service to the region as a whole.*

*The combined Altamont/Pacheco (Hybrid) alignment option allows HST to provide frequent service along the most direct route between northern and southern California, while still serving the important regional transportation corridors in Northern California, including those in the Central Valley, the Tri-Valley, and between Sacramento and the Bay Area. The Draft EIR/EIS demonstrates that the corridors served by the Altamont alignment include some of the greatest travel demand in the entire system.*

*While providing these important transportation advantages, a system that provides service in both major corridors also mitigates some of the possible negative impacts identified in the Draft EIR/EIS. Specifically related to the Tri-Valley's key concerns, it would improve the likelihood that HST service could be delivered within the existing Union Pacific Right-of-Way without the need for major aerial infrastructure, or significant right-of-way acquisition through the developed portions of the Tri-Valley.*

Please see Response to Comment L019-3 regarding the Authority's intent to provide service to the San Joaquin Valley. The Authority and FRA understand that there are important trade-offs among the geographic areas by the various alternatives. For instance, the Pacheco Pass alternative would serve the growing Monterey County and Monterey Bay area, and the northern San Joaquin Valley area—north of Merced—would still be served by the planned extension of the HST system to Sacramento.

Please also note that, for the Altamont Pass alternative serving San Jose and San Francisco, some of the trains would travel south to San Jose and while some would cross the Bay into San Francisco, thus reducing the train frequencies to each of these urban areas.

**L019-6**

See Response to Comments L019-3, L019-4, and L019-5.

**L019-7**

Comment acknowledged. The Authority believes the proposed HST system will result in great economic benefits for the Central Valley.

**L019-8**

The Draft Program EIR/EIS identifies the connectivity associated with each of the HST stations (please see Chapter 3, Section 3.1, Table 3.1-4). Connectivity with transit facilities and services was an important consideration in the development of the HST alignment alternatives and station location options. As a result, both the Pacheco Pass and Altamont Pass alternatives provide connectivity to other transit systems by design, and the Authority and FRA are aware of the connectivity options for the alternatives. Please also see Response to Comment L019-2.

**L019-9**

Either the Pacheco Pass or Altamont Pass would provide quick, competitive travel times between northern and southern California. The Pacheco Pass would provide the quickest travel times between the south Bay and southern California (10 minutes less than the

Altamont Pass alternatives serving San Jose via the East Bay [1-880] and 28 minutes less than the Altamont San Francisco and San Jose—via San Francisco Peninsula alternative for express service). The Pacheco Pass enables a potential station in southern Santa Clara County (at Gilroy or Morgan Hill), which provides superior connectivity and accessibility to south Santa Clara County and the three Monterey Bay counties and uses the entire Caltrain Corridor between San Francisco and Gilroy. San Francisco and San Jose would be served with one HST alignment along the Caltrain Corridor, providing the most frequent service to these destinations, whereas the most promising Altamont Pass alternatives would require splitting HST services (express, suburban express, skip-stop, local, regional) between two branch lines to serve San Jose and either San Francisco or Oakland. The Altamont Pass would provide considerably quicker travel times between Sacramento/northern San Joaquin Valley and San Francisco or Oakland than the Pacheco Pass (41 minutes less between San Francisco and Sacramento for express service). The Altamont Pass alternatives using the East Bay to San Jose would have express travel times about 29 minutes less than the Pacheco Pass between Sacramento and San Jose, while the Altamont San Francisco and San Jose—via the San Francisco Peninsula alternative would take 15 minutes less than the Pacheco Pass for this market. The Altamont Pass alternative would enable a potential Tri-Valley HST station and a potential Tracy HST station, which provide superior connectivity to the Tri-Valley/Eastern Alameda County, Contra Costa County, and the Tracy area and provide for the opportunity for shared infrastructure with an improved ACE commuter service, although additional infrastructure would be necessary for commuter overlay service with associated impacts. The Altamont Pass would have more potential Central Valley stations served on the Authority's adopted first phase for construction between the Bay Area and Anaheim (Tracy and Modesto). The travel time for direct service and travel conditions would be significantly different between the Altamont Pass alternative to Oakland and San Jose in comparison to the other two promising Altamont alternatives and the preferred Pacheco Pass alternatives (which directly serve San Francisco and San Jose). The Oakland and San Jose alternative would provide superior travel times,

connectivity, and accessibility to Oakland, Oakland International Airport, and the East Bay but would not directly serve downtown San Francisco, San Francisco International Airport (SFO), or the San Francisco Peninsula/Caltrain Corridor. While a Dumbarton crossing could provide competitive travel times, it would result in higher potential environmental impacts for the proposed HST system.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L019-10**

See Response to Comments L019-2 and L019-5.

**L019-11**

The Draft Program EIR/EIS notes that the Altamont alternatives would have less potential farmland and floodplain impacts. Sensitive wildlife habitats affected would vary depending on the network alternatives selected. The number of plant and wildlife species affected generally increases as the network alternative lengths increase and vice-versa.

**L019-12**

Please see Response to Comment L019-3.

**L019-13**

The Authority and FRA appreciate receipt of SJCOG's comments on the Draft Program EIR/EIS and look forward to continuing to work with the SJCOG as the HST Program moves forward.

**Comment Letter L020 (Brad Olson, East Bay Regional Park District, October 16, 2007)**



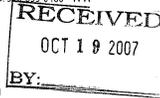
L020

2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T.510 635 0135 F.510 569 4319 TDD.510 633 0460 VVA

October 16, 2007

Mr. Dan Leavitt  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

Mr. David Valenstein  
US Department of Transportation  
Federal Railroad Administration  
1120 Vermont Avenue N.W. M/S 20  
Washington, DC 20590



CC. Steve Heminger, Metropolitan Transportation Commission  
District Board of Directors  
Pat O'Brien, General Manager  
Robert E. Doyle, Asst. General Manager

Subject: Comments on DEIR/EIS for Bay Area to Central Valley High-Speed Train

Dear Messrs Leavitt and Valenstein,

Thank you for providing the East Bay Regional Park District ("District") with a copy of the Draft Program Environmental Impact Report/Environmental Impact Statement (DEIR/S) for the proposed Bay Area to Central Valley High-Speed Train ("Project"). This document covers the Bay Area portion of the proposed California High Speed Rail Project.

L020-1

The District owns or operates 65 regional parks and more than 1,100 miles of regional trails in Alameda and Contra Costa Counties. This encompasses more than 97,000 acres of public land. The project maps in the DEIR/S do not show 62 of 65 regional parks or any of the regional trails owned or operated by the District.

L020-2

We have identified that at least nine regional parks and eight regional trails may be affected by the Project. Of these public facilities, Pleasanton Ridge and Vargas Plateau Regional Parks, and Alameda Creek Regional Trail would be significantly impacted by the proposed Project. An additional three parks and one trail have the potential to be significantly impacted. Potential impacts to these public facilities are not identified, discussed or mitigated in the DEIR/S.

L020-3

The District has taken no position on the proposed Project. However, we believe that the DEIR/S is inadequate because it fails to identify or mitigate potentially significant impacts to public parks and trails owned or operated by the District. And for these reasons, we believe that the DEIR/S does not comply with the California Environmental Quality Act, National Environmental Policy Act and the Department of Transportation Act. Attached are the District's comments on the DEIR/S and the Project's potential impacts to regional parks and trails.

L020-4

Should you have questions regarding this letter, please contact me at (510) 544-2622.

L020-5

Sincerely,

Brad Olson  
Environmental Programs Manager

Attachments (3)

Board of Directors

John Sutter President Ward 2	Ayn Wieskamp Vice-President Ward 5	Ted Radke Treasurer Ward 7	Doug Siden Secretary Ward 4	Beverly Lane Ward 6	Carol Severin Ward 3	Nancy Skinner Ward 1	Pat O'Brien General Manager
------------------------------------	--	----------------------------------	-----------------------------------	------------------------	-------------------------	-------------------------	--------------------------------



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

Comment Letter L020 – Continued

**East Bay Regional Park District**  
 Detailed comments on the Draft EIR/S for  
 the proposed Bay Area to Central Valley High-Speed Train  
 October 16, 2007

As stated in our cover letter to these comments, we believe that the DEIR/S is inadequate because 1.) it fails to identify and mitigate potentially significant impacts to public parks and trails, and 2.) it does not comply with the requirements of the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and the Department of Transportation Act, Sections 4(f) and 6(f). The following comments describe how the DEIR/S does not adequately address impacts to public parks and trails, and how it does not comply with the requirements of CEQA, NEPA, DOT Act and associated regulations.

Potentially significant effects to regional parks and trails in the Project area

At least nine regional parks and eight regional trails may be impacted by the proposed project. This was determined by projecting the proposed rail alignments over existing base maps developed by the District for these parks and trails. These maps of District parks and trails are available of the Districts website [www.ebparks.org](http://www.ebparks.org). Potential impacts to regional parks and trails are also identified and summarized in Table 1, which is attached to this letter

*Pleasanton Ridge Regional Park:* Construction of the Dumbarton-Fremont Central Park & Livermore UPRR Alignment would impact Pleasanton Ridge Regional Park, near the City of Pleasanton, in Alameda County. This 6,427 acre park would be impacted by construction and operation of approximately 4,000 feet of new railroad tunnel. In addition, there would likely be service vaults, ventilation shafts and emergency exits constructed on parkland, and maintenance easements over parkland to operate and maintain this tunnel. Potential construction impacts considered significant under CEQA and NEPA include tunnel boring, trucking of excavated materials, staging, light, noise, dust, loss of wildlife habitat, and disruption to park visitors and wildlife. Potential permanent impacts include loss of public parkland, plus impacts from night-time lighting, train noise at tunnel openings, and disturbances to park visitors and wildlife. See attached Figure 1 for more information on the location of the potential impacts to Pleasanton Ridge.

*Vargas Plateau Regional Park:* Construction of the Dumbarton-Fremont Central Park & Livermore UPRR Alignment and/or the Niles Subdivision Line to Interstate 880 Alignment would impact Vargas Plateau Regional Park, near the City of Fremont in Alameda County. This 1,030 acre park would be impacted by construction and operation of approximately 11,000 feet of new railroad tunnel. In addition, there would likely be service vaults, ventilation shafts and emergency exits constructed on parkland and maintenance easements over parkland to operate and maintain these railroad tunnels. Potential construction impacts considered significant under CEQA and NEPA include tunnel boring, trucking of excavated materials, staging, light, noise, dust, loss of wildlife habitat, and disruption to park visitors and wildlife. Potential permanent impacts include loss of public parkland, plus impacts from night-time lighting, train noise at tunnel openings, and disturbances to park visitors and wildlife. See Figure 1 for more information on the location of the potential impacts to Vargas Plateau.

*Alameda Creek Regional Trail:* This trail consists of eleven miles of Class I multi-modal trail and 27 acres of parkland and visitor facilities along both the north and south sides of Alameda Creek between Niles Canyon and Coyote Hills Regional Park. Construction of the Dumbarton-

L020-6

L020-7

L020-8

L020-9

L020-10

Fremont Central Park & Livermore UPRR Alignment would appear to require a new bridge across Alameda Creek near the western end of Niles Canyon. Such a bridge would result in significant visual and noise impacts to park and trail users along Alameda Creek and Vargas Plateau. Further, it appears that a second bridge across Alameda Creek would be necessary for the Niles Subdivision Line to Interstate 880. This bridge would also cross over the Alameda Creek Trail. Potential construction impacts considered significant under CEQA and NEPA include tunnel boring in Niles Canyon, trucking of excavated materials, staging, light, noise, dust, loss of wildlife habitat, and disruption to park and trail users and wildlife. Potentially significant impacts could also include temporary closure of existing park and trail facilities for Project construction. There could also be permanent loss of open space, plus the addition of night-time lighting, train noise at tunnel openings and disturbances to park visitors, trail users and wildlife.

Additional trails are planned to connect Alameda Creek Trail to Garin Regional Park to the north and Vargas Plateau to the south, including completion of a three-mile key gap in the 54 mile Bay Area Ridge Trail across Niles Canyon. Possible conflicts between rail design and planned public access in Niles Canyon should also be fully evaluated and mitigated in the DEIR/S.

Highway 84 parallels Alameda Creek through Niles Canyon. It is a designated State Scenic Highway. Visual impacts to this Scenic Highway would be considered significant under CEQA. In addition, there are several existing aqueducts, rail lines and bridges running through or across Niles Canyon that might be adversely affected by the Project.

Purpose of an Environmental Impact Report

CEQA requires that an EIR provide sufficient analysis and detail about a project and environmental impacts of the project to enable informed decision-making by the CEQA Lead and Responsible agencies, and to provide for informed participation by the public. See CEQA Guidelines § 15151; *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692 (1990). Both the public and decision-makers need to fully understand the implications of the choices presented by the Project, mitigation measures and alternatives. See *Laurel Heights Improvement Ass'n v. Regents of University of California*, 6 Cal.4th 1112, 1123 (1993). The subject DEIR/S does not comply with the requirements of CEQA Guidelines § 15151.

As it relates to the Districts mission to provide for public open space, parks and trails, and in compliance with the requirements of CEQA, the DEIR/S should specifically state which parks (and trails) will be impacted by the proposed Project. These impacts can be identified now by overlaying the proposed rail routes on base maps showing all public parklands. Identification and evaluation of impacts to parks should not be deferred to a future Project-level environmental document. The number and location of potentially affected parks by route has been quantified in the DEIR/S. And while these parks are known to the authors of the subject DEIR/S, their specific names and locations have not been provided in the DEIR/S. Such an approach clearly violates the basic requirements of CEQA to provide for full disclosure of impacts, to enable informed decision-making and to provide for informed public participation in the review process.

The EIR/S at a minimum should contain a list or table with the specific names of all potentially affected parks by proposed route. The EIR/S should also contain programmatic impact analyses and mitigation measures for the project impacts to parks, such as permanent loss of parkland, constructive use, visual impacts, noise, etc. Such mitigation measures should also have specific performance criteria to demonstrate that the EIR/S complies with the requirements of CEQA, NEPA and DOT Act.

L020-10  
 Cont.

L020-11



**Comment Letter L020 - Continued**

Purpose of an Environmental Impact Statement

Council of Environmental Quality NEPA regulations, 40 CFR 1502.1 "purpose" states (in part) that an Environmental Impact Statement "shall provide full and fair discussion of significant environmental impacts and shall inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment". We could find no information in the DEIR/S providing a "full and fair discussion of significant environmental impacts" because the DEIR/S appears to have failed to identify potentially significant impacts to regional parks and trails owned or operated by the District.

Section 4(f) impacts to public parklands

Section 4(f) of the Department of Transportation (DOT) Act of 1966 (49 USC § 303) requires that impacts to public parklands must be evaluated to determine how they may be affected by a proposed project. This law requires that impacts to public parkland must be avoided unless there is no "prudent or feasible alternative" and that "the program or project includes all possible planning to minimize harm to the park, recreation area, or wildlife or waterfowl refuge of national, state, or local importance". We could find no discussion in the DEIR/S identifying Section 4(f) impacts to any of the regional park and trail facilities operated by the District.

The discussion in Section 3.16 of the DEIR/S (Affected Environment) identifies the number of potentially affected parks within close proximity to the various alternative rail alignments. This information is of little or no value in identifying the location of the potentially affected public parklands enumerated in the DEIR/S. As described above, it is clear that Pleasanton Ridge, Vargas Plateau and Alameda Creek Trail would be impacted by the proposed Dumbarton-Fremont Central Park & Livermore UPRR Alignment and/or the Niles Subdivision Line to I-880.

Section 6(f) impacts to public recreational lands

Several District regional parks, recreational areas and trails were acquired in part using grant funds obtained through the Land and Water Conservation Fund. Section 6(f) of the DOT Act of 1966 (49 USC § 303) "prohibits the conversion to a non-recreational purpose of property acquired or developed with these grants without the approval of the US Department of the Interior (DOI) National Park Service". Land and Water Conservation Funds were used to acquire portions of Pleasanton Ridge and Coyote Hills Regional Parks. As previously described in this letter, approximately 4,000 feet of tunnel would be constructed through Pleasanton Ridge. This would require use of recreational land for a "non-recreational purpose". Table 1 also identifies Coyote Hills as another potentially affected park. We could not tell from the project maps if the proposed project would require use of any parkland at Coyote Hills for the Project. The DEIR/S does not appear to document any consultation between the DOT and DOI regarding potential Section 6(f) impacts. The DEIR/S is deficient in this respect.

Consultation with other Federal Agencies with jurisdiction

Section 102 (C) of NEPA (42 USC § 4332) states that "prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impacts involved." We could find no information in the DEIR/S describing Section 6(f) consultation on impacts to public parks and recreational areas.

L020-11  
Cont.

L020-12

L020-13

L020-14

Table 1 – Potential High Speed Rail Project Impacts to Regional Parks and Trails

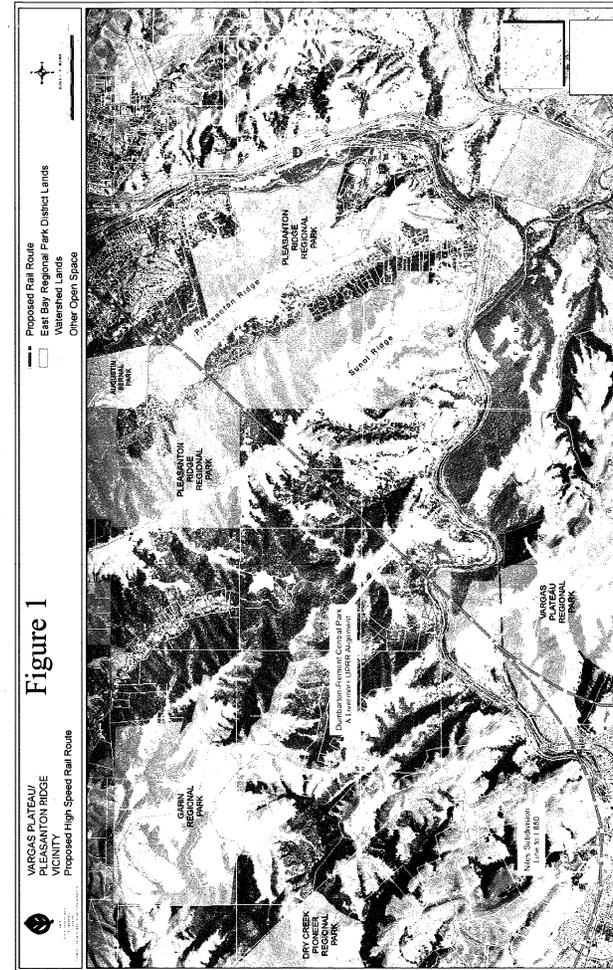
<b>Regional Parks</b>	<b>Right-of-Way Encroachment</b>	<b>Construction Noise</b>	<b>Operating Noise</b>	<b>Esthetics</b>
<b>Brushy Peak</b> *Potentially significant	None	Boring, excavation, trucking, etc*	Tunnel opening ~500 S of park, new station*	Greenville Road Station, lights, fences*
Shadow Cliffs	Unlikely	Track installation	~2,000 feet of track ~150 feet N of park	Lights, fences
<b>Pleasanton Ridge</b> *Significant	~4,000' of new tunnel, staging, maintenance easements*	Boring, excavation, trucking, etc*	Tunnel opening in or near park*	One tunnel opening, lights, fences*
<b>Vargas Plateau</b> * Significant	~11,000' of new tunnel, staging, maintenance easements*	Boring, excavation, trucking, etc*	Three tunnel openings in or near park*	Three tunnel openings, bridge, lights, fences*
Dry Creek/ Pioneer	None	Track installation	Minor	Minor
Garin	None	Track installation	Minor	Minor
<b>Quarry Lakes</b> *Potentially significant	Possibly for new tracks	Track installation	<100 feet E & S of park*	Bridge widening, lights, fencing
Coyote Hills	Possibly	Track installation, bridge	Minor	Minor
<b>Middle Harbor</b> *Potentially significant	Possibly for tunnel facilities	Tunnel construction*	Tunnel	Minor



**Comment Letter L020 - Continued**

Table 1 – Potential High Speed Rail Project Impacts to Regional Parks and Trails

<b>Regional Trails</b>	<b>Right-of-Way Encroachment</b>	<b>Construction Noise</b>	<b>Operating Noise</b>	<b>Esthetics</b>
Shadow Cliffs to Morgan Territory	~25' Crossing	Track installation	Minor	Lights, fences
Shadow Cliffs to Del Valle	None	Track installation	Minor	Lights, fences
San Joaquin County to Shadow Cliffs	Potentially multiple crossings	Track installation	Minor	Lights, fences
Shadow Cliffs to Alameda Creek	~25' Crossing	Track installation	Minor	Lights, fences
<b>Alameda Creek *Significant</b>	Multiple crossings, possible closure*	Track installation, bridge(s) *	Tunnel openings above trail/park*	Lights, fences, bridge(s) *
Bay Ridge	~25' Crossing	Track installation	Minor	Lights, fences
Iron Horse	~25' Crossing	Track installation	Minor	Lights, fences
<b>San Francisco Bay *Potentially Significant</b>	Multiple crossings, possible closure*	Track installation	Minor	Lights, fences



---

**Response to Letter L020 (Brad Olson, East Bay Regional Park District, October 16, 2007)**

---

**L020-1**

The Authority and FRA appreciate receipt of the East Bay Regional Park District's (EBRPD's) comments on the Draft Program EIR/EIS.

**L020-2**

Publicly owned parklands, including regional parks, that may be affected by an HST alignment have been added to the project maps, including Figure 3.16-1. Trails operated by the EBRPD are not presented on the project maps due to its scale, but are now reviewed in Section 3.16 of this Final Program EIR/EIS.

**L020-3**

The Authority and FRA have reviewed the regional parks and trails identified by EBRPD as being potentially affected by the project. Regional parks and trails that are within 900 ft of an HST alignment alternative are reviewed in Section 3.16 of this Final Program EIR/EIS, including Pleasanton Ridge and Vargas Plateau Regional Parks and Alameda Creek Regional Trail. Please note that the Pacheco Pass has been identified as the Preferred Alternative in this Final Program EIR/EIS.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L020-4**

Please see Response to Comment L020-3.

**L020-5**

The Authority and FRA appreciate the contact information.

**L020-6**

Please see Response to Comment L020-3.

**L020-7**

The Authority and FRA have reviewed the regional parks and trails identified by the EBRPD as being affected by the project. Regional parks and trails within 900 ft of an HST alignment alternative are reviewed in Section 3.16 of this Final Program EIR/EIS, including Pleasanton Ridge and Vargas Plateau Regional Parks and Alameda Creek Regional Trail.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L020-8**

Comment acknowledged. Pleasanton Ridge Regional Park is identified in this Final Program EIR/EIS as being within 900 ft of an HST alignment alternative.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L020-9**

Vargas Plateau Regional Park has been identified as being within 900 ft of an HST alignment alternative.

Please refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative. The potential impacts associated with construction access roads would be greatly limited, and avoided altogether through sensitive areas (as defined at the project level), by using in-line construction (i.e., by using the new rail infrastructure as it is built to transport equipment to and from the construction site and to transport excavated materials away from the construction area). No ventilation shafts are expected to be needed for the tunnels.

**L020-10**

A bridge would be placed where the alignment alternative would cross Alameda Creek so as to not interfere with the recreational uses

associated with Alameda Creek. Required bridge(s) would be designed to minimize potential visual impacts.

Please refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative. The preferred alignment is not proposed to be constructed near SR 84. Please also see Response to Comment L020-9.

### **L020-11**

Please see Response to Comment L020-3.

### **L020-12**

Please see Response to Comment L020-3. The HST alignment alternatives have been designed to minimize impacts on 4(f) facilities.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

### **L020-13**

Pleasanton Ridge Regional Park has been counted as a 6(f) facility in Tables 3.16-2 and 3.16-3. Coyote Hills Regional Park is not within 900 ft of an HST alignment alternative and therefore is not included in the Section 3.16 review. No land would be taken from Coyote Hills Regional Park. The Section 4(f) and 6(f) evaluation process would be more focused at the project level. As described in Section 3.16.7, Subsequent Analysis, consultation with affected owners/operators of identified Section 4(f) and 6(f) resources would take place during project-level analysis.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

### **L020-14**

Please see Response to Comment L020-13.

**Comment Letter L021 (Mark Evanoff, City of Union City, October 17, 2007)**



34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA 94587  
(510) 471-3232

RECEIVED  
OCT 22 2007  
BY:

L 021

October 17, 2007

California High-Speed Rail Authority  
EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

To Whom It May Concern:

The City Council of Union City supports the Altamont alternatives for California High Speed Rail. The City of Union City has the following supplemental questions on the Draft EIR/EIS. L021-1

Questions 1 to 6 are based on statements made in the Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) Summary, Table S.5-1: Summary of Characteristics and Impacts for Network Alternatives, July 2007. L021-2

1. The Altamont Pass Oakland terminus alternative (7.2-6) projects 94.39 million annual riders. The Altamont Pass San Jose terminus alternative (7.2-4) projects 94.65 million riders. The San Francisco bridge terminus alternative (7.2-5) projects 93.88 million riders. How are passengers arriving at each of the different station termini and stations along each alternative? L021-3
2. Why is there a drop to 81.13 million riders when the three Altamont Pass city termini (7.2-6, 7.2-4, 7.2-5) are combined as alternative 7.2.3? Why is there generally a drop in ridership when there are multiple termini under the Altamont alternatives with the exception of Oakland and San Francisco via a transbay tube (7.2-10)? L021-4
3. The Pacheco Pass San Jose, San Francisco & Oakland via Transbay Tube alternative (7.2-16) projects 95.2 million riders at a cost of \$17 billion. The Altamont Pass, Oakland terminus alternative (7.2-6) projects 94.39 million riders at a cost of \$8.2 billion. Is it correct that the Pacheco alternative will require more than doubling the construction cost of the Altamont Oakland alternative, to attract less than a one percent increase in ridership, and have a slower travel time to Sacramento and Los Angeles? What is the accepted margin of error in ridership projections? L021-5
4. What will be the impact on ridership under the Pacheco Pass, San Jose, San Francisco, and Oakland via a transbay tube alternative (7.2-16) if there is funding only to construct a terminus at 4<sup>th</sup> and King? L021-6

Union City Comments  
California High Speed Rail EIR/EIS  
Page Two

5. Does the construction cost projections for extending High Speed Rail from 4<sup>th</sup> and King to the Transbay Terminal assume that Caltrain has already extended its trains from 4<sup>th</sup> and King to the Transbay Terminal and that California High Speed Rail will be able to use the Caltrain tunnel corridor? L021-7
6. Under the Paceco Pass, San Jose, San Francisco, Oakland via a transbay tube alternative (7.2-16), what are the number of passengers boarding and debarking for the Redwood City Station, Milbrae/SFO Station, 4<sup>th</sup> and King, Transbay Terminal, and Oakland Station? How will passengers get to and from the stations? L021-8
7. Where are the trains stored in Oakland for alternative 7.2-16? L021-9
8. The Supporting Technical Document: "Definition of Alternatives: Conceptual Engineering Plan and Profiles, Typical Sections and Station Fact Sheets," alignment NS 0003, shows the High Speed Rail alignment on the Oakland Subdivision, which is adjacent to the Union City BART Intermodal Station. The exhibit shows that High Speed Rail crosses to the Niles Subdivision at the BART yard. Appendix 2F Union City Fact Sheet Page 2-7-27 shows the High Speed Rail alignment on the Niles Subdivision. Is the Niles or the Oakland Subdivision being considered for High Speed Rail in Union City? Are two alternative alignments being considered? L021-10
9. Caltrain has 55 feet width of right-of-way in downtown San Mateo. Are 55 feet of right-of-way sufficient for Caltrain and High Speed Rail to share without acquisition of additional right-of-way? Are there other sections of Caltrain right-of-way that are 55 feet wide or less? L021-11
10. Some community groups on the peninsula raised objections to rail noise at public meetings. What would be the cost implications per linier mile to underground High Speed Rail through selected communities on the peninsula? L021-12

Thank you for the opportunity to comment. Union City City Council is supportive of the Altamont alternatives. L021-13

Sincerely,

Mark Evanoff  
Redevelopment Agency Manager



U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

---

**Response to Letter L021 (Mark Evanoff, City of Union City, October 17, 2007)**

---

**L021-1**

The Authority and FRA acknowledge Union City's support for the Altamont alternatives.

Please refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L021-2**

Responses to Union City's supplemental questions regarding Table S.5-1 in the Summary of the Draft Program EIR/EIS are provided below.

**L021-3**

On a statewide basis, 91% of travelers accessing HST system in the base Altamont and Pacheco network alternative are projected to use some form of auto travel to access HST stations (64% drive and park, 20% are dropped off, 6% use a rental car, and 1% use taxi). About 7% of HST riders is projected to use local transit (including bus, light rail, and commuter rail) and the remainder is expected to either walk or use bicycle. All of the HST stations were assumed to have parking that would be available for a daily cost ranging from \$25 in San Francisco; \$12 in San Diego; \$6 in Los Angeles, Oakland, Sacramento and San Jose; to \$3 at all other locations.

The San Francisco terminal had higher rates of transit than San Jose. San Francisco has the highest rate at 26% transit and 8% walk access to the HST system, while San Jose has 7% transit and 6% walk access to the HST system. Initial analysis of the interregional travel for the Oakland station indicated that it had slightly higher transit rates than San Francisco and slightly lower walk rates. Access and egress rates at individual stations are not expected to vary substantially among the network and alignment alternatives because the modes of access and egress are determined by the supporting highway and transit systems around each station and are not unique to an individual HST alternative.

**L021-4**

All Altamont Pass and Pacheco Pass network alternatives were assumed to have the same number of HST trains beginning and ending in the Bay Area region as a whole. For any of the Altamont Pass network alternatives that have more than one Bay Area terminal, this regionwide total is split between the potential termini, which effectively decreases HST service to a single terminal location. This decrease in frequency does not exist if HST service is provided to a single terminal or to multiple termini on a single alignment (such as occurs for "Oakland and San Francisco via a transbay tube" or most of the Pacheco Pass network alternatives)

The HST service frequency is the primary factor that influences ridership among these Altamont Pass alternatives. The combined Altamont Pass alternative to San Francisco, Oakland, and San Jose (Figure 7.2-3) provides the same number of trains between the San Francisco Bay Area and other major cities as the alternative with single destinations (such as to San Francisco in Figure 7.2-5, San Jose in Figure 7.2-4, or Oakland in Figure 7.2-6). In the case of the multiple destinations alternatives, trains coming into the Bay Area are divided to each of the two or three destinations, so the overall frequency to each destination is reduced. For example, there are 50 trains per day from Los Angeles to San Francisco and San Jose in the Pacheco Pass alternative serving these two destinations (Network Alternative 7.2-1). For this Network alternative, 33 trains per day from Los Angeles would travel to San Francisco and 17 trains per day from Los Angeles would travel to San Jose. This allocation of trains to the two destinations means that everyone traveling to these destinations has lower HST service frequency in the Altamont Pass alternative compared to the equivalent Pacheco Pass network alternative serving San Francisco and San Jose. Split service between San Francisco and San Jose in the Altamont Pass alternative results in 6 million fewer annual systemwide riders for the base Altamont Pass network alternative compared to the base Pacheco Pass network alternative.

Another contributing factor to the advantages of the single destination alternative is that the vast majority of travelers access the HST system by car. For longer trips, the time and cost associated with the access and egress modes are small in comparison, so driving further to access a system with higher frequency is preferred over a shorter access time but with less frequent trains. In the case of Oakland and San Francisco terminals, the geographic coverage of each terminal is about the same, indicating that adding another terminal does not extend the geographic coverage for travelers who want to use the system. This results in less than 1% difference in ridership between the Altamont alternative to San Francisco and Oakland. Both Oakland and San Francisco terminals have good transit access from both sides of the Bay, so travelers can get to each terminal easily in the single destination alternatives.

The reduced frequencies in the multideestination alternatives have a distinct disadvantage with the split service (and lower frequencies of trains) that more than outweighs any benefits of increased service coverage with multiple termini and additional stations. This relationship is apparent in all the multideestination alternatives with split service compared to network alternatives with service to a single terminal or multiple termini on a single alignment.

### L021-5

Please refer to Standard Response 3 and Chapter 8 of this Final Program EIR/EIS regarding the identification of the Pacheco Pass as the Preferred Alternative. Please also see Response to Comment L009-1. The Authority and FRA are unaware of a “standard margin of error” for ridership projections.

### L021-6

Because the particular alternative listed in Table 7.2-16 includes a connection from Oakland to San Francisco, it is unclear exactly what the commenter is describing when referring to “funding only to construct a terminus at 4<sup>th</sup> and King.” The commenter is potentially describing one of two scenarios:

1. Terminate this alternative at 4<sup>th</sup> and King, and do not construct a Transbay Tube connection to Oakland
2. Substitute a 4<sup>th</sup> and King Station for the Transbay Transit Center, but include the Transbay Tube connection to Oakland.

Scenario 1 would be identical to the Pacheco base case scenario presented in Table 7.2-12 of the Draft Program EIR/EIS, combined with the 4<sup>th</sup> and King station location option described in Section 7.3.1. The ridership forecast for this scenario is 91.3 million annual systemwide riders, which is 4.5 million fewer riders than the “Pacheco Pass: San Jose, San Francisco and Oakland – via Transbay Tube” scenario described in Table 7.2-16.

Regarding scenario 2, ridership and revenue forecasts were prepared for two alignment alternatives (one for Altamont and one for Pacheco) that placed a San Francisco station at 4<sup>th</sup> and King Street instead of Transbay Transit Center. The 4<sup>th</sup> and King Street station alternatives produced ridership of about 3% lower systemwide than the comparable alternative with a Transbay Transit Center station. Given this pattern, it is reasonable to project that scenario 2 would also produce about 3% lower ridership for “Pacheco Pass: San Jose, San Francisco and Oakland – via Transbay Tube”—or about 2.8 million fewer systemwide riders than shown in Table 7.2-16.

### L021-7

The HST cost estimate (Appendix 4A Page 4-A-1) includes costs for track, tunneling, systems elements, and electrification items between the Transbay Transit Center and 4<sup>th</sup> and King. The costs for the Transbay Transit Center (Appendix 4B, page 3) include three shared platforms and six station tracks.

### L021-8

Table A.6 in the Cambridge Systematics Ridership and Revenue report (on the Authority web site at [http://www.cahighspeedrail.ca.gov/ridership/pdf/R8a\\_Ridership.pdf](http://www.cahighspeedrail.ca.gov/ridership/pdf/R8a_Ridership.pdf)) contains the station ridership numbers for the stations mentioned:

**Annual High-Speed Rail Ridership by Station for Pacheco Pass: San Jose, San Francisco, Oakland via Transbay Tube**

Station	Annual Ridership
San Francisco Downtown – Transbay	7,476,675
Millbrae	1,104,908
Redwood City	1,628,446
Oakland – 7 <sup>th</sup> Street	6,594,765
San Jose	4,837,729

This “Pacheco Pass: San Jose, San Francisco and Oakland—via Transbay Tube” alternative does include a 4<sup>th</sup> and King Street station.

Please see Response to Comment L021-3 for station access and egress information.

**L021-9**

Determining where trains are stored is beyond the level of detail of this program-level document. A potential maintenance and storage facility at “West Oakland” is included as part of this Final Program EIR/EIS. Please see Chapter 2, Section 2.5.3.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L021-10**

Only the Niles subdivision is under consideration in Union City. The station fact sheet in Appendix 2-F has been updated to reflect the Niles Subdivision alignment.

**L021-11**

The width of the JPB right of way along the San Francisco Peninsula varies considerably. In addition to ownership, JPB has easements on

adjacent properties at various locations. In several places, the adjacent property is owned or controlled by a different public authority, such as SamTrans or the City and County of San Francisco. The Authority and FRA have reviewed documents that show the JPB right-of-way. A more precise answer will be developed in consultation with Caltrain during the preliminary engineering and project-level environmental review.

The right-of-way through downtown San Mateo is narrower than other portions of the Caltrain corridor, as are some relatively short portions of the corridor in Millbrae, Redwood City, and San Jose. For the most part, however, the corridor is wide enough to accommodate four tracks without acquiring additional right-of-way or without special design modifications.

**L021-12**

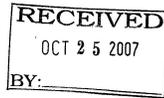
The cost of tunneling on the Peninsula and assumed for this study is approximately \$96 million per kilometer (\$154 million per mile) for double track mined tunnels and \$48 million per kilometer (\$77 million per mile) for double track “cut and cover” tunneling. Please see Appendices 4-A and 4-D for further explanation of the cost elements.

**L021-13**

The Authority and FRA appreciate receipt of Union City’s comments on the Draft Program EIR/EIS.

Comment Letter L022 (Steven R. Meyers, Meyers | Nave Riback Silver & Wilson, October 24, 2007)

meyers | nave riback silver & wilson professional law corporation



Steven R. Meyers Attorney at Law 213.626.2906

L 022

California High-Speed Rail Authority October 24, 2007 Page 2

October 24, 2007

California High-Speed Rail Authority EIR/EIS Comments 925 L Street, Suite 1425 Sacramento, CA 95814

Re: Comments on Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement

Dear Sir/Madam:

The City of Millbrae ("the City" or "Millbrae") strongly supports a high speed rail system through the Bay Area and beyond that will ease traffic congestion and diversify transportation options. Indeed, Millbrae has embraced the opportunities presented by the BART/Caltrain/SamTrans station ("the Station") recently constructed in the City and has invested a considerable amount of time and money adopting a specific plan (the "Millbrae Station Area Specific Plan" or "the Specific Plan") to develop the area around the Station to complement these rail facilities. The Specific Plan will connect this intermodal transportation center to adjacent neighborhoods and the downtown area, intensify land uses immediately surrounding the new Station with a mixture of office, hotel, retail and residential uses, and enhance the Station area through the creation of a civic open space known as "Station Square," while implementing a comprehensive program of roadway improvements that will address regional and local goals and objectives for improvement of traffic circulation and reduced dependence on single-occupancy vehicles. (See Millbrae Station Area Specific Plan attached hereto as Exhibit A.)

The City's plans for this area surrounding the Station have been developed as part of a highly public process, and have been shared with Caltrain and SamTrans since the 1990's with full support from both Caltrain and SamTrans. However, it has recently come to the City's attention that the California High-Speed Rail Authority has proposed its plan for the high speed rail project and now intends to add two tracks to the existing two tracks (total four tracks) for the operation of a high speed rail system. The current plan for the high speed rail system proposed in the Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") calls for four tracks to go through Millbrae instead of the currently existing two tracks, requiring expansion of the existing Station to the west by approximately one hundred feet (100') to accommodate the extra two tracks, the platforms and security fences and the construction of a new parking garage to the west of the Station. These new tracks and parking structure are proposed to be constructed on the same lands as Site One of the Millbrae Specific Plan and its accompanying infrastructure and would fundamentally undermine the City's extensive

efforts over the last ten plus years to connect this intermodal transit center to the community. Millbrae submits this comment letter to address these serious issues.<sup>1</sup>

Historical Context

In the 1990's and early 2000's, the Millbrae BART/ Caltrain/SamTrans Station was constructed. When the Station was being developed, plans envisioned use of the Station for various modes of heavy commuter rail, as well as for the BART System. The Station was envisioned as the key transfer point between BART, Caltrain, future high speed rail and the San Francisco International Airport, a true "intermodal" station. The City understood that this facility would become one of the most significant transit hubs in Northern California and adopted the Specific Plan on November 24, 1998, to weave the Station into the fabric of the community.

The portion of the Specific Plan directly to the west of the Station is known as Site One. Site One will provide linkages between the Station and the existing downtown area, improve traffic and circulation patterns in the vicinity, and provide high density housing, hotel, office, retail and restaurant space adjacent to the Station. The City also committed in the Specific Plan to extend California Drive between the Station and Site One, and to connect California Drive to El Camino Real at Victoria Avenue, providing an important parallel reliever route to a west side transit center for pedestrian, kiss and ride and various SamTrans transit and bus services. (See Specific Plan, Exhibit A.)

Site One encompasses portions of and interests in Railroad Avenue, which abuts the Station to the west, that were acquired by SamTrans and BART as a result of the construction of the Station, but which were not needed for the Station. As a result of litigation involving the development of the Station, the City, SamTrans and BART entered into a Stipulated Agreement in 1999 whereby SamTrans agreed to convey to the City these portions of Railroad Avenue after the City had executed a development agreement to develop Site One. (Stipulated Agreement is attached as Exhibit B). The parties all understood, as evidenced by language in the stipulated agreement, that the development of Site One of the City's Specific Plan was dependent on Caltrain's existing two-track configuration.

This understanding was reiterated in a second agreement executed in 2001 by the same three parties in which the City agreed to temporarily convey to BART a parking area to the west of the Station and south of Railroad Avenue as a "kiss and ride" area. This 2001 agreement provides that the Peninsula Joint Powers Board (JPB) would relinquish all claim to these lands after the City executes a development agreement for development of Site One of the Specific Plan and the development of the West Side Transit Center. ("Kiss and Ride" Agreement is attached as Exhibit C.)

Since it was adopted in 1998, the City has proceeded to move forward in execution of the Specific Plan. 350 new housing units are complete or under construction, most within 800 feet of the

<sup>1</sup> The comment period was originally set to close on September 28, 2007, but has been extended to October 26, 2007.

L022-2 Cont.

L022-3

L022-1

L022-2

555 12th Street, Suite 1500 | Oakland, California 94607 | tel 510.808.2000 | fax 510.444.1108 | www.meyersnave.com LOS ANGELES • OAKLAND • SACRAMENTO • SAN FRANCISCO • SANTA ROSA



U.S. Department of Transportation Federal Railroad Administration

**Comment Letter L022 - Continued**

California High-Speed Rail Authority  
 October 24, 2007  
 Page 3

Station. In 2003, the City began discussions with developers to put wheels in motion to bring Site One of the Specific Plan to life. In an abundance of caution, the City sent letters to BART, SamTrans and the JPB to confirm that both entities would abide by the terms of the 1999 and 2001 agreements and convey the "kiss and ride" and Railroad Avenue parcels to the City upon execution of a development agreement. Both the JPB and SamTrans agreed that they fully intended to abide by these agreements and were prepared to convey both parcels to the City as provided in the agreements.

In 2005, the City learned that the proposal for a high speed rail line through Millbrae had changed from use of only the two existing tracks to four tracks, including two new tracks to the west of the existing Station. The additional two tracks as planned would displace the California Drive Extension and West Side Transit Center and Site One of the Specific Plan. City staff promptly met with Caltrain officials and were told that Caltrain would have their engineers find a way to accommodate both the high speed rail line and the Specific Plan development. Caltrain officials assured City staff that the high speed rail project would continue to move forward utilizing either the existing two tracks within the new Station, or a minimal approach to the alignment of new tracks that would not eliminate important west side Specific Plan features.

Current Conflicts Between Specific Plan Development and the High Speed Rail Project

The City has now entered into an Exclusive Rights Agreement with a developer poised to begin development of Site One. The City circulated a negative declaration for the adoption of the Development and Disposition Agreement for Site One of the Specific Plan in August of 2007. A copy of the negative declaration was mailed to SamTrans and Caltrain. The City did not receive any comments from either SamTrans or Caltrain. The comment period closed on September 19, 2007.

On September 25, 2007, the City received notice for the first time that a draft EIR/EIS on the high speed rail project had been out for public comment since the beginning of July 2007. Upon examination of the EIR/EIS, the City learned that the California High Speed Rail Authority ("Authority") is again proposing a broad four track high speed rail configuration, with the two additional tracks and a large parking structure to be built in the area to the west of the Station, squarely in Site One of the City's Specific Plan.

The EIR/EIS completely ignores the impacts the current proposed configuration of the high speed rail line would have on Millbrae's Specific Plan. Indeed, the only mention of the Specific Plan is in the Millbrae Station Fact Sheet under Current City Plans. However, the Fact Sheet fails to mention that the proposed Station layout including the two new tracks and the new parking structure would occupy the same site as the Site One development, the California Drive Extension and the West Side Transit Center.

As discussed above, Caltrain officials and staff have been aware of the City's Specific Plan configuration for almost a decade. Indeed, Caltrain has repeatedly acknowledged its obligation to transfer lands to the City upon the execution of a development agreement for Site One, lands which would be necessary to construct the extra two tracks proposed in the draft EIR/EIS. Caltrain

L022-3  
 Cont.

L022-4

L022-5

California High-Speed Rail Authority  
 October 24, 2007  
 Page 4

officials are aware that the High Speed Rail project as currently proposed would virtually eliminate the City's ability to execute important project features of the Specific Plan, resulting in significant environmental impacts, including worsening traffic and circulation problems in the Station area, yet these impacts are not disclosed or even alluded to in this EIR/EIS.

City staff met with the Caltrain staff on October 18, 2007. The Caltrain staff was not aware of the four track with parking structure configuration proposed by the Authority in the current EIR/EIS. The Caltrain staff believes that high speed rail can be accommodated through Millbrae in a much narrower alignment that may be able to co-exist with proposed west side improvements envisioned in the Millbrae Specific Plan.

NEPA and CEQA Deficiencies

The Millbrae Station Area Specific Plan was adopted in 1998 and is part of the baseline conditions for the proposed high speed rail line. Eliminating Millbrae's planned improvements to the Station area will cause significant environmental impacts, including cumulative impacts, to traffic, aesthetics, land use, public services, and economic and social effects interrelated with these environmental impacts. None of these impacts have been addressed at all in the EIR/EIS in violation of NEPA and CEQA. (40 C.F.R. 1502.16 and 1508.8[b]; CEQA Guidelines Section 15130.)

The Traffic, Transit, Circulation & Parking chapter of the EIR/EIS describes the current traffic situation at the Station, but does not even mention the traffic and circulation improvements called for in the City's Specific Plan for the area which was adopted in 1998 and is now in the process of implementation (EIR/EIS, pp. 3.1-15 to 3.1-16.) It also indicates that BART has improvements planned for the east side of the Station to reduce single occupancy vehicular traffic, but does not mention that the improvements planned by BART are designed to work in conjunction with the City's Specific Plan. (EIR/EIS, pp. 3.1-24 to 3.1-25.) Finally, the California Department of Transportation has identified "conflicts with adopted policies, plans, programs that support alternative transportation" to be a significance criteria requiring CEQA analysis. (EIR/EIS, p. 3.1-4.) The proposed high speed rail line configuration through Millbrae will directly conflict with the City's Specific Plan which includes a host of measures to support alternate forms of transportation to and from work and residences. Thus, even the significance criteria identified in the EIR/EIS requires consideration of the impacts on the Specific Plan.

The Aesthetic chapter of the EIR/EIS erroneously concludes that there will be no significant visual impact by construction of the additional tracks and parking structure in Millbrae by again ignoring the Specific Plan. (EIR/EIS, p. 3.9-7.) As discussed above, the Specific Plan was adopted in 1998 and a negative declaration was recently circulated to begin development of Site One (part of the Specific Plan) to the west of the existing Station, the same area proposed for placement of the two additional tracks and parking structures. The EIR/EIS describes only the current setting at the Station in determining that a single historical building will need to be moved; it makes no mention of the major aesthetic improvements for the area included in the Specific Plan that will be eliminated by the proposed project. (EIR/EIS, p. 3.9-15.)

L022-5  
 Cont.

L022-6

L022-7

L022-8



**Comment Letter L022 - Continued**

California High-Speed Rail Authority  
 October 24, 2007  
 Page 5

The Land Use Planning chapter of the EIR/EIS is equally deficient. The chapter contains no discussion whatsoever of the land uses in the Specific Plan nor any mention of the fact that the City has four major mixed use developments either completed or under construction and is developing the area surrounding the Station pursuant to the standards of the Specific Plan. (EIR/EIS, pp. 3.7-6 to 3.1-7.) The discussion erroneously concludes that there would be no community cohesion impacts from the proposed project, when the project will eliminate the City's imminent implementation of the Site One development designed to create community cohesion between the existing Station, the downtown area, residential, commercial, retail and recreational uses. (EIR/EIS, pp. 3.7-19 to 3.1-20, Table 3.7-3.) This chapter also contains information and conclusions that are completely false, such as the statement on p. 3.7-30 that "the Millbrae Station location option would be highly compatible with the existing station and would support future planned use for creation of a transit-oriented district surrounding the Millbrae BART/Caltrain station area." In reality, the Millbrae Station location option as described in the EIR/EIS is entirely *incompatible* with the City and BART's plans to create a transit-oriented district around the Station area, and would create a difficult barrier for access to the Station from most of the City of Millbrae.

There is no mention of the Millbrae Specific Plan in any other chapter of the EIR/EIS, nor is there any discussion of cumulative environmental impacts from the Millbrae proposed project segment.

NEPA is designed to ensure that environmental information is available to public officials and citizens *before* decisions are made and actions are taken. (NEPA Regulations, 40 C.F.R. 1500.1(b).) A programmatic EIS should emphasize cumulative impacts and policy-level alternatives. "[T]he purpose of an [EIS] is to evaluate the possibilities in light of current and contemplated plans and to produce an informed estimate of the environmental consequences.... Drafting an [EIS] necessarily involves some degree of forecasting." (*City of Davis v. Coleman* (9th Cir.1975) 521 F.2d 661, 676.)

If it is reasonably possible to analyze the environmental consequences in the EIS for the high speed rail project, the agency is required to perform that analysis. (*Kern v. U.S. Bureau of Land Management* (2002) 284 F.3d 1062.) As the court discussed in *Kern*, the program EIS analysis may be more general than a subsequent project level analysis, and it may turn out that a particular environmental consequence must be analyzed in both the program EIS and later project level analysis, but an earlier EIS analysis will not have been wasted effort, for it will guide the later analysis and, to the extent appropriate, permit "tiering" to the program level EIS in order to avoid wasteful duplication. (*Id.*)

In this situation, the high speed rail EIR/EIS must disclose the impacts in Millbrae, and specifically the impacts to the Millbrae Station Area Specific Plan, that would result from the proposed project. The document should also present an alternative that avoids these serious impacts, such as a high speed rail design in a much more limited right-of-way, or a plan to seek an operationally feasible alternative utilizing only the two existing tracks for the high speed rail line in Millbrae. The rail system could reasonably accommodate this change to the proposed project design by scheduling passing situations between the high speed trains and local trains to occur on locations in the rail corridor other than Millbrae, where three or four tracks are already provided. Indeed, Caltrain has for many years been assiduously expanding its track capacity throughout the corridor in

L022-9

California High-Speed Rail Authority  
 October 24, 2007  
 Page 6

anticipation of their need. This is a policy level decision, it must be discussed and analyzed in this program EIR/EIS.

Under CEQA, program EIRs should deal with the effects of a program as specifically and comprehensively as possible. (CEQA Guidelines Section 15168.) "A program EIR is designed to '(1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action, (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, (3) Avoid duplicative reconsideration of basic policy considerations, (4) Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, [and] (5) Allow reduction in paperwork.'" (Guidelines, § 15168, subd. (b).)" (*Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 531.)

The legally required contents of a program EIR are the same as a project EIR, it is simply the level of detailed analysis that differs. An EIR must set forth all significant effects of a project on the surrounding environment. (Pub. Resources Code, § 21100, subd. (b)(1).) A significant effect on the environment is a "substantial, or potentially substantial, adverse change[ ] in physical conditions which exist within the area" of the project. (Pub. Resources Code, § 21100, subd. (d).) Indeed, the CEQA Guidelines require a lead agency to "use its best efforts to find out and disclose all that it reasonably can" in an EIR. (CEQA Guidelines Section 15144.)

In order to assess a project's impacts, an EIR must first place the project in its proper perspective by describing the existing environment. (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.) In this case, the existing environment in Millbrae includes the City's development of the Station area pursuant to the Specific Plan. As discussed above, Caltrain has been fully aware for many years of the significant impacts the proposed configuration of the high speed rail line would have on the Millbrae Specific Plan and the City of Millbrae. The Millbrae Station Fact Sheet in the EIR/EIS mentions the City's Specific Plan, but this information is utterly missing from the rest of the EIR/EIS and there is no discussion anywhere in the document as to the impact on the Specific Plan and associated improvements from the proposed high speed rail project. The primitive, hand-drawn graphics in the EIR/EIS describing the proposed project in Millbrae certainly do not indicate a determined effort to analyze all impacts. Since the description of the existing environment of the high speed rail project in the EIR/EIS is inaccurate and incomplete by omitting any discussion of the existing environment in Millbrae, the analysis that follows is flawed and the EIR does not comply with CEQA. (See *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 87; CEQA Guidelines Sections 15126.2, 15126.4, 15130 and 15131.)

Conclusion

For the foregoing reasons, if the high speed rail line project moves forward as proposed in a four track configuration through Millbrae with a large parking structure to the west of the existing Station, the City's development plans for Site One and the entire California Drive and West Side Transit Center configuration, a fundamental and indispensable component of infrastructure of the Millbrae Specific Plan, will be substantially damaged, if not eliminated. The EIR/EIS does not

L022-9  
 Cont.



**Comment Letter L022 - Continued**

California High-Speed Rail Authority  
 October 24, 2007  
 Page 7

describe the baseline conditions in Millbrae (development of the Station area pursuant to the Specific Plan) and fails to address the significant environmental impacts on the Millbrae Station Area from the two new tracks, parking structure and security fencing. This is a violation of NEPA and CEQA.

Millbrae received assurances from officials at Caltrain and SamTrans for years that the 1999 and 2001 agreements to convey parcels to the City for development of Site One of the Specific Plan, California Drive Extension and the West Side Transit Center would be honored and that the high speed rail project through Millbrae would not jeopardize these plans. However, the high speed rail project as proposed in the EIR/EIS, with four tracks through Millbrae, and an additional parking structure would take these parcels for use by the high speed rail line, vitiating both the 1999 and 2001 agreements and the Specific Plan itself.

The City strongly encourages the Authority to revise the proposed project with a configuration through the City of Millbrae that does not irretrievably damage the City's plans for Station Area development and infrastructure.

Very truly yours,



Steven R. Meyers  
 Counsel to the Millbrae Redevelopment Agency

1021914\_1

L022-9  
 Cont.

**CITY COUNCIL  
 AGENDA REPORT**



**CITY OF MILLBRAE**  
 621 Magnolia Avenue  
 Millbrae, CA 94030

<b>SUBJECT:</b> Report Regarding Comment by the City of Millbrae and Millbrae Redevelopment Agency on the Draft EIR for the Bay Area to Central Valley High Speed Train Program  <b>EXHIBITS:</b> A: Comment of the City of Millbrae and the Millbrae Redevelopment Agency on the Draft EIR/EIS for the Bay Area to Central Valley High Speed Train Program	<b>Report No.</b> For Agenda of: <b>October 23, 2007</b>
	<b>Department: Community Development</b>
	<b>Originator: Ralph Petty</b>
	<b>Approved:</b>
Budget Action? Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/> General Services Review:	

<b>REPORT TYPE:</b> ACTION <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/>
<b>ITEM TYPE:</b> CONSENT <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> OLD BUSINESS <input checked="" type="checkbox"/> NEW BUSINESS <input type="checkbox"/>

**RECOMMENDATION:** That the City Council and Agency Board consider the attached comment on the Draft EIR/EIS and direct staff to submit the comment to the California High Speed Rail Authority prior to October 26, 2007.

**BACKGROUND:** At their October 9, 2007 meeting, the City Council and Redevelopment Agency Board directed staff to work with Agency Counsel Steve Meyers to prepare comment on the draft EIR/EIS for the Bay Area to Central Valley High Speed Train Program.

Millbrae supports the improvement of the State's rail systems, including the proposed high speed train plan. However, it is important that the California High Speed Rail Authority and CalTrain understand and respect the ongoing efforts of local cities to implement transit oriented development around transportation hubs.

To that end, Millbrae's comment on the High Speed Train Program EIR/EIS is intended to make rail planners aware of the constraints around the Millbrae Intermodal Station and of longstanding plans for improvements and development on the west side of the Millbrae Station. Millbrae recommends that the operators of the train program carefully consider a more narrow high speed configuration or the two track operational solution through Millbrae, to limit impacts to the ongoing implementation of the Millbrae Station Area Specific Plan.

**FISCAL IMPACT:** None at this time.

**COUNCIL ACTION:** Direct staff as recommended above.



---

**Response to Letter L022 (Steven R. Meyers, Meyers | Nave Riback Silver & Wilson, October 24, 2007)**


---

**L022-1**

The Authority and FRA acknowledge and commend the City of Millbrae for undertaking land use and transportation planning for the BART/Caltrain/SamTrans station area to complement these rail facilities, and appreciate receiving information about these planning efforts.

**L022-2**

Comment acknowledged. The Authority and FRA acknowledge the planning activities that have been undertaken to date by the City of Millbrae to develop and integrate transit-oriented development and roadway system improvements with the Millbrae BART/Caltrain/SamTrans Station.

The Authority developed conceptual plans for a series of alignment alternatives and station location options throughout the Central Valley and Bay Area to prepare environmental analyses. For the Caltrain Corridor, these conceptual plans were developed in advance of the environmental analysis in the draft statewide program EIR/EIS, which was circulated in 2004. As part of the certification of the statewide document in 2005, the Authority Board directed additional study of Bay Area to Central Valley alignments and station location options. Conceptual plan and profiles and typical sections are presented in Volume II of the program EIR/EIS. Both the statewide draft program EIR/EIS and final program EIR/EIS included a four-track configuration for a potential Millbrae HST station.

Similarly, the Draft Program EIR/EIS includes conceptual track and station plans, including a four-track configuration at the Millbrae station, and reviews the overall impacts of multiple alignment alternatives and station location options to allow a comparison of the general impacts and project benefits at a level of detail sufficient to support selection of a Preferred Alternative. Once this Program EIR/EIS process is completed and a Record of Decision issued, the Authority and FRA will undertake preliminary engineering and the project-level environmental review for the selected alignment

alternative. This next phase will include the development and review of more detailed track and alignment options, right-of-way requirements, land use plans adjoining HST stations and alignments, and associated environmental impacts. At that point, consistent with budgeted funding, the Authority and FRA would have the ability to pursue corridor preservation efforts.

The Authority has expressed concerns over the years regarding the continued development along and adjacent to possible HST corridors but does not have authority at the present time to limit such development. The Authority and FRA have made efforts to advance the HST program expeditiously so that corridor preservation efforts can be undertaken.

The Draft Program EIR/EIS for the Central Valley to Bay Area portion of the HST system was released for public review in early July 2007. The comment letter informs the Authority and FRA that the City has advanced its station-area planning to the implementation stage and that the City issued a negative declaration for the development of Site 1 in August 2007. The City notes it has had discussions with Caltrain. While the FRA and the Authority have not been privy to the City's discussions with Caltrain, both the FRA and the Authority would expect to work with the City and Caltrain in the future as HST planning progresses and as the City's plans progress. The Authority looks forward to working with the City and with Caltrain to identify and to review more detailed track and station facility design options, including potential operations variations and possible narrower alignment variations, to ensure a viable HST/Caltrain/BART/SamTrans Station and an HST alignment linked to transit-oriented development in the station area that meets the City's development objectives. During the preliminary engineering and project-level EIR/EIS phase, joint review of additional design opportunities for the HST/Caltrain/BART/SamTrans Station area will be crucial to the further development of a transit-oriented development/multimodal transit facility serving the regions' most active international airport – SFO, to meet the objectives of City, the Authority, and FRA.

**L022-3**

Comment acknowledged. Thank you for providing documents related to Site 1. Please see Response to Comment L002-2.

**L022-4**

Please see Responses to Comments L002-2 and L002-5. The four-track conceptual configuration considered for the HST station at Millbrae does not represent a change in the proposed HST system.

**L022-5**

Please see Response to Comment L002-2. The Authority and FRA acknowledge that the City has developed and adopted the Specific Plan for the Millbrae Station area. This Program EIR/EIS started its analysis with the existing built environment, although the specific plan was acknowledged and points to future development changes. This adopted specific plan and the current status of the associated developments, roadway improvements, developer agreements, and land transactions will constitute the starting point during the HST preliminary engineering and project-level EIR/EIS phase for a more detailed review, in conjunction with the City of Millbrae and Caltrain, of alignment and station facility design options for HST service to the Millbrae station.

The Caltrain Corridor alternative for the Authority's certified statewide program EIR/EIS (November 2005) is identified as the "Caltrain Corridor (Shared Track Four-Track Alignment)" and its description states in several locations "four-track alignment" (pages 2-49 and 2-50 of the statewide program EIR/EIS). The four-track configuration of the Caltrain Corridor in this Program EIR/EIS is consistent with conceptual design identified in the certified statewide program EIR/EIS.

**L022-6**

Please see Response to Comment L022-5.

**L022-7**

Please see Response to Comment L022-5.

**L022-8**

Please see Response to Comment L022-5.

**L022-9**

Please see Responses to Comments L022-2 and L022-5.

Comment Letter L023 (Scott Haggerty, County of Alameda, Board of Supervisors, October 15, 2007)

OCT-25-07 THU 04:36 PM OAKLAND

FAX NO. 115102083910

P. 01

OCT-25-07 THU 04:36 PM OAKLAND

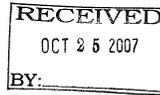
FAX NO. 115102083910

P. 02



BOARD OF SUPERVISORS

L 023



SCOTT HAGGERTY  
PRESIDENT  
SUPERVISOR, FIRST DISTRICT

October 15, 2007

California High-Speed Rail Authority  
EIR/EIS Comments  
925 L Street  
Sacramento, Ca 95814

Thank you for your efforts to evaluate an Altamont alignment for the future High-Speed Rail service into the San Francisco Bay Area. I am encouraged by this concept of delivering High Speed Rail (HSR) service which strives to effectively connect the major metropolitan regions in Northern and Southern California. Even as we begin to tackle the huge back log of transportation maintenance and long-neglected list of planned improvements, I support the State in planning beyond its immediate needs for future infrastructure.

L023-1

Alameda County, through which a number of state and federal highways are routed, has the distinction of experiencing 40 percent of the traffic congestion for the entire nine-county region. Much of this congestion occurs along the Altamont Corridor, a gateway route comprised of I-880, SR 238, and I-580 connecting the region with the Central Valley and the rest of the state and nation. For this important reason, I supported an examination for HSR along the Altamont Corridor alignment.

L023-2

Not surprisingly, while developing its Regional Rail Plan, the Metropolitan Transportation Commission (MTC) found that there exists a large market for HSR service along an Altamont alignment from Northern San Joaquin County into the Bay Area, while the Pacheco Pass alignment would serve travelers with a destination to Southern California.

L023-3

This week MTC, on which I serve as vice chair, adopted its comments to the HSRA regarding proposed alignments serving this region. I affirm my support of the MTC recommendations:

- Support to build a high-speed rail system
- Reconfirm support for Pacheco alignment as the main express line between Northern and Southern California and support improvements in the Altamont Corridor
- Endorsement of the Altamont route as better suited to serve interregional and local travel between the Bay Area and the Northern San Joaquin Valley. This includes upgrades to interregional services by the CHSRA.
- Requests the CHSRA evaluate an alternative in the Altamont corridor that terminates HSR in Livermore where it would connect with enhanced ACE train service and a new BART extension where passengers can be dispersed to Bay Area locations.
- Request that CHSRA seek additional bond funds to upgrade regional service in the Altamont corridor.

California High Speed Rail Authority  
EIR/EIS Comments  
October 15, 2007

L023-4

I strongly urge your board to support and implement these recommendations. Past experience earlier this decade has shown that travel into the Bay Area from the Central Valley is less likely to be subject to fluctuating economic conditions as a result of state, federal or international influences, thus providing a sustainable market for service.

L023-5

I appreciate your consideration of these comments. I look forward to working with the HSRA in its efforts to advance this important transportation initiative.

Sincerely,

Scott Haggerty, President  
First District Supervisor



---

**Response to Letter L023 (Scott Haggerty, County of Alameda, Board of Supervisors, October 15, 2007 )**


---

**L023-1**

The Authority and FRA appreciate Alameda County Supervisor Scott Haggerty's support for long-range transportation infrastructure planning.

**L023-2**

The Authority and FRA acknowledge Supervisor Haggerty's support for the examination of HST alternatives in the Altamont Corridor. The Authority and FRA recognize the high levels of traffic congestion along the freeways and highways in this corridor.

**L023-3**

The Authority and FRA agree that there is a large market for commuters from northern San Joaquin County into the Bay Area and that the Pacheco Pass alignment would serve travelers between the Bay Area and southern California.

The Authority and FRA appreciate Supervisor Haggerty's support for an HST system and acknowledge his support for Pacheco Pass as the main HST express line between northern and southern California. The Preferred Alternative identified in this Final Program EIR/EIS is the Pacheco Pass Alternative.

Consistent with Supervisor Haggerty's recommendation, the Authority is working with regional partners to evaluate additional improvements in the Altamont Corridor. Correspondingly, the Authority has recommended that high-speed rail bond funds for such improvements be pursued. The exact nature of these improvements has not been defined, but one option that the Authority has identified that should be investigated would be provision of high-speed service to the Livermore area to connect to a BART extension—consistent with MTC's recommendations.

The Authority and regional partners would need to define the priorities for such improvements, but it is envisioned that this approach would involve incremental improvements in the Central

Valley and Altamont Corridor during the initial phase of the adopted HST phasing plan, and these improvements could come before the development of the Pacheco Pass portion of the HST alignment.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L023-4**

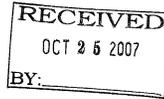
Supervisor Haggerty's letter and comments played a role in the Preferred Alternative identified in this Final Program EIR/EIS and in the Authority recommendations for additional review, in concert with regional partners, of higher speed Altamont Corridor commuter services.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L023-5**

Please see Response to Comment L023-4.

**Comment Letter L024 (Laura Thompson, San Francisco Bay Trail, October 24, 2007)**



L 024

October 24, 2007

California High-Speed Rail Authority  
 EIR/EIS Comments  
 925 L Street, Suite 1425  
 Sacramento, CA 95814

**Subject: Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS)**

Thank you for the opportunity to comment on the Draft Bay Area to Central Valley High-Speed Train Program EIR/EIS. The San Francisco Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes and advocates for the implementation of a continuous 500-mile bicycling and hiking path around San Francisco Bay. When complete, the trail will pass through 47 cities, all nine Bay Area counties, and cross seven toll bridges. To date, 290 miles, slightly more than half the length of the Bay Trail alignment has been developed.

L024-1

Proximity to San Francisco Bay is one of the most defining characteristics of the Bay Trail. The trail provides unique vistas and open spaces but also connects urban areas and provides alternative transportation opportunities. The proposed high-speed rail corridors could potentially impact existing and proposed Bay Trail alignments.

L024-2

**Plans and Policies**

The Final Bay Area to Central Valley High-Speed Train Program EIR/EIS should include specific mention of the Bay Trail Plan in the Plans and Policies section. For your information, State Senate Bill 100, passed into law in 1987, directed the Association of Bay Area Governments (ABAG) to develop a plan "for a continuous recreational corridor which will extend around the perimeter of San Francisco and San Pablo Bays." The Bay Trail Plan, adopted by ABAG in July 1989, includes a proposed alignment; a set of policies to guide the future selection, design and implementation of routes; and strategies for implementation and financing. Resolutions of support have been passed in all shoreline jurisdictions recognizing the importance of this regional project.

L024-3

**San Francisco Bay Crossing**

Of the six proposed high speed rail alternative corridors identified in the draft EIR/S: San Francisco to San Jose, Oakland to San Jose, San Jose to Central Valley, East Bay to Central Valley, San Francisco Bay Crossings, and Central Valley, only the San Francisco Bay Crossing rail alignment alternative has features that could potentially impact the Bay

L024-4

Administered by the Association of Bay Area Governments  
 P.O. Box 2050 • Oakland California 94604-2050  
 Joseph P. Bort MetroCenter • 101 Eighth Street • Oakland California 94607-4756  
 Phone: 510-464-7935  
 Fax: 510-464-7970

Trail. Described on page S-8 in the draft document, this alternative would serve the Altamont Pass alignment connecting the San Francisco Peninsula to the East Bay. See Exhibit A, a map identifying the Bay Trail alignment and the proposed rail corridors in the South Bay.

On the west side of San Francisco Bay in San Mateo County, the Bay Trail Plan identifies existing and planned Bay Trail spine in both the City of Menlo Park and East Palo Alto. There is a gap in the Bay Trail between Menlo Park and East Palo Alto that runs along University Avenue, and parallel to the existing rails with future connection to the existing trails in the Ravenswood Open Space Preserve (see Exhibit B). The City of Menlo Park, in an effort to develop alternatives for completing this gap, conducted a Bay Trail Feasibility Study funded in part by the Bay Trail Project. The final High Speed Rail Project EIR/S should address the preferred alignment alternative at that location and discuss potential impacts on the Bay Trail of an active rail corridor, a new station, cut and fill associated with construction, an at-grade structure and it should also take into consideration the Bay Trail and local jurisdiction missions to provide safe and direct access to the bay and shoreline.

Highway 84 along the Dumbarton Bridge provides a vehicle connection between the San Francisco Peninsula and the East Bay. The bridge also has a separated multi-use pathway that is part of the Bay Trail system, used by bicyclists and pedestrians to cross the Bay. The Final EIR/S should include discussion of the preferred alternative for this area, including new high-level bridge or a new transbay tube, and their impacts on existing and proposed Bay Trail segments. The Final EIR/S should also include a discussion of incorporating a trail crossing in conjunction with the rail over-crossing.

L024-4  
 Cont.

On the East Bay side of the Dumbarton Bridge, the Bay Trail exists as bike lanes on Marshlands Road connecting south to the existing trails at the San Francisco Bay National Wildlife Refuge and north to Coyote Hills Regional Park (Exhibit B). The draft EIR/S shows the rail as an aerial structure at that location (Figure 2.5-3). The final High Speed Rail project EIR/S should discuss impacts of this structure on the Bay Trail and connecting trails as well as the impacts on the San Francisco Bay National Wildlife Refuge.

**General Comments**

The final EIR/S should also address:

- connections to existing and proposed regional trails such as the Bay Trail
- specific required setback distances between rail corridors and existing trails
- opportunities for locating trails on the same rail crossing structure
- crossing information and their warning systems
- accommodations for bicycles on trains, in parking structures and in train stations
- access to other means of public transit

As referenced above, the Bay Trail is a regional trail passing through all nine Bay Area counties, and is an important recreational amenity. The Trail alignment is in close proximity to, crosses, or is directly parallel to the rail line in many locations. The final

2



U.S. Department of Transportation  
**Federal Railroad Administration**

**Comment Letter L024 – Continued**

EIR/S should address impacts to the San Francisco Bay Trail as a regionally important recreation amenity and alternative transportation corridor.

L024-4  
Cont.

Thank you for the opportunity to comment on the Draft EIR/S. I can be reached at (510) 464-7935 or at LauraT@abag.ca.gov if you have any questions about the comments in this letter.

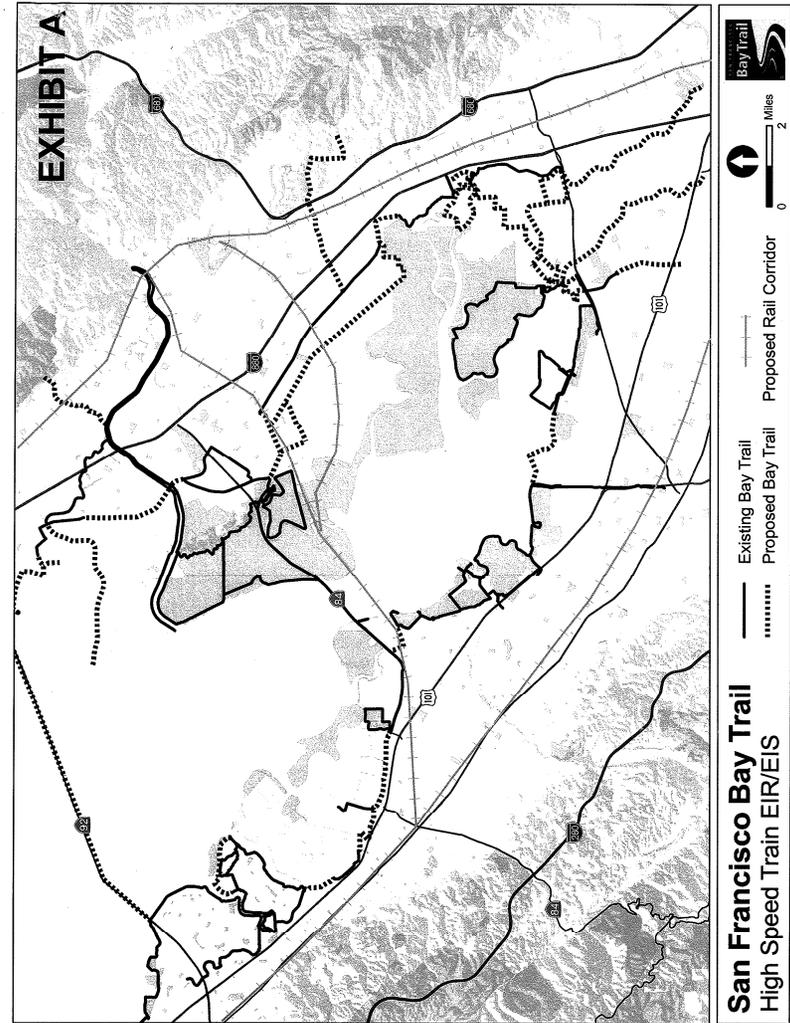
L024-5

Sincerely,

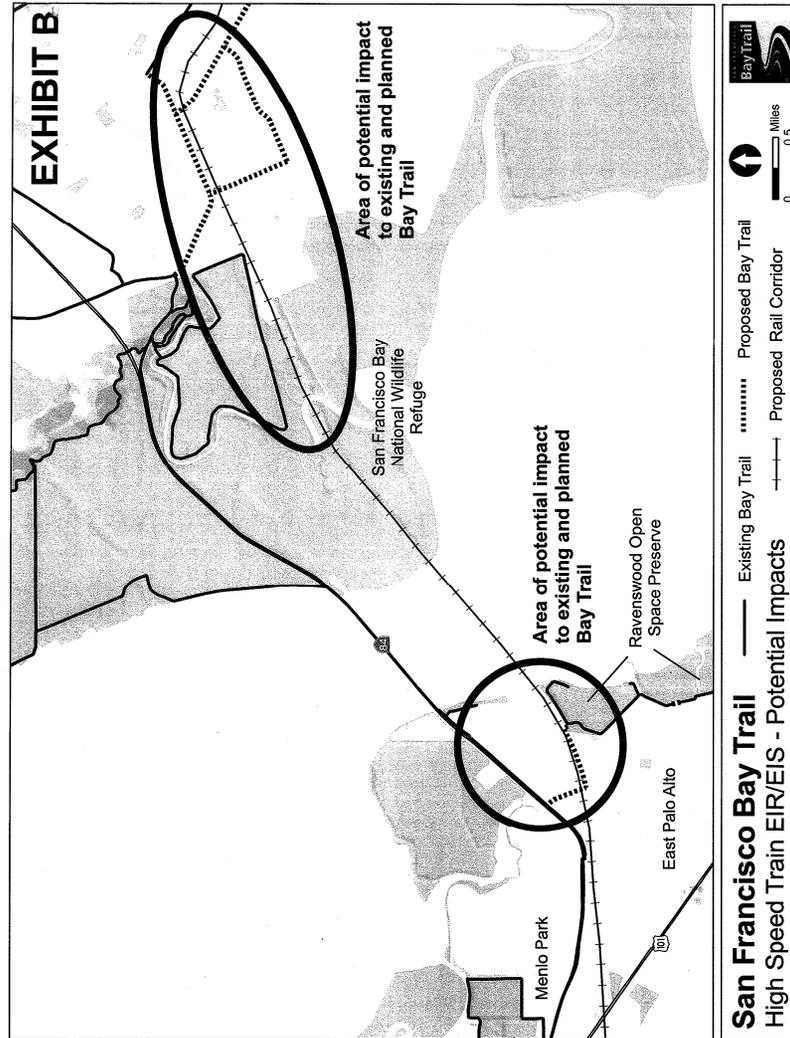


Laura Thompson  
Bay Trail Project Manager

3



Comment Letter L024 - Continued



---

**Response to Letter L024 (Laura Thompson, San Francisco Bay Trail, October 24, 2007)**

---

**L024-1**

The Authority and FRA appreciate receipt of the San Francisco Bay Trail Project's comments on the Draft Program EIR/EIS and acknowledge the nonprofit organization's purpose to promote and advocate for implementation of a continuous 500-mile bicycling and hiking path around the San Francisco Bay.

**L024-2**

Potential impacts from the HST system on the Bay Trail could result with an Altamont Pass alignment alternative that includes a Bay crossing, but not with the Pacheco Pass alignment alternative that is identified as the Preferred Alternative.

**L024-3**

The Authority and FRA acknowledge the legislative mandate and supporting resolution from local jurisdictions for the San Francisco Bay Trail Project.

**L024-4**

The Preferred Alternative identified in this Final Program EIR/EIS does not include a San Francisco Bay Crossing. This Preferred Alternative would not affect the San Francisco Bay Trail Project.

Please also refer to Standard Response 3 and Chapter 8 regarding the identification of the Pacheco Pass as the Preferred Alternative.

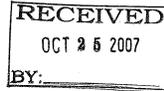
**L024-5**

The Authority and FRA appreciate receipt of the San Francisco Bay Trail Project's comments on the Draft Program EIR/EIS and the contact information.



Comment Letter L025 (Alan B. Carlson, Mayor, Town of Atherton, October 25, 2007)

L 025



Town of Atherton

91 Ashfield Road
Atherton, California 94027
650-752-0500
Fax 650-688-6528

October 25, 2007

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: Comments on California High-Speed Train (HST) Draft Program EIR/EIS
Bay Area to Central Valley

Ladies and Gentlemen:

The Town of Atherton has reviewed the Bay Area to Central Valley HST Draft Program EIR/EIS for the Proposed California High-Speed Train System. An Atherton City Council Resolution stating the Town's position is attached. Our staff, our Rail Committee, and our City Council have the following comments:

ALIGNMENT

Altamont Pass Alignment

For the reasons discussed below, high speed rail along the Caltrain corridor is not necessary or desirable. In fact, the devastation which would be wreaked upon Peninsula cities by construction of a high-speed rail line through the narrow Caltrain corridor would be immeasurable.

The Altamont Pass Alternative has the unique benefit that it could avoid the Town of Atherton completely. This is not just parochial. The impacts of High-Speed Rail to every Peninsula city will be as great, if not greater, than the impacts to Atherton. Caltrain already provides Baby Bullet service on the Peninsula, so providing a redundant service on the Peninsula is inferior to providing a new express rail service in the East Bay (BART and Amtrak do not provide express service in the East Bay).

We strongly support the proposal in the Metropolitan Transportation Commission's (MTC) Regional Plan for an additional tube under the Bay between San Francisco and Oakland to provide additional capacity for BART and to service high-speed and other rail

L025-1

L025-2

L025-3

L025-4

California High-Speed Train
Bay Area to Central Valley
Draft Program EIR/EIS Comments
October 25, 2007
Page 2 of 11

lines. The proposal to bring high-speed rail across the Dumbarton Bridge, south to San Jose, and north to San Francisco with an under-bay connection to Oakland is illogical in that it runs the trains significantly farther, crossing the bay twice, to reach San Francisco and Oakland. A far better proposal would be to bring a high-speed line through Altamont directly to San Jose on the east side of the San Francisco Bay, with another high-speed line heading north from the Altamont Pass to Oakland and through the new trans-bay tube to San Francisco.

At best, if the HST were in the Caltrain corridor, the Peninsula would be served only by the "local" version of high-speed rail. Any passenger on the Peninsula desiring to reach Southern California by express high-speed rail service would have to transfer at San Jose. Instead, the Peninsula should rely upon Caltrain as the means for Peninsula riders to reach either San Francisco or San Jose as a starting point for express travel to Southern California.

If a new trans-bay tube is not included, the High-Speed Train line can cross the Bay on the Dumbarton rail line and enter the Caltrain corridor at Redwood City, serving San Francisco only on the west side of the Bay north from Redwood City. Train service through Atherton would be only the Caltrain service, which would provide connecting service to a High-Speed Rail station. At least half of the Peninsula cities would be avoided under this scenario.

The Atherton City Council, by unanimous vote, strongly recommends that the Altamont Pass Alternative be selected, with service to San Francisco via an additional tube under the Bay between San Francisco and Oakland, and that the Peninsula Caltrain Corridor not be used for High-Speed Rail. If the Altamont Pass Alternative is selected without the additional tube, then the Authority should reconsider a three-way train split in the East Bay with service to Oakland, San Francisco and San Jose from the East Bay junction.

SHARED CALTRAIN TRACKS

Schedule Conflicts

All alternatives involving the Caltrain Corridor assume that High-Speed Trains share tracks with Caltrain commuter trains. This assumption is fundamental to the costs and environmental impacts of Caltrain Corridor alternatives. However the validity of this assumption does not appear to be substantiated by analysis or simulations of operational feasibility. Caltrain and HST are two separate autonomous entities serving different markets. Caltrain and HST would each want and need control over scheduling and dispatching of their own trains in order to best serve the needs of their riders. Sharing tracks would involve inevitable basic scheduling and dispatching conflicts plus frequent

L025-4
Cont.

L025-5



U.S. Department of Transportation
Federal Railroad Administration

**Comment Letter L025 - Continued**

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 3 of 11

problems when determining priorities in response to emergencies, breakdowns and other train delays of either entity.

The Caltrain Strategic Plan Build-Out Scenario for 2023 calls for 138 daily weekday trains, including 87 express and limited trains, many of which would probably be competing for space on the same tracks as HST trains if tracks were shared. The HST Business Plan Timetable Example for 2020 shows 116 weekday trains to and from San Francisco. Caltrain future plans include providing capacity for 10 trains per hour in each direction during the weekday 3-hour morning and evening peaks. The HST Timetable Example shows 7 weekday trains per hour in each direction during morning and evening peaks. There does not appear to be any analysis showing whether the number and frequency of Caltrain and HST trains can be accommodated on shared tracks, or how they might be scheduled and dispatched. How could multiple Caltrain Baby Bullet or Limited trains with 4 to 8 station stops between San Francisco and San Jose share a track with multiple 120 mph non-stop HST train between San Francisco and San Jose? These multiple trains would be departing at frequent intervals during each peak hour.

Dedicated Tracks

Shared tracks appear to be completely infeasible. The best possible way to avoid the many potential conflicts would be for HST to have its own completely dedicated tracks. The need for dedicated tracks has been the HST position for many years and forcefully articulated by board member Diridon at HST board meetings and other public meetings. It is surprising that the Draft EIR/EIS now assumes HST tracks shared with Caltrain tracks without supporting analysis or explanation.

Caltrain now has at least two tracks along its right of way between San Francisco and San Jose. Some segments have 3 or 4 tracks to provide for needs such as Baby Bullets passing other slower (mostly local) trains. Caltrain's Footprint Study has indicated a future need for 3 or 4 tracks throughout much of its right of way. If HST shared right of way (but not tracks) with Caltrain it would need at least two of its own dedicated tracks. Therefore, the future right of way would need to accommodate a total of 5 or 6 tracks, possibly more in some segments, between San Francisco and San Jose. The right of way would have to be widened significantly throughout much of its length, requiring extensive high value land acquisition. The Draft EIR/EIS states that the HST corridor from San Francisco to San Jose would be built mostly within the existing Caltrain corridor. This statement would be incorrect with dedicated HST tracks.

Dedicated Platforms

Dedicated tracks would also require dedicated boarding platforms at all stations served by both HST and Caltrain. This would require further high value land acquisition at common station sites. Most if not all of these station would be grade separated, requiring

L025-5  
 Cont.

L025-6

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 4 of 11

expensive accessibility provision for the added platforms, since obviously at-grade pedestrian crossings of any track would be unacceptable.

L025-6  
 Cont.

Impacts Not Evaluated

Since the Draft EIS/EIR does not consider dedicated HST tracks it does not include the significant associated costs and environmental impacts of alternatives involving the Caltrain right-of-way. Additional considerations must include:

- Land acquisition for wider right-of-way and dedicated boarding platforms
- Additional track age including temporary "shoo-fly" tracks
- Wider tunnels where required
- Wider trenches where required
- Additional costs to elevate or depress tracks
- Grade separations spanning additional tracks
- Additional electrification system costs
- Additional signal system costs
- Additional station costs for more tracks and boarding platforms
- More tree removal
- More adverse visual and community impact
- Additional construction disruption

L025-7

These impacts should be addressed before reaching a decision on the preferred route since their consideration could affect the outcome. The analysis of dedicated track impacts should not be deferred to a subsequent project level environmental and cost analysis since its results could then indicate that the prior selection of a preferred alternative was wrong.

**IMPACTS**

Even without the dedicated tracks and platforms issues, the following impacts of HST on the Peninsula are inadequately addressed in the EIR/EIS in evaluating the alternative alignments for the HST. Correctly addressing these impacts would require an analysis of appropriate avoidance alternatives or mitigation. It should be noted that in an environmental setting, alternatives to avoid environmental impacts should be addressed before mitigation is considered.

L025-8

Visual and Noise

The two most extreme impacts of a High Speed Rail system on the Peninsula will be noise and visual impacts from an elevated electrified 120 mph train. The project proposes steel wheel steel rail technology. Regardless of how well constructed the project, the trains will make considerable noise as they pass through residential communities within

L025-9



Comment Letter L025 - Continued

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 5 of 11

yards of people's bedrooms. And so long as the train is proposed to be elevated on retaining walls or berms, noise will propagate farther. Elevated electrified tracks will be a visual blight on the area, certainly not a "Low" impact as shown on Table 3.9.1. However, should noise walls above already elevated tracks be considered as mitigation for the noise, they would be an extremely significant permanent and oppressive visual presence 24 hours per day, seven days per week. If HST on the Peninsula is selected, a trench alternative, discussed below, would avoid impacts rather than attempting to mitigate them with features that themselves cause additional impacts.

It should be noted also that in Section 3.4.1B the HST is attempting to take credit for eliminating horn noise at grade separations to offset the noise of the HST on the Caltrain Corridor from San Francisco to San Jose. However, most cities on the Peninsula, in cooperation with the current Caltrain grade crossing safety project, will create quiet zones under the new Federal Railroad Administration (FRA) regulations to eliminate the sounding of train horns at all crossings. The designs for the supplemental safety measures needed for a quiet zone in several Peninsula cities are currently at the 65% level and expected to be constructed next summer. Therefore, when HST begins project level environmental review, train horns will have already been eliminated. This adjustment for existing train horn noise should be removed from the screening criteria on the Peninsula corridor, and should be reconsidered statewide as more and more cities are implementing quiet zones.

Likewise Caltrain is already well underway with plans to electrify their system on the Peninsula corridor. HST should therefore not adjust noise impacts for reduction of diesel locomotive noise that will be eliminated before HST is a reality.

Quiet zones and electrification should be included in the No Project alternative, and impacts evaluated based on comparison of the No Project alternative to the project alternatives. This will show that the noise impacts of HST, especially on elevated tracks, should be rated as having a high level of potential noise impacts, not a medium level, and those impacts will be significant unless avoided or mitigated.

The combined visual blight of noise walls to mitigate noise and electrification catenaries could be overwhelmingly significant, unless measures are taken to avoid the impacts. Choosing a lower impact alignment, such as a different corridor, is most effective. If the Peninsula Caltrain corridor continues to be considered, noise walls can be eliminated by the trench alternative, mentioned below. There is also an opportunity, with grade separations, to eliminate the visual impacts of the electrification catenaries.

Catenary Visual Impact

The High-Speed Train system is proposed to be an electrified system with overhead catenaries. These wires and their supporting poles will be a significant visual impact on

L025-9  
 Cont.

L025-10

L025-11

L025-12

L025-13

L025-14

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 6 of 11

the entire Peninsula rail corridor and particularly on the Town of Atherton where there are a significant number of residential properties abutting and near the tracks. Considerable funds have been expended in this Town and in many Cities along the corridor to underground overhead utility wires to rid the cities of the blight created by the proliferation of overhead wires and poles. Adding electrification wires for the High-Speed Train System would be a major step backwards from a visual aesthetics standpoint. To state that "their primary visual impact is low, much like power poles along a highway" is entirely missing the point of the extensive Rule 20 program undertaken by the California Public Utilities Commission and the power companies to underground the power poles along the highways of the state.

Alternatives to avoid this impact should be discussed at the program level. Advanced track and train technologies should be considered that would allow the trains to operate with a third rail through urban areas where the visual impacts would be severe. **A grade separated rail system through the Peninsula corridor would allow the use of a third rail, avoiding the visual and tree impacts that an overhead system would cause.** These impacts are significant and are applicable throughout the Peninsula corridor; therefore, it should be addressed at the program level.

Heritage or Significant Trees

The Caltrain electrification EIR and arborist report determined that approximately 80 trees in Atherton would need to be removed. On the Caltrain corridor, 1,727 trees would need to be removed for electrification alone. The High-Speed Train system would have considerably more impact to trees in the Peninsula urban area than the Caltrain electrification project. There are a considerable number of mature and heritage trees along the corridor, especially in the Town of Atherton, that will be impacted by the project. Replanting cannot possibly mitigate for the loss of trees that have been growing for hundreds of years. These impacts should be avoided where possible by evaluating alternative alignments that do not use the Caltrain Corridor.

Right of Way Impacts

Property on the Peninsula is some of the most valuable property in the country. Some condemnation of property is unavoidable to construct the HST system, possibly considerably more than indicated in the EIR/EIS (see discussion of Shared Caltrain Tracks, above). The costs of this acquisition need to be accurately estimated. More critical are the impacts to the residents and businesses that must continue on the remainder properties after the project is constructed.

These properties will need to live forever with increased noise and visual impacts, without the mature trees that have grown up over the past decades to screen the tracks. The remainder damages to pay for these impacts could easily be in excess of the value of

L025-14  
 Cont.

L025-15

L025-16

L025-17



**Comment Letter L025 - Continued**

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 7 of 11

the entire property. The Authority needs to realize that the project will be responsible for these damages, and understand the rule of law that does not allow condemnation of the remainder unless it is needed for the project. Condemnation to limit the remainder damages is not sufficient to support the taking. Considering that every property on the Peninsula bordering the tracks may require a strip taking (see discussion of Shared Caltrain Tracks above), these right-of-way costs could exceed the cost of constructing the project. The Authority needs to take a close hard look at what a Peninsula project will cost, and the EIR/EIS needs to adequately reflect the impacts and hardships that will be visited on Peninsula homes and businesses by the project.

L025-17  
 Cont.

Cultural (Historic) Resources and 4(f) (Park) Resources

The addition of widened tracks, retaining walls and catenary poles immediately adjacent to the historic Atherton train station would have a direct and adverse impact on the historic train station and its site. Note that the station was restored in 1913, but the original station was constructed in 1866. The Atherton station was omitted from the listing of historic buildings in section 3.9, and the discussion relative to station buildings dominating the vista is inapplicable to Atherton. The test is not whether the structure itself must be modified, and not whether the existing structure (or tree in the case of El Palo Alto) dominates the vista, but whether the site and context is modified. The test is also not whether it is adverse, but whether the adverse impact is significant. Impact on historic stations, buildings and landscapes will be a significant issue throughout the Peninsula. **Historic Station impacts need to be appropriately addressed, with significance determined in accordance with standard historical guidelines.**

L025-18

The widened tracks, retaining walls, poles and wires, and the removal and trimming of screening trees will have a significant impact on Holbrook-Palmer Park, which abuts the project right-of-way. Not only is the park a public recreation area, it is also a cultural resource, containing several historic buildings. The entire park property is the site context for the historic buildings. **Impacts to Holbrook-Palmer Park, both as a 4(f) resource and as a cultural (historic) resource need to be appropriately addressed.**

L025-19

The EIR/EIS states that mitigation can include alignment shifts to miss resources, relocation of resources including replacement parkland, noise barriers and visual screening. However, it states that shifts to miss one resource may impact another and that noise barriers can create adverse visual impacts. In such cases, mitigation may include cut and cover (similar to the trench discussed later in this letter, but with the track covered through the sensitive areas). In Atherton all these concerns apply. Additionally, the grade separations required to raise or lower the roadways would impact the cultural and 4(f) (Park) resources within Atherton as well as many adjacent properties. **The High-Speed Train project should identify and consider avoidance or mitigation options through the Atherton station historic area and the Holbrook-Palmer Park area.**

L025-20

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 8 of 11

Public Services

This element of CEQA is not discussed in the EIR/EIS. An evaluation of impacts to public services, such as the Atherton Police Department, City Hall, Post Office, Library, Permit Center, and Public Works Corporation Yard should be included. These impacts may be relevant in evaluating alignment alternatives and should be quantified. **The EIR/EIS should include these Town of Atherton facilities, and similar facilities in other Peninsula cities, address the impact thereon, and discuss alternatives to avoid or mitigate these impacts.**

L025-21

Potential Interference with Resident's Electronics

While this element has adequately discussed in this EIR/EIS and the previous EIR/EIS, this is just another impact present on the Caltrain Corridor alignment that could be avoided or minimized by alternative alignments, as discussed below.

L025-22

**ALTERNATIVES**

**The EIR/EIS should address alternatives that have been considered to avoid, minimize or mitigate the anticipated significant impacts as noted above and in the report.** Design of the project to reduce or eliminate impacts is avoidance or minimization, and is to be preferred over mitigation.

L025-23

Peninsula Alignment using I-280/380 or 101 Corridors

While we support the Altamont alignment for high speed rail, if the southerly Pacheco route is ultimately chosen for high-speed rail, an analysis should be made of continuing the high-speed rail line from San Jose to San Francisco either via the East Bay and a new trans-bay tube (for the reasons stated above) or along the I-280/380 or 101 Corridors. These alternatives have the potential to avoid considerable significant impacts to the Peninsula.

L025-24

The I-280 corridor offers innumerable advantages over the Caltrain corridor in terms of right-of-way needs, construction costs, ease of construction, and the fact that a journey along the I-280 corridor would be a far more pleasant experience for the passenger than the Caltrain corridor. The 101 corridor also has many of these benefits over the Caltrain corridor. Either alignment avoids the dramatic impacts to the established residential communities and commercial establishments along the Peninsula Caltrain corridor.

The I-280 alignment was improperly eliminated from further consideration (as described in Appendix A to the EIR/EIS). Failure to fully evaluate this less intrusive alternative is a significant deficiency in the EIR/EIS. The reasons stated for elimination of the I-280 alternative are either wrong, or relate to problems that would be even more difficult to



Comment Letter L025 - Continued

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 9 of 11

deal with along the Caltrain corridor. For example, Appendix A states that "connecting the [I-280] alignment to Diridon Station in San Jose would require a guideway passing through developed portions of downtown San Jose." In fact, the Caltrain corridor south of Diridon Station crosses under the I-280 Freeway and provides an easy connection. Presumably, this same connection would be used for any HSR link coming into San Jose from the south. Appendix A states further that crossing interchanges with other freeways would be difficult and expensive. This analysis fails to reflect the fact that the number of grade crossings necessary along the I-280 alignment is an order of magnitude less than the number of grade crossings required along the Caltrain corridor. In addition, of course, construction along the I-280 corridor would have no impact upon Peninsula towns, could be easily accomplished while maintaining freeway traffic, and would have no impact upon Caltrain operations. It would not be nearly as difficult as attempting to construct additional tracks, overhead catenaries and grade separations in the Caltrain corridor while maintaining Caltrain operations. Further, the EIR/EIS completely fails to address the possibility of an alignment from San Jose along I-280 to I-380, at which point HSR could connect with SFO, and reconnect with the Caltrain corridor to enter San Francisco.

Trench Through Atherton and Menlo Park

If an alignment is selected using the Caltrain corridor through Atherton and Menlo Park, one alternative that could considerably avoid or reduce many of the impacts to the cities would be a Trench Corridor Treatment. The Atherton Rail Committee reviewed the Alameda Corridor in Los Angeles, where an upgraded freight line from the Port of Long Beach was constructed in a trench for its entire length to avoid impacts to surface streets and properties.

Atherton engineering staff reviewed the proposed profile for the Peninsula High-Speed Rail and determined that, with grades even less than the 3% shown for the raised profile, a trench profile between 5<sup>th</sup> Avenue in Redwood City and San Francisquito Creek in Palo Alto is entirely feasible. The profile would meet the existing grade at 5<sup>th</sup> Avenue where there is an existing street undercrossing, and it would meet the existing grade at San Francisquito Creek, where it could continue up to an elevated section, or crest and return to a below grade system through Palo Alto. The profile would pass under the Atherton Channel, a relatively shallow drainage channel, and under all of the streets in Atherton and Menlo Park. Leaving those streets at their existing grade would minimize the permanent disruption of residences and businesses along the corridor and along each street.

Concern has been expressed that the trench option would encounter difficulties crossing local creeks and streams. Town staff notes that conventional hydraulic design options exist for the Atherton Channel creek crossing, either by an aqueduct over the tracks, by an adequately sized siphon under the tracks, or by a pump station with redundant pump

L025-24  
 Cont.

L025-25

California High-Speed Train  
 Bay Area to Central Valley  
 Draft Program EIR/EIS Comments  
 October 25, 2007  
 Page 10 of 11

capacity exceeding the 100-year flow in the channel (to be operated and maintained by the High-Speed Train operator). Floodwalls may be required to reduce the potential for flooding of the rail line.

Safety should be another important consideration favoring a trench configuration rather than at-grade or above-grade tracks in populated residential areas. A 100 to 124 mph derailment in a populated area, either accidental or through sabotage, would cause considerably less damage and loss of life if constrained by a trench.

Adjacent to park and civic centers, the trench could be covered and those areas expanded over the tracks. This would reduce noise and visual impacts even further, further enhance safety, and allow portions of the community that have been divided by the at-grade tracks to once again be connected. In areas adjacent to commercial enterprises, air rights over the tracks can be leased or sold, adding value to the system and providing opportunities to offset the additional cost of the trench.

**The Atherton City Council strongly urges the High-Speed Rail Authority, if the Peninsula Caltrain corridor is selected, to study during the project design process the potential of placing the High-Speed Rail system in a trench through Atherton and Menlo Park.** This design option will avoid significant impacts to cultural and 4(f) resources (historic Atherton train station and Holbrook-Palmer Park), to protected biological resources (heritage and significant trees), and to adjacent properties, reducing the monetary damages that would need to be paid to remainder properties. It will also reduce the division between portions of the community instead of enhancing the division by the placement of linear walls or embankment to support a raised track bed. And finally, and extremely important, it will reduce the visual and noise impacts of the High-Speed Train system on the surrounding community.

**CONCLUSION**

The Bay Area to Central Valley HST Draft Program EIR/EIS for the Proposed California High-Speed Train System does not adequately address the potential environmental impacts to the San Francisco Peninsula that could be avoided or minimized by use of appropriate alternatives. The Authority needs to revisit the alignments being considered, including several that have been previously suggested, and are suggested again here, but were not considered, and select those that avoid significant impacts to the maximum extent possible. Only then can the Least Environmentally Damaging Preferred Alternative (LEDPA) be selected. **Following such analysis, if impacts can be neither avoided, minimized, nor mitigated, the Authority is required to make a finding of overriding considerations before proceeding with the project.**

Please address the above comments directly to us, and in your Final EIR/EIS, and advise us of what action you propose to avoid or mitigate the dramatic environmental and right-

L025-25  
 Cont.

L025-26

L025-27



Comment Letter L025 - Continued

California High-Speed Train  
Bay Area to Central Valley  
Draft Program EIR/EIS Comments  
October 25, 2007  
Page 11 of 11

of-way impacts to the Town of Atherton and other Peninsula cities. Town staff welcomes the opportunity to meet with you to discuss these comments if needed.

L025-27  
Cont.

Thank you for your consideration.

Sincerely,



Alan B. Carlson, Mayor  
Town of Atherton

Attached: Atherton City Council Resolution 07-26

RESOLUTION 07-26

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON  
REGARDING THE DRAFT PROGRAM ENVIRONMENTAL IMPACT  
REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR BAY AREA TO  
CENTRAL VALLEY HIGH SPEED TRAIN

The City Council of the Town of Atherton hereby resolves as follows:

RESOLVED, that the town of Atherton provide comments to the California High-Speed Rail Authority regarding the Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS, with the following points:

1. The Town of Atherton opposes high-speed rail on the Peninsula and within the Caltrain Railway Corridor.
  - a. High-speed rail would not directly benefit the Peninsula because express high-speed trains would not stop on the Peninsula, requiring Peninsula travelers to Southern California to transfer, either in San Francisco or San Jose, to the express train in order to benefit from express service.
  - b. Construction of high-speed rail along the Caltrain Corridor would be devastating to the long-established and heavily developed communities through which the corridor passes. Construction and operation of high-speed trains along this corridor would have a significant adverse environmental affect on the communities.
2. For the reasons stated above, we support the Altamont alignment for high-speed rail, with access to San Jose along the Capital Corridor (East Bay) route, and with access directly to Oakland via Altamont, with a new TransBay Tunnel connecting Oakland with San Francisco.
3. If the Pacheco alignment is ultimately chosen with a Peninsula route for high-speed rail, the preferred routing should be along Highway 280 or 101, in order to avoid the disastrous consequences of construction within established communities. As stated above, high-speed rail on the Peninsula will not provide easier access to express trains to Southern California. Accordingly, the Peninsula should rely upon existing Caltrain service to access either San Francisco or San Jose as starting off points, from which express trains to Southern California would depart.
4. In all events, if a Caltrain Corridor route is ultimately chosen for high-speed rail alignment, the HST should run in a tunnel or a trench in order to minimize environmental impacts and to maximize the availability of surface land for positive redevelopment.

Resolution No. 07-26  
Adopted September 19, 2007  
Page 1 of 2



**Comment Letter L025 - Continued**

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the Town of Atherton that this Resolution shall be effective immediately upon adoption.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 19th day of September 2007, by the following vote.

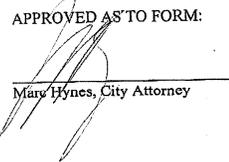
AYES:	5	Council Members:	Janz, J. Carlson, Marsala, A. Carlson, McKeithen
NOES:	0	Council Members:	
ABSENT:	0	Council Members:	
ABSTAIN:	0	Council Members:	

  
 Alan B. Carlson, MAYOR  
 Town of Atherton

ATTEST:

  
 Kathi Hamilton, Acting City Clerk

APPROVED AS TO FORM:

  
 Mary Hynes, City Attorney

HEREBY CERTIFY THAT THE FOREGOING DOCUMENT IS A TRUE AND CORRECT COPY ON FILE AT: 91 ASHFIELD ROAD, ATHERTON, CA  
 DATE Oct. 23, 2007  
 SIGNED BY Kathi Hamilton  
 Acting City Clerk

Resolution No. 07-26  
 Adopted September 19, 2007  
 Page 2 of 2



---

**Response to Letter L025 (Alan B. Carlson, Mayor, Town of Atherton, October 25, 2007)**

---

**L025-1**

The Authority and FRA acknowledge receipt of the Town of Atherton's comments and adopted city council resolution.

**L025-2**

Responses to the City's reasons for opposition to the proposed HST system are provided below. The purpose of and need for the HST system are described in Chapter 1, and the impacts of various alignments, including the Caltrain alignment, are reviewed in Chapters 3, 5, 7, and 9. Please refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L025-3**

The Authority and FRA acknowledge that different HST alignments and network alternatives would pass through different communities and correspondingly result in differing impacts for these communities, as described in the Draft Program EIR/EIS. As a point of clarification, please note that two Altamont Pass network alternatives would pass through Atherton (Figures 7.2-8 and Figure 7.2.9).

The Authority and FRA recognize that Caltrain is providing Baby Bullet service today. Please note that provision of HST service along the peninsula would provide complementary service, with Caltrain service providing the more local or intermediate service feeding the more limited stop HST service that would connect not only to key stations along the peninsula (San Jose and Redwood City or Palo Alto, Millbrae (SFO), and downtown San Francisco) but also to the destinations across the entire state. This type of complementary train service (local, regional, and statewide) has been found to be highly effective for the European and Japanese HST systems.

**L025-4**

The Preferred Alternative identified in this Final Program EIS/EIR does not include a Bay crossing, which would have high potential environmental impacts and considerable construction issues. These Bay crossing alternatives would have more than 36 acres of potential direct impacts on the San Francisco Bay. They would have 38.8 acres of potential impacts on water bodies (lakes + San Francisco Bay), whereas the Oakland and San Jose Termini Altamont Pass network alternative would have only 2.3 acres of potential direct impacts.

The cost of the additional 8.8-mile HST segment needed to implement a new transbay tube is estimated at about \$4.6 billion—more than \$500 million per mile. Moreover, there is only slightly higher ridership and revenue potential (less than 2% higher ridership, or 1.0–1.6 million passengers, per year by 2030) when comparing the transbay tube alternative via the East Bay versus the related Altamont Pass network alternative that terminates in Oakland.

To implement alternatives that included a new transbay tube, coordination would be required with the USACE under Section 10 of the Rivers and Harbors Act, USFWS, and the California Coastal Commission. Crossing the Bay would also be subject to the USACE, CDFG, and BCDC permit process.

For these and other reasons, the Network Alternative that would cross the San Francisco Bay twice was not identified as the Preferred Alternative in this Final Program EIR/EIS. In fact, the Preferred Alternative does not include any crossing of the Bay.

Please see Response to Comment L025-3 regarding complementary commuter and HST service along the Caltrain Corridor. Please note that transfers between the more local Caltrain service and the HST service could occur not only at San Jose but also at Redwood City or Palo Alto or at Millbrae.

The Authority and FRA acknowledge the Town of Atherton's City Council unanimous support for the specified Altamont Pass alternative.

### **L025-5**

Please note that the Caltrain JPB supports the use of the Caltrain Corridor for HST service—see Comment Letter L026. The Authority and Caltrain have signed a Memorandum of Understanding to establish, among other items, a complementary train service plan to effectively serve the local, regional, and statewide markets. Such a plan would optimize the service levels to meet these various markets, again as is done in the European and Japanese markets.

Please also note that a grade-separated, four-track system with train control, as proposed for the Caltrain Corridor and addressed in the Draft Program EIR/EIS, would allow for HST, express, and local trains to operate efficiently using all four tracks, with high levels of service for each of the train rider markets. Given this, more than four tracks along the peninsula are not anticipated, except at the San Jose and San Francisco stations. The Authority expects to work with Caltrain further but finds, based on preliminary analysis, that shared tracks are expected to be feasible in this area.

### **L025-6**

As noted in Response to Comment L025-5, the Preferred Alternative includes a fully grade-separated, four-track system with train control along the Caltrain Corridor. The San Jose station and San Francisco Transbay Transit Center would involve more than four tracks and platforms for service to Caltrain and the HST trains. Four tracks and four platforms are currently included at the Redwood City or Palo Alto and the Millbrae stations, and this configuration is currently included in the land acquisition cost estimates. Pedestrian access to these station platforms would be grade separated, which is also included in the cost estimates.

### **L025-7**

The cost estimates for the Caltrain segment of the HST system are found in Appendix 4A page 4-A-1. Typical sections for the Caltrain

Corridor are found in Appendix 2-E. The cost estimate for the Caltrain segment of the railroad is at a conceptual level, and many of the items listed in the comment would be covered by contingency of 25% of the total costs. The project-level analysis of the Caltrain Corridor will provide a more detailed analysis of the cost elements. It is important to note that Caltrain is also developing separate cost estimates for its corridor electrification. A careful examination of the cost elements of the two projects will lead to a more detailed and comprehensive understanding of the separate cost elements of the HST project.

### **L025-8**

Discussion of the impacts identified in the letter is provided below. Please note that the Authority and FRA did review avoidance alternatives to the extent possible in the development of the conceptual alignments and station location options. Please also refer to Standard Responses 1 and 2.

### **L025-9**

An electric locomotive or trainset's noise level would be less at 120 miles per hour than the typical diesel locomotive and would not require additional sound mitigation beyond what is already in place for the existing Caltrain service.

The provision of noise walls along the Caltrain Corridor is deemed by the Authority and FRA as a "low" visual impact given that these walls would not only mitigate noise from the system but also remove views of the train tracks. Please also see discussion of the trench option in Response to Comment L025-25.

### **L025-10**

It is recognized that the implementation of quiet zones would serve to reduce the amount of train horn noise along the peninsula; however, it would not completely remove the use of train horns at at-grade crossings. Even with quiet zones, the engineers retain the right to use the horn if they see a potential hazard on the tracks (e.g., pedestrian, vehicle, animal). In addition, the grade-crossing protection devices still emit sound from warning bells. This noise will

not be eliminated with the quiet zone. Finally, the establishment of new quiet zones is subject to local political processes, dependent on grade-crossing improvements, and not reasonably foreseeable for this program-level analysis. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices.

#### **L025-11**

It is recognized that the plans for Caltrain's electrification are well under way. The further progress of the Caltrain electrification project will be taken into account in future project-level environmental reviews for the HST project in this corridor.

#### **L025-12**

As noted in Response to Comments L025-10 and L025-11, quiet zones and electrification are not included in the No-build for the reason that it is not appropriate to include them at this time.

#### **L025-13**

The Authority anticipates working with the various communities on the design of noise walls proposed within their jurisdictions. Please also see discussion of the trench option in Response to Comment L025-25.

Comment acknowledged. A trench alternative would reduce the visual impacts of the catenary as mentioned in Response to Comment L025-9, and the noise impacts would not be significant.

#### **L025-14**

The Authority and FRA are aware of the attractive residential visual setting in the Town of Atherton.

The HST project assumes an overhead electrification system as does the Caltrain electrification program. The Authority and FRA note that noise walls would reduce the visual impacts associated with the overhead electrification system.

#### **L025-15**

A third rail electric propulsion technology would be incompatible with the planned electrification of the Caltrain system. As noted in Response to Comment L025-11, the Caltrain electrification is well under way. It would be expensive and redundant to have two separate power-distribution systems.

#### **L025-16**

Please see Response to Comment L025-24. A more detailed review of the impacts on local vegetation, including loss of mature and heritage trees and associated effects along the Caltrain Corridor will be performed during the preliminary engineering and project-level environmental review. Possible avoidance or minimization of impacts on the mature and heritage trees will be reviewed in detail, and mitigation for the loss of trees will be developed.

#### **L025-17**

Please see Response to Comment L025-5 regarding shared Caltrain tracks. The Authority and FRA understand their obligation to mitigate environmental impacts and compensate property owners as required under federal and state laws and regulations.

#### **L025-18**

As noted in Section 3.12, the study area for identifying historic resources for the Program EIR/EIS was identified to be 100 ft on either side of the centerline for routes along existing highways and railroads, where very little additional right-of-way would be needed. A study area for cultural resources at this program level of analysis was developed based on review of the records searches from the California Historical Resources Information System (CHRIS) Information Centers, as well as the cultural resource specialists' knowledge and experience in regional history and prehistory. It is important to note that the study area was specifically designed to aid in the program-level analysis, which provides a general comparison of the alternatives without new identification surveys. The Tier 2 project-level environmental analysis will include surveys within a defined APE to further identify eligible historic resources, such as the

Atherton train station, in proximity to proposed HST system features.

The Atherton Caltrain Shelter is not a designated state or federal historic, and new determinations of eligibility for sites/resources adjacent to or near alignments were not part of the scope of this program-level EIR/EIS. Consistent with the methodology, the Authority and FRA made use of existing state and federal designations for both the cultural and the 4(f)/6(f) analyses.

As noted in the Draft Program EIR/EIS, Burlingame and Menlo Park Caltrain stations are designated state sites, and both are on the National Register of Historic Places, as are the San Carlos and Millbrae Caltrain stations. The Millbrae station was moved 200 ft south in 1980 to accommodate the widening of Millbrae Avenue, 2 years after it was designated a federal landmark.

#### **L025-19**

As noted in Response to Comment L025-18, the Tier 2 project-level environmental analysis will include surveys to further identify eligible historic resources, such as the Holbrook-Palmer Park.

The conceptual plan/profiles in the Draft Program EIR/EIS show the alignment through Atherton as "retained fill." The preliminary engineering and project-level review will refine the alignment and profile. For instance, the design of road/rail grade separations will be analyzed and determined during this phase.

Retained fill does not mean that the height of the fill will by definition be significant. In some locations in Atherton, the elevation of the rails is a few feet higher than the existing land. Please note that a constrained four-track right of way can be accommodated in a 50-ft cross section. Also see response S008-5. The right-of-way through Atherton is generally the same width, with some wider portions, as is the right of way in Redwood City, which is currently four-tracked.

To accommodate the addition of two tracks in Atherton, for instance, it is possible that a 2–3 ft retaining wall may be sufficient along the side of the tracks in some locations to keep added fill from falling

outside the existing right-of-way. Moreover, it appears that the grade at the existing Atherton Caltrain station could accommodate four tracks without additional fill, which would not cause a significant visual impact at the station. This preliminary plan/profile formed the basis for the visual assessment in the Draft Program EIR/EIS.

The poles and wires associated with the electrification would also not pose a significant visual impact. If any, the visual impact would be no more than "low," because the poles and wires of electrification would reinforce the linear form of the railway corridor.

The screening effect of the trees along the right-of-way in Atherton limits the visual impact of activity along the Caltrain line, including Holbrook-Palmer Park. Based on a preliminary review, no trees need to be removed to add two tracks to the existing line. Any trimming would be minimal and limited to branches protruding over the tracks, not perpendicular to the tracks, and therefore would not affect the screening effect of the trees.

Visual impacts could occur at locations where road/rail grade separations are planned, depending on the type of separation planned. This level of detail will be analyzed in the subsequent project-level EIR/EIS.

#### **L025-20**

Once the project design has advanced to the appropriate level, the Tier 2 project-level environmental analysis will analyze the project's potential impacts, such as grade separations, on historic resources and provide more detailed design review and mitigation measures to avoid or minimize such impacts.

Mitigation can and will include alignment shifts to miss resources to the extent feasible and practicable. Please also see discussion of the trench option in Response to Comment L025-25. The Authority and FRA understand that the grade separations may affect 4(f) resources, and the potential effects on (use of) these resources will be reviewed at the project level as part of the detailed 4(f) finding.

**L025-21**

The potential impacts on public facilities near or adjacent to the proposed corridor will be examined in further detail during the project-level environmental analysis.

**L025-22**

Comment acknowledged.

**L025-23**

The Authority reviewed avoidance alternatives (including East Bay alternatives) to the extent feasible in the development of the conceptual alignments and station location options. Please see Response to Comment L014-2.

**L025-24**

The Authority and FRA find that the reasons for rejecting the I-280 and US 101 are still valid. The Caltrain Corridor offers more benefits and a lower level of impacts than these other alternative, as described in Appendix A. Please note that a connection to the Diridon station would need to be made from the south and then travel to the west to gain access to the I-280 corridor, thus requiring a guideway to pass through developed portions of downtown San Jose.

The Authority and FRA also note that Caltrain is an established rail corridor serving population centers along the peninsula, and this corridor offers the opportunity for complementary local, commuter, and statewide rail services to be fully integrated. The Caltrain JPB views the HST system as an opportunity to upgrade its services and improve this rail corridor. Please see Comment Letter L026.

**L025-25**

As part of the preliminary engineering and project-level EIR/EIS, the Authority and FRA will review the costs and benefits of detailed

design options and variations along the entire selected alignment alternative, and this would include the Caltrain Corridor if the Preferred Alternative is selected. This review will include an evaluation of aerial, trench, or tunnel options for those portions of the alignment where insufficient right-of-way exists or where a change in profile could cost-effectively reduce impacts on adjoining land uses.

Subject to further more detailed study, use of a trench through Atherton and Menlo Park or other portions of the Preferred Alternative alignment, if it is selected, may prove to be a cost-effective approach and will therefore be evaluated during the next phase of the HST project. The Authority and FRA are aware of the various design and construction techniques that can be applied for development of a trench.

**L025-26**

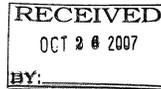
The Authority and FRA find that the Draft Program EIR/EIS has adequately addressed the potential impacts along all of the alignment alternatives and station location options evaluated in the document. The Preferred Alternative identified in this Final Program EIR/EIS would avoid significant impacts to the maximum extent feasible, as discussed and described in Chapter 8. The Authority and FRA will specify in their decision-making documents on this Program EIR/EIS, and in the Mitigation Monitoring and Reporting Program, the mitigation strategies required to be included in future project-level analyses for the development of the HST system. The EPA and USACE concurred that the Pacheco Pass Network Alternative, San Francisco and San Jose Termini, would most likely yield the LEDPA.

**L025-27**

The Authority and FRA appreciate the offer to meet with the Town of Atherton.

Comment Letter L026 (Michael J. Scanlon, Peninsula Corridor Joint Powers Board, October 25, 2007)

L 026



October 25, 2007

Mr. Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

Subject: Comments on the Bay Area to Central Valley High-Speed Train Draft Program Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS)

Dear Mr. Morshed:

This letter is submitted on behalf of the Peninsula Corridor Joint Powers Board (JPB), the San Mateo County Transit District (SamTrans), and the San Mateo County Transportation Authority (TA). The Board of Directors of each of these agencies wishes to reaffirm its support and full cooperation for the proposed California High-Speed Train (HST) system. Specifically, they endorse the San Francisco-San Jose (Caltrain Corridor) and San Jose-Central Valley (Pacheco Pass) alignment for the Bay Area to Central Valley segment of the HST system. Please see the attached JPB Resolution No. 2007-38, Samtrans Resolution No. 2007-46, and TA Resolution 2007-18.

The Pacheco Pass-Caltrain Corridor alignment is endorsed for several reasons, including:

- It would increase connectivity and accessibility to San Francisco, the Peninsula and San Francisco International Airport, the hub international airport for Northern California, fulfilling one of the primary purposes of the project. It would serve the largest Bay Area urban centers more directly through San Jose to the Transbay Terminal in San Francisco. As stated in the DEIR/DEIS (page 7-42): "The HST Network Alternative would provide a safer, more reliable, energy-efficient intercity mode along the San Francisco Peninsula while improving the safety, reliability, and performance of the regional commuter service. The HST Network Alternative would greatly increase the capacity for intercity and commuter travel and reduce existing automobile traffic."
- This alignment would provide the opportunity for HST to share operations in the existing Caltrain corridor, thus reducing the need for additional right of way and minimizing potential environmental impacts.

L026-1

Mr. Mehdi Morshed  
Page 2 of 3  
October 25, 2007

Since 1996, the JPB has endorsed HST in concept and adopted multiple resolutions expressing such support. A Memorandum of Understanding (attached) setting forth a framework for future cooperation between the California High Speed Rail Authority (CHSRA) and the JPB was executed in early 2004. Should the Pacheco Pass-Caltrain Corridor alignment be selected as a preferred HST alignment, the MOU will facilitate the preparation of a Shared Corridor Plan.

The Shared Corridor Plan will ensure that the HST system would be compatible with implementation of the Caltrain Electrification Program scheduled for completion in 2014.

The shared corridor concept would provide direct benefit to Caltrain, its riders and to the residents and taxpayers of the three counties represented by the JPB. As planning goes forward for the Caltrain 2025 Project, coordinated efforts between the two systems could expedite proposed changes to Caltrain that would result in its reinvention as a rapid rail system.

- The Pacheco Pass-Caltrain Corridor alignment would not require a new crossing of San Francisco Bay with its potential environmental impacts to the Bay and the Don Edwards Wildlife Refuge and additional cost of a new bridge. It can provide interfaces between the HST system and major commercial airports, mass transit, and relieve capacity constraints of the existing transportation systems in a manner sensitive to and protective of the Bay Area's unique natural resources.
- The HST could enhance transit-oriented development (TOD) at select HST station locations along this alignment. We applaud the CHSRA's adopted policies to ensure that implementation of the HST would maximize the potential for station area development and recognition that local governments would play a significant role in such development. We further encourage the CHSRA to work closely with local agencies early in the process.

With respect to the Dumbarton Rail Corridor Project, the JPB has the following comments:

- The statement on page 2-18 that the Dumbarton Rail Project conflicts with HST and Caltrain requires clarification. Although current Federal Railroad Administration (FRA) requirements would preclude mixed operations of Caltrain EMU and Dumbarton FRA-compliant rolling stock, Caltrain is currently seeking an FRA waiver to permit mixed operation to accommodate both Dumbarton and Gilroy trains.

L026-1  
Cont.

L026-2



Comment Letter L026 - Continued

Mr. Mehdi Morshed  
Page 3 of 3  
October 25, 2007

- The degree to which a conflict exists between Dumbarton Rail and HST can only be determined by additional definition of the HST project. The Dumbarton Rail Bridge, rehabilitated as proposed by the Dumbarton Project, does not appear usable by HST. The extent to which HST would encroach into rail rights of way to be utilized by Dumbarton Rail in Alameda and San Mateo counties will require further definition of the HST project in those areas.

L026-2  
Cont.

In summary, the Peninsula Corridor Joint Powers Board, the San Mateo County Transit District, and the San Mateo County Transportation Authority urge the CHSR Authority to select the Pacheco Pass-Caltrain Corridor alignment for the Bay Area to Central Valley segment of the HST system. We look forward to working with you on the project specific EIR/EIS for this very important and worthwhile project.

L026-3

Thank you for the opportunity to comment on the Program DEIR/DEIS. If you need additional information, please don't hesitate to contact me at (650) 508-6221 or Ian McAvoy at (650) 508-6346.

L026-4

Sincerely,

*Vincent Blington for Michael J. Scanlon*

Michael J. Scanlon  
Executive Director, JPB, TA  
General Manager/CEO, Samtrans

Attachments: JPB Resolution No. 2007-38  
Memorandum of Understanding between CHSRA and JPB  
TA Resolution No. 2007-18  
Samtrans Resolution No. 2007-46

RESOLUTION NO. 2007-38

BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA

\* \* \*

SUPPORT OF HIGH SPEED RAIL

WHEREAS, A decision is imminent concerning the final alignment of High Speed Rail from the Central Valley to the Bay Area; and

WHEREAS, the High Speed Rail project and the Pacheco Pass alignment present opportunities for growth and enhancement of Caltrain rail service in an expedited manner if the Peninsula rail corridor is an integral part of the High Speed Rail system; and

WHEREAS, the Pacheco Pass option will more effectively link California's major airports in San Francisco, San Jose and Los Angeles, fulfilling one of the primary purposes of the project; and

WHEREAS, High Speed Rail, utilizing the Pacheco Pass alignment, would provide direct benefit to Caltrain, to the service's customers and to the residents and taxpayers of the three counties represented by the Peninsula Corridor Joint Powers Board ("JPB") and the strongest support possible for the project is warranted; and

WHEREAS, since 1996, the JPB has endorsed High Speed Rail in concept and adopted multiple resolutions expressing such support, most recently, on December 8, 2005, when the JPB unanimously adopted a resolution endorsing High Speed Rail and specifically the Pacheco Pass alignment so long as the service is "fully consistent with the goals and operational requirements associated with Caltrain;" and

WHEREAS, it is critical at this time that public and political support for High Speed Rail be promulgated, and that such support lead to the placement on the November 2008 ballot of the bond measure that would finance the High Speed Rail project.

THEREFORE, BE IT RESOLVED that the JPB expresses its strong support for the Pacheco Pass alignment for High Speed Rail; and

BE IT FURTHER RESOLVED that the JPB strongly urges the Legislature and the Governor to fully fund the California High Speed Rail Authority so that it can continue the essential planning work for this critical project that will have significant benefits to the residents of California; and



**Comment Letter L026 - Continued**

**BE IT FURTHER RESOLVED** that the Peninsula Corridor Joint Powers Board urges the Legislature and the Governor to place on the November 2008 ballot a bond measure to fund development and construction of the High Speed Rail project.

Regularly passed and adopted this 6th day of September 2007 by the following vote:

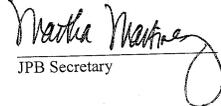
AYES: GAGE, HARTNETT, HILL, LLOYD, MAXWELL,  
WILLIAMS, CISNEROS.

NOES: NONE

ABSENT: FORD, YEAGER

  
\_\_\_\_\_  
Chair, Peninsula Corridor Joint Powers

ATTEST:

  
\_\_\_\_\_  
JPB Secretary

**MEMORANDUM OF UNDERSTANDING**

Between

the California High Speed Rail Authority (CHSRA) and

the Peninsula Corridor Joint Powers Board (PCJPB)

**A. Purpose**

The parties desire to set forth a framework for future cooperation between the CHSRA and the PCJPB after the CHSRA and the Federal Railroad Administration have completed the Final Program EIR/EIS for a proposed high speed train system for California.

**B. Shared Corridor Concept**

Based upon planning studies conducted by the CHSRA and the PCJPB, the CHSRA identified the shared corridor concept as an alternative for evaluation in the Program EIR/EIS. Following the completion of the Final Program EIR/EIS, if a decision is made to pursue the shared corridor concept, additional analysis will be needed in order to evaluate the full potential for such shared use in the Corridor. The initial tasks and objectives of the parties under this MOU will be to prepare a description of potential corridor modifications and to prepare a proposed draft complementary operating strategy, or strategies, which may be needed or useful in order to facilitate or to enhance the potential for shared use of the corridor. This MOU sets forth the process for performing these initial tasks.

**C. Equipment and Facilities Compatibility**

1. The PCJPB shall make available to the CHSRA and its consultants detailed information describing the standards and requirements currently applicable to the PCJPB's Caltrain system, including equipment specifications, train signaling, engineering criteria and traffic control, plus other technical characteristics which determine the requirements for Caltrain equipment and facilities.
2. The CHSRA shall make available to the PCJPB a detailed description of the performance standards, the engineering parameters, the equipment need and the system operational assumptions used in the preparation of the Final Program EIR/EIS for a proposed high speed train system for California and any additional requirements resulting from decisions made following the certification of the Final Program EIR/EIS. This information will include vehicle type, size and performance characteristics and such other details necessary to evaluate further

**Comment Letter L026 - Continued**

the potential compatibility of proposed high speed train operations with Caltrain operations in the Corridor (i.e., shared use).

3. Staff of the PCJPB and staff of the CHSRA shall each prepare a draft assessment of the equipment and facilities compatibility potential for the possible joint use of the Corridor. After staff of each agency has independently made a draft assessment, staff representatives from each agency will meet to discuss their respective draft assessments, and to commence preparation of a draft joint assessment of compatibility.
4. After the preparation of the draft assessments by staff of each party, the parties will work together to identify and evaluate potential strategies and potential modifications which could be used or pursued in order to address limitations or constraints on the potential for shared use of the Corridor, including issues that may involve a third party, such as a freight railroad or a governmental agency.

**D. Service Level Compatibility**

1. The PCJPB is preparing a Strategic Plan for Caltrain to identify desired improvements to Caltrain. The PCJPB plans to include in its Strategic Plan an option which would incorporate a proposed High Speed Rail service in the Corridor.
2. The CHSRA will provide to the PCJPB detailed information describing the proposed HSR service in the PCJPB corridor, anticipated operating speeds and potential location of conceptual HSR stations, from the evaluation of potential shared use of the Corridor as an alternative in the Program EIR/EIS.
3. The PCJPB will review the proposed level of HSR service evaluated as an alternative in the Program EIR/EIS for the PCJPB's corridor in order to identify anticipated services coordination issues which may be related to pursuing such an alternative. For those locations which could potentially accommodate HSR service, the PCJPB will identify the potential facility improvements and modifications which may be necessary for or could facilitate such service, and will provide a description of these potential facility changes to the CHSRA for review and comment.

**E. Shared Corridor Requirements**

1. Based upon the joint assessment of compatibility and the identification of potential modifications to enhance shared use opportunities, as described in the preceding two sections, the PCJPB in cooperation with the CHSRA will prepare a proposed Shared Corridor Plan which contains a draft complementary operating strategy or strategies.

2. A preliminary cost estimate for identified possible Corridor modifications will be prepared by the PCJPB and submitted to the CHSRA for review and comments.
3. The proposed Shared Corridor Plan will be submitted to the PCJPB and CHSRA for review and comment. The parties anticipate that the necessary approvals for, and the future use of, a Shared Corridor Plan will be addressed in a future MOU or in future amendments to this MOU.

**F. Shared Corridor Agreement**

1. The parties agree that any future implementation of the Shared Corridor Concept, if decisions were to be made after the completion of the Final Program EIR/EIS to go forward with the development of a proposed high speed train system and to pursue the Shared Corridor alternative, would require the preparation of a comprehensive agreement, or agreements, setting forth the roles and responsibilities of each party, and addressing construction and operation issues.
2. The potential topics to be covered in a possible future comprehensive agreement, however, may constitute an additional aspect of evaluating compatibility. The parties, therefore, agree to develop a draft outline of a possible future comprehensive agreement as an aid to their broad assessment of compatibility.

**G. Amendments**

This Memorandum of Understanding (MOU) may be updated, expanded, or otherwise altered, by written amendments approved and executed by both parties.

**Peninsula Corridor Joint Powers Board:**

MJ Deanta 1/9/04  
Date

**California High Speed Rail Authority:**

Mehdi Morshed 10/23/03  
Date  
Mehdi Morshed, Executive Director



**Comment Letter L026 - Continued**

**RESOLUTION NO. 2007. 46**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

\*\*\*

**SUPPORT OF HIGH SPEED RAIL**

**WHEREAS**, A decision is imminent concerning the final alignment of High Speed Rail from the Central Valley to the Bay Area; and

**WHEREAS**, the High Speed Rail project and the Pacheco Pass alignment present opportunities for growth and enhancement of Caltrain rail service in an expedited manner if the Peninsula rail corridor is an integral part of the High Speed Rail system; and

**WHEREAS**, such opportunities for growth and enhancement of the Caltrain service are of direct benefit to the citizens and taxpayers of San Mateo County and the express goals of the San Mateo County Transit District ("SamTrans"); and

**WHEREAS**, the Pacheco Pass option will more effectively link California's major airports in San Francisco, San Jose and Los Angeles, fulfilling one of the primary purposes of the project; and

**WHEREAS**, it is critical at this time that public and political support for High Speed Rail be promulgated, and that such support lead to the placement on the November 2008 ballot of the bond measure that would finance the High Speed Rail project.

**THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District expresses its strong support for the Pacheco Pass alignment for High Speed Rail; and

**BE IT FURTHER RESOLVED** that SamTrans strongly urges the Legislature and the Governor to fully fund the California High Speed Rail Authority so that it can

continue the essential planning work for this critical project that will have significant benefits to the residents of California; and

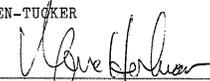
**BE IT FURTHER RESOLVED** that SamTrans urges the Legislature and the Governor to place on the November 2008 ballot a bond measure to fund development and construction of the High Speed Rail project.

Regularly passed and adopted this 12th day of September 2007 by the following vote:

AYES: GUILBAULT, HARTNETT, HILL, LLOYD, MATSUMOTO, TISSIER,  
HERSHMAN

NOES: NONE

ABSENT: HARRIS, KERSTEEN-TUCKER

  
\_\_\_\_\_  
Chair, Board of Directors

ATTEST:

  
\_\_\_\_\_  
District Secretary



**Comment Letter L026 - Continued**

RESOLUTION NO. 2007- 18

BOARD OF DIRECTORS  
SAN MATEO COUNTY TRANSPORTATION AUTHORITY  
\* \* \*

SUPPORT OF HIGH SPEED RAIL

WHEREAS, A decision is imminent concerning the final alignment of High Speed Rail from the Central Valley to the Bay Area; and

WHEREAS, the High Speed Rail project and the Pacheco Pass alignment present opportunities for growth and enhancement of Caltrain rail service in an expedited manner if the Peninsula rail corridor is an integral part of the High Speed Rail system; and

WHEREAS, such opportunities for growth and enhancement of the Caltrain service are of direct benefit to the citizens and taxpayers of San Mateo County and the express goals of the San Mateo County Transportation Authority; and

WHEREAS, the Pacheco Pass option will more effectively link California's major airports in San Francisco, San Jose and Los Angeles, fulfilling one of the primary purposes of the project; and

WHEREAS, it is critical at this time that public and political support for High Speed Rail be promulgated, and that such support lead to the placement on the November 2008 ballot of the bond measure that would finance the High Speed Rail project.

THEREFORE, BE IT RESOLVED that the Board of Directors of the San Mateo County Transportation Authority ("Authority") expresses its strong support for the Pacheco Pass alignment for High Speed Rail; and

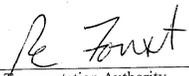
BE IT FURTHER RESOLVED that the Authority strongly urges the Legislature and the Governor to fully fund the California High Speed Rail Authority so

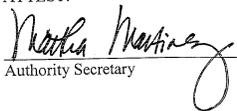
that it can continue the essential planning work for this critical project that will have significant benefits to the residents of California; and

BE IT FURTHER RESOLVED that the Authority urges the Legislature and the Governor to place on the November 2008 ballot a bond measure to fund development and construction of the High Speed Rail project.

Regularly passed and adopted this 6th day of September 2007 by the following vote:

AYES: CHURCH, FERNEKES, GORDON, HERSHMAN, LEE, O'MAHONY,  
FOUST  
NOES: NONE  
ABSENT: NONE

  
\_\_\_\_\_  
Chair, Transportation Authority

ATTEST:  
  
\_\_\_\_\_  
Authority Secretary



---

**Response to Letter L026 (Michael J. Scanlon, Peninsula Corridor Joint Powers Board, October 25, 2007)**

---

**L026-1**

As recommended by this letter from the Caltrain JPB, the TA, and SamTrans, the Preferred Alternative identified in this Final Program EIS/EIR is the Pacheco Pass Alternative using the Caltrain Corridor. The reasons provided in this letter were among the reasons for its identification as preferred. The existing rail right-of-way, the proposed Caltrain Corridor electrification, and the opportunity for shared use of the corridor to provide complementary and integrated local, commuter, and statewide rail service options were critical reasons for identification of the Preferred Alternative.

The Memorandum of Understanding between Caltrain and the Authority provides a framework for future coordination during the preliminary engineering and project-level environmental review phase of the HST project.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L026-2**

The Diesel Dumbarton service would not be compatible with the EMU and HST operations on the Caltrain Corridor because of the inferior acceleration and deceleration capabilities of the diesel-hauled trainsets. Given the high density of the train operations (number of trains running on the corridor per hour) on the Caltrain Corridor, a diesel-hauled train set could have adverse impacts on train schedules and reliability.

While a refurbished Dumbarton Bridge could perhaps handle mixed traffic of high-speed and conventional trainsets, there are major limiting factors to using the existing or refurbished swing bridges. The use of a swing bridge over a navigable waterway would result in delays for the HST service because the bridge would have to be opened for passing boat traffic. See also Response to Comment O007-22.

**L026-3**

Please see Response to Comment L026-1.

**L026-4**

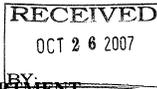
The Authority and FRA appreciate receipt of comments from the Caltrain JPB, the TA, and SamTrans on the Draft Program EIR/EIS and the contact information.

Comment Letter L027 (Wendie Rooney, City of Gilroy, Community Development Department, October 24, 2007)



City of Gilroy

COMMUNITY DEVELOPMENT DEPARTMENT
7351 Rosanna Street, Gilroy, CA 95020



Planning Division (408) 846-0440 FAX: (408) 846-0429
Engineering Division (408) 846-0450 FAX: (408) 846-0429
Building, Life & Environmental Safety Division (408) 846-0430 FAX: (408) 846-0429
Housing & Community Development (408) 846-0290 FAX: (408) 846-0429

October 24, 2007

L 027

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: California High-Speed Train Program Draft EIR/EIS
City of Gilroy review comments

Thank you for including the City of Gilroy in the environmental review process for the High-Speed Train (HST) project. The City of Gilroy staff are recommending to the City Council support for the Pacheco Pass via Gilroy alignment for the High-Speed Train alternative. The City of Gilroy staff believes that there are opportunities for the City and the California High Speed Rail Authority to work cooperatively for a project that is mutually beneficial.

L027-1

A new High-Speed Train station could be built in the downtown area, such as the old train yard adjacent to the Caltrain Station, the Sig Sanchez Building area or the old Indian Motorcycle Headquarters. This area has good access to the downtown, the Caltrain station and US 101 and SR 152 via 10th Street. An alternative site on the east side of US 101 in Gilroy also offers good potential for a High-Speed Train Station. The City of Gilroy has initiated a Specific Plan study for the East Side of Gilroy and at this point could easily make a High-Speed Train Station an integral transportation component for the Specific Plan. The proposed land use designation includes transit facilities to address the potential for a train station and other multi-modal facilities.

L027-2

We have reviewed the Draft EIR/EIS and have the following comments.

- 1. It is the City of Gilroy's understanding that if the Pacheco Pass alternative is selected for the High-Speed Train, subsequent multimodal access and circulation studies would be conducted at proposed station areas as plans for alignments (vertical and horizontal), stations, and operations are refined. Additional environmental analysis would be required in conjunction with these studies to ascertain the exact locations of potential project-generated traffic impacts and potential parking demand impacts. Station area circulation studies would be expected as part of project-level environmental document.

L027-3

C:\Documents and Settings\dflenner\Desktop\California High Speed Train - Authority letter.doc
"First In Service to the Community"

- 2. The City of Gilroy has a concern about the potentially significant impact the project may have to traffic volume and congestion. In order to adequately address our concerns regarding the High Speed Train Project via the Pacheco Pass, we recommend a specific project traffic impact analysis be prepared. The traffic impact analysis should include, but not be limited to the following:

- a. Information on the project's traffic impact in terms of trip generation, distribution, and assignment for the train station in Gilroy. The assumptions and methodologies used in compiling this information should be addressed.
b. Current Average Daily Traffic (ADT) and AM and PM peak hour volumes on all significantly affected streets and intersections, highway segments and freeway ramps, for the Gilroy train station and elevated rail section through the City.
c. Schematic illustrations of traffic conditions for: 1) existing, 2) existing plus background traffic, 3) existing plus background traffic plus train station project, and cumulative impact for intersections in the train station and elevated grade crossing locations.
d. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the roadways being evaluated. The City of Gilroy has a development project list.
e. A detailed parking analysis must be prepared that identifies the existing parking condition around the proposed train station and the project level demand for parking for the HST station. Reasonable walking distances must be assumed for the construction of new parking facilities so that residential neighborhoods are not impacted.

L027-3
Cont.

- 3. The City has a concern about the potentially significant impact the project may have to noise and vibration issues.

- a. The project-level EIR will have to address the impacts of noise and vibrations to existing buildings and residences in Gilroy, and will have to mitigate noise levels to meet Gilroy's noise standards. In addition, special studies may be required to determine that impact of the trains' vibrations on unreinforced masonry structures downtown.

L027-4

- 4. The City has a concern about the potentially significant impact the project may have during construction of the HST train station and a proposed elevated track.

- a. The construction of a train station and elevated train tracks will cause traffic circulation problems during the construction phase. The construction phase needs to be reviewed in the environmental document and mitigation measures for handling traffic disruption identified.

L027-5

C:\Documents and Settings\dflenner\Desktop\California High Speed Train - Authority letter.doc



U.S. Department of Transportation
Federal Railroad Administration

**Comment Letter L027 - Continued**

b. Noise and vibration issues are also a major concern for the Downtown area during construction. The construction impacts must be reviewed and mitigated.

L027-5  
Cont.

If you have any questions concerning information in this letter, please contact Don Dey, City Transportation Engineer at (408) 846-0451.

L027-6

Sincerely,



Wendie Rooney  
Community Development Director

Dd:ct

Cc: Jay Baksa, City Administrator  
Rick Smelser, City Engineer  
Don Dey, City Transportation Engineer

C:\Documents and Settings\dflemmer\Desktop\California High Speed Train - Authority letter.doc

---

**Response to Letter L027 (Wendie Rooney, City of Gilroy, Community Development Department, October 24, 2007)**

---

**L027-1**

The Authority and FRA acknowledge receipt of the comments on the Draft Program EIR/EIS from the City of Gilroy and appreciate the opportunity to use the Gilroy City facilities for a public hearing on this document.

The Preferred Alternative identified in this Final Program EIR/EIS is the Pacheco Pass Alignment, which is consistent with the City of Gilroy's staff recommendation. The Authority anticipates future coordination with the City of Gilroy during the preliminary engineering and project-level environmental review phase, which will provide the opportunity to work cooperatively for a project that is mutually beneficial to the HST project and the City of Gilroy.

Please also refer to Standard Response 3 regarding the identification of the Pacheco Pass as the Preferred Alternative.

**L027-2**

The Authority and FRA appreciate and welcome the City of Gilroy's input into the ultimate location for an HST station in Gilroy. The preliminary engineering and project-level environmental review process will allow for a more detailed review of alignment and station location design options. The Authority and FRA look forward to reviewing these options with the City of Gilroy during this phase of the HST project and appreciate the City of Gilroy's initiation of related studies and plans.

**L027-3**

Comment acknowledged. These concerns will be addressed as part of future project-level analysis.

As assumed in the comment, project-specific analyses of circulation, traffic, and parking would be conducted in the project-level EIS/EIR for the Gilroy station area, access roads, and other facilities that might be affected by the proposed HST station. These analyses will

address the elements of the traffic impact analysis suggested in the comment.

**L027-4**

Comment acknowledged. These issues will be addressed in the project-level EIR/EIS.

**L027-5**

Comment acknowledged. These issues will be addressed at the project-level EIR/EIS.

**L027-6**

The Authority and FRA appreciate receipt of comments from the City of Gilroy on the Draft Program EIR/EIS and the contact information.

Comment Letter L028 (Dorothy W. Dugger, San Francisco Bay Area Rapid Transit District, October 25, 2007)

OCT. 26. 2007 1:47PM

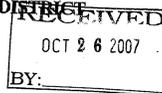
NO. 1218 P. 1

L 028



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, 16th Floor
Oakland, CA 94612
Telephone: (510) 287-4702
FAX: (510) 464-7673



FAX TRANSMITTAL

Date: 10/26/07
To: Mehdi Morshed, CHSRA FAX #: 916-322-0827

Number of pages, INCLUDING this cover sheet: 2

Comments: Draft Bay Area to Central Valley HST Program EIS/EIR

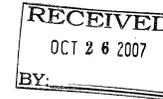
Hardcopy to follow by mail. If you had problems receiving this fax, please call (510) 287-4702. Thank you.

OCT. 26. 2007 1:47PM

NO. 1218 P. 2



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000



2007

October 25, 2007

Lynette Sweet
PRESIDENT

Gail Murray
VICE PRESIDENT

Dorothy W. Dugger
GENERAL MANAGER

Mehdi Morshed, Executive Director
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS

Dear Mr. Morshed

DIRECTORS

Gail Murray
1ST DISTRICT

Inel Keller
2ND DISTRICT

Bob Franklin
3RD DISTRICT

Candice Ward Allen
4TH DISTRICT

Zoyd Luce
5TH DISTRICT

Thomas M. Blalock
6TH DISTRICT

Lynette Sweet
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

Thank you for the opportunity to comment on the Draft Bay Area to Central Valley High-Speed Train (HST) Program EIR/EIS. High-speed rail would provide BART riders with unprecedented access to statewide destinations in the Central Valley and Southern California. Depending upon the project alternative and phasing, BART could interface with high-speed rail in several locations including West Oakland, San Francisco, Millbrae, Union City, San Jose and Livermore.

L028-1

The purpose of this letter is to better clarify BART's position relating to the proposed distribution of funds in the planned November 2008 High-Speed Rail Bond Measure. According to the presentation that was given to the Metropolitan Transportation Commission (MTC) Planning Committee on October 12, 2007, the bond would allocate \$285 million to BART as "supporting rail infrastructure." We ask that BART's potential share of the bond money be not solely focused on system expansion, but also be used to address system capacity and renovation needs such as station enhancements and new vehicles (it is our understanding that the bond's legislation currently specifies such a mandate). We ask for the California High Speed Rail Authority to maintain this course in the future since BART is the backbone of the regional rail system and will likely be capacity-constrained at certain locations (with or without high-speed rail). BART requires flexibility to not only make strategic connections to a future high speed rail system, but also to be best equipped to absorb any system/ridership impacts from high-speed rail.

L028-2

We look forward to continuing to work closely with the California High Speed Rail Authority on implementing the vision contained in the San Francisco Bay Area Regional Rail Plan. If you have any questions concerning this request, please contact the BART Department Manager of Planning, Marianne Payne, at (510) 464-6140. Thank you for your consideration of this request.

L028-3

Sincerely,

[Signature of Dorothy W. Dugger]

Dorothy W. Dugger
General Manager
San Francisco Bay Area Rapid Transit District



www.bart.gov

Cc: BART Executive Managers
Steve Heminger, Metropolitan Transportation Commission

---

**Response to Letter L028 (Dorothy W. Dugger, San Francisco Bay Area Rapid Transit District, October 25, 2007)**

---

**L028-1**

The Authority and FRA acknowledge receipt of the comments on the Draft Program EIR/EIS from the BART District. Good intermodal connections between HST and other transit systems such as BART are an important component of the proposed HST system.

**L028-2**

The Authority and FRA agree that BART should have the flexibility to use HST bond funds in a manner that best serves the needs of BART.

The current state bond measure (SB 1856) states that funds to be allocated to:

eligible recipients for capital improvements to intercity and commuter rail lines and urban rail systems...shall be used for connectivity with the high-speed train system or for rehabilitation or modernization of, or safety improvements to, track utilized for public passenger rail service, signals, structures, facilities, and rolling stock. (SB 1856, Section 2704.095).

This section also states that:

The California Transportation Commission shall allocate the available funds to eligible recipients consistent with this section and shall develop guidelines to implement the requirements of this section.

**L028-3**

The Authority and FRA appreciate receipt of comments from the BART District on the Draft Program EIR/EIS and the contact information.

