

Response to Comments
CHAPTER 17. PUBLIC HEARING
COMMENTS

Public Hearing Transcripts, San Jose Sheriff's Auditorium (San Jose, 10:00 AM - Wednesday April 7, 2010)

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5 CALIFORNIA HIGH-SPEED RAIL AUTHORITY
6 PUBLIC MEETING/COMMENT ON
7 2008 BAY AREA TO CENTRAL VALLEY
8 REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT
9 MATERIAL
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12
13 Sheriffs Auditorium
14 55 West Younger Avenue
15 San Jose, California 95110
16
17 Wednesday, April 7, 2010
18
19 10:00 o'clock a.m.
20
21 REPORTED BY: DEBORAH FUQUA, CSR #12948
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1 APPEARANCES
2
3 CALIFORNIA HIGH-SPEED RAIL AUTHORITY:
4 Member Rod Diridon, Executive Director
5 Executive Director Carrie Pourvahidi
6 Deputy Executive Director Dan Leavitt
7 Deputy Director Carrie Bowen
8
9 CALIFORNIA ATTORNEY GENERAL EDMUND G. BROWN, JR.
10 Represented by:
11 CHRISTINE SPROUL, Deputy Attorney General
12 ---o0o---
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25

1 Wednesday, April 7, 2010 10:00 o'clock a.m.

2 ---oOo---

3 P R O C E E D I N G S

4 ROD DIRIDON: Ladies and gentlemen, the meeting is

5 in session at this time. My name is Rod Diridon. I'm

6 a member and past chair of the California High-Speed

7 Rail Authority Board. And our chair is running a

8 little late, and he's asked me to convene the meeting

9 today and be the moderator until he arrives.

10 The session today is a public meeting to

11 accept comments on the Bay Area to Central Valley

12 High-Speed Train Revised Draft Program Environmental

13 Impact Report material. It looks like this. And it

14 has been on the Web site now for quite a long period of

15 time. And I assume that you have all had an

16 opportunity to review it in detail.

17 The commenting period is important for each

18 one of you to access because, if we don't have your

19 comments, we don't know how to respond to them. So

20 please do make your comments clearly, and take as many

21 as -- it looks as though we're going to have plenty of

22 time. So we'll have three minutes per person. And

23 when you have 30 seconds to go, you'll see this card

24 [indicating]. When the end of your three minutes has

25 occurred, you'll see that card [indicating], and you



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1 are required then to stop. Finish your sentence, but
2 stop in order to make it fair for the other people
3 providing testimony.
4 I'd like to introduce Dan Leavitt now. He's
5 the Deputy Executive Director, and he'll give you a
6 background statement.
7 MR. LEAVITT: Thank you, Member Diridon.
8 This is will be very brief, just to give you a
9 background about why we're here today. To comply with
10 the Court judgment in the Town of Atherton litigation,
11 in December, the Authority adopted Resolution
12 HSRA-10012, which rescinded the July 2008 certification
13 of the Bay Area to Central Valley Program EIR document.
14 That resolution also rescinded the approval of the
15 Pacheco Pass alignment coming to San Jose and San
16 Francisco via the CalTrain corridor as well as the
17 Authority's preferred station locations.
18 The document that Member Diridon just
19 discussed, this document, the Bay Area-Central Valley
20 HST Revised Draft Program Environmental Impact Report
21 material, was prepared to address the areas that the
22 Court identified that needed additional work. The
23 document includes clarification that the alignment
24 alternative between San Jose and Gilroy will be located
25 adjacent to and not in the UP -- Union Pacific, the

5

1 UPRR's mainline railroad right of way. It also had the
2 conclusion that the alignment between San Francisco and
3 San Jose and San Jose and Gilroy would have somewhat
4 higher property impacts than were previously disclosed
5 in the Final Program EIR. It also had the conclusion
6 that UPRR's statements indicating that it is not
7 willing to allow HST to use its right of way presents
8 challenges for both Pacheco Pass and Altamont Pass
9 alignment alternatives but that these challenges are so
10 much greater for the Altamont Pass network
11 alternatives.
12 And also, finally, the conclusion that the new
13 and revised information presented in this report does
14 not change the staff recommendation in the 2008 Final
15 Program EIR for the preferred alignment and station
16 locations.
17 As Member Diridon pointed out, on March 2010,
18 this information was made available through the
19 Authority's public Web site. On March 8th, we mailed
20 out CDs to over 300 state agencies and other
21 organizations, individuals that commented on the Final
22 Program EIR. On March 11, the notice of completion was
23 filed with the State Clearing House which officially
24 started the public comment period, which is 45 days and
25 ends on April 26th.

6

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1 March 11th, we also sent out copies of this
2 document to 16 public libraries throughout the study
3 area. On March 12th, we did an announcement to over
4 3,000 organizations, agencies, and individuals that
5 were on our program mailing list and had announcements
6 in seven newspapers in the study area. And then on the
7 week of March 15th, we sent out postcards of
8 notification of this process to over 50,000
9 individuals, organizations, agencies that are on our
10 project-level databases for the study area.

11 Comments can be received by the Authority by
12 e-mail, fax, mail, or today through your public
13 testimony, either this morning or in the evening
14 session that we have, both in San Jose. CDs of the
15 document are available on upon request.

16 At the close of the public comment period,
17 staff and consultants will prepare responses that will
18 be included in a Revised Final Program EIR and Trail
19 documents. That document will be made publicly
20 available and will be an action item at a future
21 High-Speed Rail Authority board meeting along with the
22 2008 Final Program EIR for a new decision certifying
23 the EIR and selecting the preferred alignment and
24 station locations.

25 With that, I would just like to have Christine

7

1 Sproul of the AG's office give a few other comments
2 about today's meeting.

3 CHRISTINE SPROUL: Thank you, Dan.

4 My name is Christine Sproul. I'm a deputy
5 attorney general. Today, Justin and I and Matthew are
6 assisting the High-Speed Rail Authority in their
7 environmental processes. We're all representatives
8 from the Attorney General's office.

9 I want to reiterate just a couple things.
10 Today is a public meeting to receive public comment.
11 So this is an opportunity for the Authority board and
12 staff to listen to comments that you all have to make.
13 This is not the point at which the board and staff will
14 be debating the issues. In fact, they want to listen
15 to you and hear about community values that are
16 potentially affected by the proposed high-speed train
17 system as described in the Bay Area to Central Valley
18 Revised Draft Program EIR material.

19 The focus of the public comment today needs to
20 be on the material provided in this document that has
21 been circulated. In accordance with the CEQA
22 Guidelines, California Environmental Quality Act
23 Guidelines, the Authority will be required to respond
24 to comments that are submitted on the content of this
25 document and what it covers. So note that for your

8



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

1 focus today in commenting.

2 As Dan pointed out, comments can be submitted

3 today orally. They may also be submitted at a later

4 public comment opportunity this afternoon starting at

5 5:00 o'clock at the Board of Supervisors' meeting room

6 a couple blocks from here. And they may be submitted

7 in writing by letter, by fax, or by e-mail.

8 So the board will be receiving your comments,

9 but this will not be the opportunity for debate. In

10 fact, it's our hope that people will avoid making

11 statements that would appear to cut off public comment

12 or appear to prejudge the outcome of the proceeding.

13 The board will later have a full opportunity to discuss

14 and debate all the issues that are before it with this

15 program document and the decision that it needs to

16 make.

17 I thought it may be appropriate to ask the

18 Interpreter to make his announcement in Spanish,

19 telling people that he's there available to assist them

20 with their comment.

21 (Interpreter speaking Spanish)

22 CHRISTINE SPROUL: So if people want to avail

23 themselves of the services of the Interpreter, it's

24 probably appropriate to write your name on a card and

25 go see him at his desk over there.

9

1 And the Chair today will be monitoring the

2 time for people speaking. And if the time does appear

3 to be short, he may urge to you try not to duplicate

4 other speakers but to adopt other statements or

5 positions, if they reflect yours, so that everyone will

6 have an opportunity to speak.

7 Thank you.

8 ROD DIRIDON: Thank you, Christine.

9 At this point, we do have about ten green

10 cards to designate the speakers. Remember, if you want

11 to speak, you have to get your card to the young lady

12 on the side. Otherwise, you won't be introduced.

13 Also, as you come forward -- and we'll take

14 these in the order that they were received -- please

15 introduce yourself. I'll try to do that, but

16 oftentimes the cards are not as decipherable, or at

17 least not by me. So introduce yourself. And if you're

18 representing an organization, indicate the organization

19 that you're representing. And we'll proceed.

20 Let add one more point. Collegiality will be

21 required. The only time I'm going to comment isn't

22 certainly going to be on your point of view. But if

23 you are not cordial, you will be cut off and asked to

24 yield the mike. Okay.

25 Steve Fisher, representing VTA, will be our

10



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1 first speaker.

2 STEVE FISHER: Good morning. I'm Steve Fisher.

3 I'm speaking on behalf of the Valley Transportation

4 Authority. Welcome to San Jose.

5 VTA, the transportation planning authority and

6 transit operator for Santa Clara County, strongly

PHI-1.1 7 supports the findings of the revised Draft Program

8 Environmental Impact Report which recommends the

9 Pacheco Pass alignment as the entry point of the

10 High-Speed Rail System into the Bay area through

11 Gilroy, through south Santa Clara County, then using

12 the CalTrain alignment from the San Jose Diridon

13 Station into San Francisco.

14 The Revised Program EIR addresses Judge

15 Kenny's ruling that the original EIR did not adequately

16 describe the alignments between Gilroy and San Jose and

PHI-1.2 17 describes how the alignment will work without using

18 Union Pacific's operating right of way by primarily

19 using right of way that's now part of Monterey Highway.

20 The Revised Program EIR also addresses issues

21 raised by Union Pacific regarding impacts to freight

22 operations.

PHI-1.3 23 The cooperative process between VTA, City of

24 San Jose, the Authority and cities of Gilroy and Morgan

25 Hill to identify a viable alignment through south Santa

PHI-1.3 1 Clara County demonstrates the commitment the County has

cont. 2 to the project and the spirit of the ongoing

3 relationship we have with the Authority as we

4 collectively continue to address the many other

5 challenging issues that there are ahead of us.

6 VTA will continue to work with the Authority,

7 the CalTrain Joint Powers Board, CalTrans and our local

8 cities to implement the project and recommends the

9 Authority once again reaffirm its support of the

10 Pacheco Pass alignment and approve the propriety of the

11 Draft Program EIR.

12 Thank you.

13 ROD DIRIDON: Thank you, Steve.

14 By the way, if any of you have more than three

15 minutes of comment, don't hesitate to provide it in

16 writing to the staff, and they'll take that additional

17 comment.

18 Jim?

PHI-2.1 19 JIM BIGELOW: Jim Bigelow with the Redwood City,

20 San Mateo County Chamber. And we're here supporting

21 the Revised Draft, which we feel is responsive to the

22 Judge's instructions in the Atherton versus the

23 High-Speed Rail matter. It's important that these

24 clarifications were made and will allow this process to

25 move forward.



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PH1-2.2

1 In our area, this provides a great opportunity
 2 for some ARRA funds for High-Speed Rail in the State of
 3 California. That equates to jobs. And I want to
 4 emphasize that some of our business members are aware
 5 that the construction workers in this area have about a
 6 30 percent unemployment rate.

PH1-2.3

7 This rail project is vital to California. We
 8 can lead the nation and be first. We need to get
 9 through this process of the Revised EIR. The
 10 project-level outreach is underway between San Jose and
 11 San Francisco. And between CalTrain and the High-Speed
 12 Rail, we feel it's going to be a very, very good
 13 partnership in this particular project.

PH1-2.4

14 So updating the EIR to the Judge's
 15 instructions is certainly important to address some
 16 mid-Peninsula cities and a couple other organizations.
 17 And we, at the proper time, will be urging the Board to
 18 go back and recertify the EIR.

19 In our area, CalTrain is planning ever forward
 20 on an implemented joint project between High-Speed Rail
 21 and CalTrain. And I am sure they have also been
 22 involved in these responses and how it might affect the
 23 joint project on the Peninsula.

24 So we fully support the change and the update,
 25 and hopefully people will keep their remarks to the

PH1-2.4 cont

1 Judge's instructions as opposed to the whole document.
 2 And we do support the Pacheco Pass and the CalTrain
 3 alignment.

4 Thank you.
 5 ROD DIRIDON: Thank you, Jim.
 6 The next speaker is Gary Harris. Gary will be
 7 followed by Andrew Cook.

PH1-3.1

8 GARY HARRIS: My name is Gary Harris. I live in
 9 San Jose. In my mind, if voted on today, the
 10 High-Speed Rail measure would not pass. Why? The
 11 route from the Central Valley through the middle of the
 12 grasslands of Merced County, the largest remaining
 13 wetlands of California and through the beautiful
 14 Pacheco Pass is the wrong route. The Altamont pass is
 15 the proper route. That is where the people are. That
 16 is where the traffic originates -- Turlock, Modesto,
 17 Stockton, Manteca, Tracy, Livermore, Pleasanton.

PH1-3.2

18 We should bring those people to the Bay Area
 19 via a bigger transit system that exists. We have a
 20 CalTrain system, I understand, that's going broke. We
 21 should use High-Speed Rail money to convert that system
 22 to a more efficient and better to serve Gilroy, Morgan
 23 Hill, San Jose, et cetera to San Francisco. Create a
 24 system that goes completely around the bay with feeder
 25 lines off that system.



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PHI-3.3

1 High-Speed Rail should be to resolve traffic
2 problems in Southern California and the Bay Area
3 separately. Why do I need to connect Southern
4 California to the Bay Area and Sacramento via the
5 Central Valley? That's stupid. Let us solve traffic
6 congestion problems in the north and south separately.

PHI-3.4

7 I have never seen a drawing for a High-Speed
8 Rail system, with its eight- to ten-foot chain-link
9 fence -- is that going to align with the High-Speed
10 Rail system, in open space, will that be an eight-,
11 ten-foot chain-link fence? I see some brochures that
12 people have here that has the High-Speed Rail, but
13 where's the power line? Where's the chain-link fence?
14 I'm sure you're going to fence off this rail system.

PHI-3.5

15 That's another reason why, you know, I'm
16 really disappointed with the Authority. If it were up
17 to me, I would go back to the drawing board. I'd leave
18 Pacheco Pass alone, leave the grasslands alone. And
19 I'd go through the Altamont Pass.

PHI-3.6

20 I recently read where you want to take two
21 lanes off of Highway 101 south of San Jose for an
22 eight-mile stretch. Who would vote for that?

PHI-3.7

23 Let's go back to the ballot box to kill
24 High-Speed Rail Authority.

25 Thank you for your time. I have some sheets

15

PHI-4.1

1 here I can take back to the Board members.

2 ROD DIRIDON: Thank you, Mr. Harris.

3 Andrew Cook will be next, and Andrew will be
4 followed by Paul Jones.

5 ANDREW COOK: Good morning. My name is Andrew
6 Cook. I'm representing the Transportation Agency for
7 Monterey County. I'm here to testify again in support
8 of the Pacheco Pass alignment for proposed High-Speed
9 Rail corridor route. Our board voted in favor of
10 endorsing the Pacheco Pass alignment.

11 ROD DIRIDON: They can't hear. I think you
12 weren't built for that microphone. There you go.

13 ANDREW COOK: That's better. Again, our board
14 voted to endorse the Pacheco Pass alignment at its
15 August 22nd, 2007 meeting. The Monterey Bay region is
16 home to about 710,000 people currently. It's estimated
17 to increase to about a million residents by 2030.

PHI-4.2

18 Currently, the Central Coast is very limited
19 in its access to the Silicon Valley and the San
20 Francisco Bay region. And the proposed Pacheco Pass
21 alignment would provide stations in Gilroy and San
22 Jose, which would provide convenient access for the
23 residents from the Central Coast which would increase
24 ridership on the High-Speed Rail route.

25 Currently our agency is implementing rail

16



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PHI-4.2
cont.

1 service in Monterey County, which includes an extension
 2 of commuter rail service from Gilroy southward to
 3 Salinas, light-rail service connecting to that service
 4 on the Monterey Peninsula, and there's also a rail
 5 service planned between downtown San Francisco and Los
 6 Angeles on the proposed Coast Daylight service, which
 7 would all provide feeder service for the network with a
 8 connection point in Gilroy. So for that reason, our
 9 agency would also support the location of a High-Speed
 10 Rail station in downtown Gilroy.

PHI-4.3

11 And finally, High-Speed Rail would be
 12 beneficial for the Central Coast through the increased
 13 ridership on train services to Monterey County. And
 14 the regional economy would benefit from increased
 15 investment in infrastructure in the region around train
 16 stations. Currently, visitors to the Central Coast
 17 have to sit in traffic even though many are probably
 18 used to high quality transit service and high-speed
 19 rail service from where they're from.

PHI-4.4

20 Our growing population needs better access to
 21 jobs and healthcare in the Bay Area. And High-Speed
 22 Rail would also be a cheaper and more convenient
 23 alternative to air and automobile travel. Plus
 24 increased access to the rail network and connecting to
 25 the High-Speed Rail system in Gilroy will help the

PHI-4.4
cont.

1 Central Coast region be more sustainable economically,
 2 environmentally, and socially.

3 So thank you for allowing me to speak today.

4 ROD DIRIDON: Thank you, Mr. Cook.

5 And the next speaker is Paul Jones followed by
 6 Craig Thompson.

7 PAUL JONES: Thank you, Mr. Chairman.

8 I'm Paul Jones. I represent the Atherton Rail
 9 Committee. I'm a professional engineer with design
 10 experience in high-speed rail lines. In particular, I
 11 was in charge of the route selection study for the
 12 High-Speed Rail line from Madrid to Barcelona in Spain.

PHI-5.1

13 Although the Revised Environmental Report
 14 offers no travel demand data, good estimates of future
 15 demand are essential to valid alternative route
 16 selection, track configuration, and station
 17 configuration. Since the issuance of the Draft EIR in
 18 May 2008, a large number of experts have challenged the
 19 credibility of the Authority's travel demand
 20 information. In particular, a list of the Lexis of
 21 cars has analyzed many of the coefficients from the
 22 Cambridge Systematics demand model and found them to be
 23 inconsistent and quite possibly in error.

24 Experts from the University of California and
 25 Berkeley, the Hoover Institute and other organizations



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PHI-5.1
cont.

1 have compared the Authority's demand data with planned
 2 and realized passenger traffic on European and Asian
 3 high-speed rail lines. In their judgment, the
 4 Authority's demand estimates are three to five times
 5 greater than that and the traffic that might be
 6 realized by 2030.

7 It's absolutely essential that the Authority
 8 rework its entire travel demand estimates, which I
 9 understand has now been authorized, before it is
 10 possible to make any sensible professional comments
 11 about the environmental impact of the line from San
 12 Francisco down through the Pacheco Pass route.

13 Thank you very much.

14 ROD DIRIDON: Thank you, Mr. Jones.

15 Craig Thompson to be followed by Fran Hirsch.

16 CRAIG THOMPSON: Good morning, and thanks for this
 17 time to speak. I'm speaking on behalf of the Operating
 18 Engineers Local 3, who fully support this project. The
 19 Bay Area needs work, and the money that could be
 20 created from this huge enormous project would pump back
 21 so much -- excuse me -- so much money back into the
 22 local economy that it would be extremely benefit to
 23 everybody.

24 The state also needs the transportation mode
 25 also. Besides airplanes to Southern California, mail

19

PHI-6.2
cont.

PHI-6.3

PHI-7.1

1 could even be sent a lot faster. In the not-so-far
 2 future, I believe that we would all be thankful that we
 3 built this project. And our grandchildren would also
 4 be thankful, too.

5 Speaking a little bit about the NUMI plant,
 6 those people who were laid off over there are
 7 professional, proud and available to build these cars
 8 over there. I believe that utilizing them and/or
 9 anybody local to build these things would also be
 10 great. Southern California will -- I know they've got
 11 some Air Force hangars down there and some places where
 12 they build things, but I'd like to keep all that kind
 13 of stuff built up here.

14 And I thank you for your time, in short, thank
 15 you very much.

16 THE COURT: Thank you, Mr. Thompson.

17 Fran Hirsch will be followed by Bill Eng.

18 FRAN HIRSCH: Good morning, Mr. Diridon. I'm here
 19 representing Brandenburg, Steadler, and Moore Mobile
 20 Home Communities. I'm director of public affairs. We
 21 have not had an opportunity to see the EIRs because we
 22 don't own the land under the mobile home park that
 23 we're particularly concerned about in relation to this
 24 project.

25 Rob Bettencourt owns the land. We own and

20



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PHI-7.1
cont.

1 operate Millpond Mobile Home Community. And I
 2 understand from Rob that the line is -- will go
 3 directly -- the high-speed rail line will go in the
 4 existing right of way, railroad right of way, which is
 5 directly to the east and adjacent to our Millpond
 6 Mobile Home Community, which is at Canoas Garden and
 7 Curtner Avenue. The address is actually Canoas Garden
 8 Avenue.

9 What exists there now is an occasional train
 10 goes by. And we have a 30-year-old metal fence on our
 11 property right adjacent to the line. We're very
 12 concerned about the quality of life for our residents,
 13 of course, about noise, and we're concerned about our
 14 ability to operate our business and rent our spaces.
 15 So therefore, what we'd like to see there is a genuine
 16 sound wall.

17 The line is right adjacent to the community.
 18 And in fact, it is our understanding that the
 19 High-Speed line will be moved even closer than the
 20 existing line is right now. Whether I -- my
 21 understanding is that the EIRs do not address this
 22 issue at all. And they need to be -- it needs to be
 23 addressed. And that's my purpose here today.

24 There may also be some of our residents here.
 25 I don't know. But we did notify them of this meeting.

PHI-8.1

1 So I'd like to thank you very much. I'm now
 2 on your mailing list, so I guess I'll know a little
 3 more about what's going on.

4 Thank you.

5 ROD DIRIDON: Thank you, Fran.

6 Phil Eng will speak next, followed by Ben
 7 Tripousis.

8 PHIL ENG: My name is Phil Eng, and I own a
 9 property adjacent to the railroad track. I had a same
 10 concern as the lady that spoke in front of me. My
 11 concern is the same, the environmental, the noise level
 12 impact, that -- on the -- on the residents, people
 13 along the railroad track.

14 I'm worried about the noise level, db of the
 15 High-Speed train when it passing my neighborhood and
 16 near my property, adjacent to my property on the
 17 railroad track. I want to know the decibel level, the
 18 db of the High-Speed train when it went on the track,
 19 passing through the track. Okay? That's my main
 20 concern because I understand that a human being only
 21 can possibly tolerate a noise level up to 85 db. And
 22 correct me if I'm wrong. I found that that noise level
 23 passing 85 db is hard to be tolerated by human beings.

24 That's it.

25 So will you let me know about that?



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PH1-8.2

1 ROD DIRIDON: Yes. The comments will all go to
2 the staff, and the staff will communicate back to you.
3 We're cautioned not to respond today because it's a
4 public hearing.

5 PHIL ENG: Will you mail me back the answer?
6 DAN LEAVITT: It will be in the revised report.
7 Our response will be in the revised report.

8 ROD DIRIDON: Ben Tripousis will be next, followed
9 by Elaine Hamilton.

10 BEN TRIPOUSIS: Good morning, Mr. Chair, and thank
11 you. My name is Ben Tripousis. I'm transportation
12 policy manager with the City of San Jose. And I'd just
13 like to echo VTA's comments and express our strong
14 support for the Authority's response to the Court
15 directive and the approach on the updated program
16 environmental document.

17 Suffice it to say that we've established an
18 excellent working relationship with Gary Kennerly and
19 his staff on the project segment in the entire corridor
20 from Diridon Station all the way through south San Jose
21 along the Monterey Highway corridor. While there are
22 some issues that still are yet to be addressed, we're
23 working very well together in addressing those and look
24 forward to responding to those effectively in the
25 project-level documents.

PH1-9.1

PH1-9.2

23

PH1-10.1

1 So thank you again. We will also be
2 submitting a comment letter that will lay this out.
3 Thank you.

4 ROD DIRIDON: Thank you very much.

5 Elaine Hamilton followed by Jose Garcia.

6 ELAINE HAMILTON: Hi. My name is Elaine Hamilton.
7 Thank you for listening to me. Excuse me if I sound
8 ignorant because a lot of this is news to me. I
9 represent myself. We're a small business owner. We
10 own Coyote Valley RV Resort off Monterey Highway. We
11 personally put in millions of dollars of our family
12 money to build what we believed three years ago to be a
13 world class RV resort off Monterey Highway. We
14 absolutely knew about the trains that were there and
15 when they ran.

16 I would love nothing more than to jump on a
17 train and go down to Los Angeles and see my
18 grandchildren. I promise you, this would be wonderful.
19 I also really believe that it has some tremendous value
20 for the valley. So I'm a great supporter of the
21 fast -- High-Speed Rail system.

22 However, we got a letter, and I saw a bunch of
23 lines on it saying that, "This is where the rail line
24 is going to go." And I had no idea what those meant
25 because each one inch from an aerial photo could have

24



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PHI-10.1
cont.

1 been right on top of our RV resort. I have no idea
 2 what that meant. Then I started reading the report
 3 that said something about closing Monterey Road to two
 4 to four lanes, whatever, taking off one of the -- I
 5 don't know what that's going to mean to us.

6 But I will tell you that, if the rail line is
 7 moved over, it could possibly destroy our business in
 8 terms of precluding access because we have to have
 9 people be able to turn in to our business. Right now
 10 the -- it's closed as it is. So there's a lot of
 11 logistics that we can't even know how we're supposed to
 12 grapple with because I can't even read the map.

13 The other thing is, is I do not understand how
 14 a small business like us doesn't take precedent over
 15 the rail line. The Union Pacific -- I mean, maybe
 16 there's legal things that they have that can preclude
 17 you from using them. We're perfectly -- you know, that
 18 was our understanding, that that would follow along
 19 those rail lines.

20 To not have them follow along those rail lines
 21 and to affect all of us because they have to run two
 22 freight trains a day, and to affect thousands of small
 23 businesses and to affect commuters to the point
 24 where -- you know, to the level of stress that they
 25 have, I don't know. It just sounds totally illogical

25

PHI-10.2
cont.

PHI-11.1

1 to me. So there must be some other agenda that's going
 2 on that I don't understand.

3 So sorry if I sound ignorant, but I'd really,
 4 really appreciate a lot more either involvement or a
 5 lot more understanding why Union Pacific isn't ponying
 6 up their rail lines.

7 Thank you.

8 ROD DIRIDON: Thank you, Ms. Hamilton.

9 Jose Garcia, followed by Chris Snyder.

10 JOSUE GARCIA: Good morning, Board Members. My
 11 name is Josue Garcia, Deputy Executive Officer for
 12 Santa Clara and San Benito Counties Building and
 13 Construction Trades Council, however, I'm also speaking
 14 on behalf of San Mateo Building Trades Council this
 15 morning.

16 The Building Trades Council is the
 17 organization that represents 24 construction unions.
 18 And in Santa Clara and San Benito County, we have
 19 around 30,000 union members, and many of them are
 20 unemployed right now. In construction, I'm sure you
 21 know, the unemployment rate is over 30 percent. A lot
 22 of our members are losing health care. But, very
 23 important, they are also losing their homes.
 24 Personally I have two family members that lost their
 25 homes just recently due to the unemployment rate.

26



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-11.1
cont.

1 We are here in support of the project,
 2 obviously, and the EIR as well. And we are here to
 3 show you the support that you have from our community.
 4 And at this moment, I would like to ask our members to
 5 please stand up so you can see the support that you
 6 have from that community.

7 We are very, very much in support of it. This
 8 project will create thousands of jobs. I very often go
 9 to high schools and colleges to talk to kids, high
 10 schools, and college students. Once high school
 11 students graduate from high school and college students
 12 finish their college, they are going to jump right into
 13 these very good jobs, whether in construction or in
 14 management.

15 So we are very -- in full support. The
 16 community supports you. And we are very much in favor
 17 of it. We need to get it going. We can find solutions
 18 to the minor problems that the community may have, and
 19 there are some problems, but they can be solved.

20 And thank you very much for your support.

21 ROD DIRIDON: Josue, thank you very much for being
 22 here. And I apologize for mispronouncing your name. I
 23 should know better.

24 Chris Snyder will be followed by Robert Allen.

25 CHRIS SNYDER: Good morning. And we'd like to

27

PHI-12.1
cont.

1 thank -- my name is Chris Snyder. I'm a member of the
 2 Operating Engineers Local 3. And I don't want to --
 3 the last speaker spoke to a lot of the issues that we'd
 4 probably address as well. But thank you for holding
 5 one of these hearings. We really appreciate the
 6 opportunity to give input.

7 My union, Operating Engineers, is also
 8 suffering, like a lot of the crafts, a 30 percent
 9 unemployment rate. We have thousands of members out of
 10 work, losing their houses, going through some really
 11 tough economic times. And it's real. It's really,
 12 really real. We see it every day, guys coming out of
 13 work into our union halls, looking for work. And if
 14 this thing goes forward -- this EIR is one key in the
 15 long process.

16 But once this things starts going, it's going
 17 to pretty much clear all the local guys to go out to
 18 work because we're going to be building this thing, and
 19 it could really return us to full employment as well
 20 as -- I mean, the environmental benefits of the
 21 High-Speed Rail and adding to the infrastructure of
 22 California as far as taking pressure off the highway
 23 systems would definitely be a benefit to the entire
 24 economy, as you know, I'm sure.

25 But once again, appreciate the opportunity to

PHI-12.2

28

Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

1 express our support of the process and of the EIR. And
 2 thank you for your time this morning.

3 ROD DIRIDON: Thank you, Chris.

4 Robert Allen will be followed by Ginna
 5 Raahauge.

6 ROBERT ALLEN: Yes. First of all, I'd like to
 7 support the Pacheco Pass alignment. I think the
 8 Commission, the Authority did the right thing by
 9 supporting that.

10 I'd like to urge that the Peninsula route, in
 11 between the area around Millbrae and San Jose, be a
 12 five-track right of way with a pair of CalTrain commute
 13 tracks on the west side, then the two High-Speed Rail
 14 bullet train tracks and one freight track which would
 15 allow for the high overhead cars and that the two
 16 tracks which would be for CalTrain commute, when they
 17 be electrified, be electrified to thousand-volt third
 18 rail and converted into BART.

19 Thank you. Oh, to say one more thing, I
 20 support having a five-county rail transit district,
 21 including Alameda, Contra Costa, San Francisco, San
 22 Mateo, and Santa Clara Counties, one rail district, so
 23 we'd have BART around the bay. That's what I really
 24 dream of.

25 ROD DIRIDON: Thank you.

PHI-13.1

PHI-13.2

PHI-13.3

29

1 Ginna Raahauge, followed by Cathleen Galgiani,
 2 Assembly Member.

3 GINNA RAAHAUGE: Hi, my name is Ginna Raahauge.
 4 I'm a resident of Gilroy in the unincorporated area.
 5 And my husband and I voted for the High-Speed Rail, and
 6 we are very supportive of the rail coming down on the
 7 existing infrastructure and lines.

8 We are not supportive of those alignments
 9 shifting into the unincorporated area and taking up the
 10 farmlands and the houses that are already existing in
 11 there.

12 I think it would be really very good to see
 13 the dollars spent reinforcing and rebuilding the
 14 current infrastructure that we have. I'm a little
 15 unclear as to what the latest issue with Union Pacific
 16 is, but I think we need to have some more open
 17 conversations around why they will not allow us to use
 18 those lines. So -- thank you.

19 ROD DIRIDON: Thank you, Ginna.

20 Assembly Member Cathleen Galgiani, followed by
 21 Charley Lavery.

22 CATHLEEN GALGIANI: First of all, I want to thank
 23 you for holding this hearing this morning. I'm pleased
 24 at all the turnout here as well. I think it's really
 25 important as we go forward that we involve the

PHI-14.1

PHI-14.2

PHI-14.3

PHI-15.1

30



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-15.1
cont.

1 community as much as possible. And I know here there
 2 have been concerns because there are challenges with
 3 the existing infrastructure.

4 And in my district, in San Joaquin, Merced,
 5 and Stanislaus counties, we're very, very excited at
 6 the thought of having High-Speed Rail because my voters
 7 are those commuters, many who are the hundred thousand
 8 people that travel over the Altamont every day to come
 9 over here on your side for work. So one of the
 10 immediate things that everyone here will feel is some
 11 relief from congestion on your freeways here from my
 12 voters who are commuting that would like to have
 13 another mode of transportation.

14 And I know that it's challenging as we go
 15 forward because we are so used to planning for a few
 16 years at a time, widening the highway by two lanes
 17 maybe in the next five years, and then looking ten
 18 years out. But now we're trying to look toward 2020.
 19 So it is a more daunting challenge.

20 But I think it's important for us to note
 21 that, if we don't build the High-Speed Train, we need
 22 to know what that alternative to accommodate the same
 23 number of passengers would be. And as said in the
 24 business plan in 2008, 50 feet of right of way for
 25 single-track High-Speed Rail train would be the

31

PHI-15.1
cont.

PHI-16.1

1 equivalent of 12 lanes or highway or 225 feet of right
 2 of way. And I think that's important to think about
 3 and look at as we go forward in planning because in
 4 many areas, there simply is not the room to be able to
 5 do that.

6 In Germany, they would take three times the
 7 right of way that it would normally for just a
 8 high-speed train system to accommodate the same number
 9 of traffic. So we're seeing that in other countries
 10 that have high-speed rail systems, they are
 11 experiencing what we experience here. And I think it's
 12 important that what we take away today is that it's
 13 positive that we're all working together, that we're
 14 planning together, and we do need to be sensitive to
 15 community needs. And we also need to keep in mind that
 16 the alternative, again, for a single-track train alone
 17 would be 12 highway lanes and 225 feet of right of way.

18 I thank you for all that you're doing.

19 ROD DIRIDON: Thank you, Assembly Member, and
 20 thanks for your help over the years.

21 Charley Lavery? And I may have that wrong,
 22 Charley. I apologize.

23 CHARLEY LAVERY: Good morning. And thanks for the
 24 opportunity to comment. Charley Lavery with the
 25 Operating Engineers.

32



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-16.1
cont.

1 ROD DIRIDON: Close.

2 CHARLEY LAVERY: Yeah.

3 What we have here is a once-in-a-lifetime

4 opportunity, an historic opportunity to get a

5 two-for-one. One, to improve the state's

6 infrastructure forever, to provide a more efficient,

7 more environmentally friendly and a safer

8 transportation network for millions. Secondly, provide

9 tens of thousands of jobs at a time when the state

10 needs it most.

11 Yes, there will be an impact. That impact has

12 been professionally studied and will be responsibly

13 mitigated. It is a time to adopt the EIR now and

14 fast-track this project. Now is the time to move

15 forward with what is a legacy project and provide a

16 generation of tradesmen full employment.

17 Thank you.

18 CHARLEY LAVERY: Thank you, Mr. Lavery.

19 And Bob Jansen, followed by Daniel Garcia.

20 BOB JANSEN: Good morning. My naming is Bob

21 Jansen. Thanks for this opportunity.

22 I'm a resident of south San Jose. I've

23 chatted with a lot of the neighbors in that area. And

24 I have three major concerns regarding revisions to the

25 EIR, specifically the impacts to Monterey Highway.

33

PHI-17.1
cont.

PHI-17.2

PHI-17.3

PHI-17.4

1 First is increase in noise. If I read

2 correctly on the Web site, it talked about an increase

3 of roughly 86 trains per day.

4 Secondly, in vibration potentially causing

5 damage to our structures, our houses, the pools,

6 patios, et cetera, which the freight trains have

7 caused -- I've specifically myself patched cracks in my

8 house, in the stucco. Checked the foundation and

9 had -- some of the jacks had started to slide off.

10 That's an example of that.

11 Number two, increase in traffic congestion as

12 a result of the increase in lanes on Monterey Highway.

13 Concern there is that, especially during commute hours,

14 an overflow going into neighborhoods like my

15 neighborhood and the neighbors I've talked with, which

16 would increase safety issues, also increase speeds.

17 And the third and the last is decrease in

18 property values related to, specifically, more trains,

19 more noise, more damage, increase in maintenance cost,

20 and the congested traffic. So I thank you for this

21 opportunity.

22 ROD DIRIDON: Thank you, Mr. Jansen.

23 Daniel Garcia will be followed by Shane

24 Patrick Connolly. And we have then only one card after

25 that, so if you'd like to speak, please get your card

34



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

1 in. Otherwise, we'll wind up closing the session, and
 2 you won't have an opportunity to get your card said.
 3 Daniel?
 4 DANIEL GARCIA: Yes. Good morning, and I am very
 5 grateful for the opportunity to speak.
 6 Basically, I'm here this morning representing
 7 the Roofers and Waterproofers Local 95 here of the Bay
 8 Area -- of San Jose, Santa Clara, San Benito Santa
 9 Cruz, Monterey. Basically, I'm here in full support of
 10 the project, High-Speed Rail and the Environmental
 11 Impact Report. I don't want to repeat about the
 12 incredible amount of jobs that this will create, much
 13 more needed. And we also need the transportation
 14 means.
 15 So I thank you for this opportunity to speak.
 16 And I support, on behalf of my membership and myself,
 17 which I am a resident of east side San Jose, this whole
 18 project. Thank you.
 19 ROD DIRIDON: Thank you, Mr. Garcia.
 20 Shane Patrick Connolly will be followed by
 21 Stacy Mortensen.
 22 SHANE PATRICK CONNOLLY: Thank you. Good morning.
 23 I am a citizen here of San Jose. I live very close to
 24 the proposed route, within ten minutes
 25 walking -- and I'm very tall, so a quick walk -- ten

PHI-18.1

PHI-19.1

35

1 minutes walking to Tamien Station in the Willow Glen
 2 neighborhood.
 3 I'd just like to express my support for this
 4 project for many of the reasons that were stated
 5 already, for job creation, as an efficient alternative
 6 to air transportation to Southern California for
 7 business people and for our residents.
 8 I would also like to express support for it
 9 because of its environmental -- positive environmental
 10 impacts in that it reduces our greenhouse gas
 11 emissions. It will make the air healthier around the
 12 current train corridors, healthier in that lower
 13 particulate matter will be released because you will be
 14 using electric instead of diesel. It's also quieter.
 15 Electric trains are quieter than diesel trains. So
 16 that should help allay some of the concerns about
 17 noise, although there are more trains running, of
 18 course.
 19 Finally, I'd just like to note that it is
 20 important that, as we go forward, it remains
 21 financially viable and is sustainable.
 22 And that's about it. Thanks.
 23 ROD DIRIDON: Thank you, Mr. Connolly.
 24 Stacey Mortensen, followed by Virginia
 25 Saldich.

PHI-19.1
cont.

PHI-19.2

PHI-19.3

PHI-19.4

PHI-19.5

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Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-20.1

1 STACEY MORTENSEN: Good morning. I oversee the
 2 Altamont Commuter Express, the one commuter rail
 3 service that does run in the Altamont Pass, and I have
 4 to tell you, initially, when the Altamont Pass routing
 5 was shifted to Pacheco, we were a little shocked and
 6 surprised and we had a little heartburn over that. And
 7 I had to just put that on the table.

8 However, your staff and your consulting teams
 9 have had a very open-door policy and have invited us in
 10 and invited any of our community members in and any of
 11 our property owners in to discuss these kinds of issues
 12 that we see as impacts or uncertainty or just not being
 13 clear about why particular routings had been selected
 14 or identified as preferred.

15 And in that process -- I'm not somebody who
 16 really likes to listen to any BS, and I don't really
 17 want to be fluffed, and you know, I just want to know
 18 the real deal because we operate a real service, and we
 19 have real community members that we are representing.

20 And I have found that your team and your staff
 21 have really done a good job in explaining to me the
 22 different market characteristics about the travel
 23 demand patterns, both statewide, between the regions,
 24 and between community to community. And we really
 25 understand now the role that the Altamont service

37

PHI-20.1
cont.

PHI-20.2

1 plays. And we understand the character and the scale
 2 of it is different than what we are looking at on the
 3 larger, statewide system.

4 So we're very much behind the recommendations
 5 that you have made. We're a very vested partner.
 6 We have a very committed working group and a formal
 7 relationship with you. And not to say that we walk
 8 into the door every time in complete agreement. And we
 9 can share that some of the other community members
 10 around the state have some similar issues and concerns
 11 that we do. But we really feel like, when we walk out
 12 of the door, we've made some progress.

13 And I would just like the offer the support of
 14 the E-Service and the San Joaquin Regional Rail
 15 Commission and the fact that under the leadership of
 16 Assembly Member Galgiani, we really are galvanized in
 17 the Central Valley and across the Altamont Pass in
 18 supporting you and in holding you accountable to help
 19 us work out the issues that inevitably come up.

20 And then I would offer just as a closing
 21 remark, I've dealt with UP for almost 20 years. And I
 22 can certainly appreciate, they're going to change the
 23 story at every turn. And you're legally bound to deal
 24 with that. And I can understand the complexities of
 25 that. And how they came across those alignments and

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Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-20.2
cont.

1 right of ways back in the day when they were deeded
 2 over, there's nobody that can govern those at this
 3 point in time. And so that's just something we're
 4 going to work with. And just hold on tight because
 5 they'll say "yes" and "no" and "maybe," and it will
 6 circle back, and we'll all be here.

7 But thank you for the opportunity to comment.
 8 You certainly can count on our support.

9 ROD DIRIDON: Thank you, Ms. Mortensen.

10 And Virginia Saldich will be followed by
 11 Emilio Cruz.

12 VIRGINIA SALDICH: First of all, I'd like to
 13 reassure the audience here that I'm entirely
 14 sympathetic with the heartbreak that you've all
 15 experienced as a result of the unemployment. The
 16 closing of NUMI must have been a heartbreaking fell for
 17 hundreds of families. And I would really support your
 18 getting new jobs.

19 But I'd like to remind the Members that any
 20 route will create work. And the current route and
 21 alignment is equally heartbreaking to the families who
 22 live in the communities on the densely packed
 23 Peninsula. Their communities are a result of 100 years
 24 of careful, thoughtful decisions to maintain a livable
 25 and sustainable community.

PHI-21.1

PHI-21.1
cont.

1 Palo Alto is not a grand community. People
 2 live there only for quality of life. They put up with
 3 small lots, densely packed, houses built in backyards
 4 just to have the quality of life that the community has
 5 developed over those hundred years.

6 To have 290 trains above ground at 125 miles
 7 an hour on 100-foot-wide gouge through the center of
 8 the community with 150 feet on either side of the
 9 sound -- sound pollution on a 15- to 21-foot berm,
 10 which I consider a concrete wall, 35 to 45 feet of
 11 wires and pylons above it is really going to be
 12 devastating to the quality of life of the community
 13 that we've all worked so hard for.

14 Tunnelling is the only mitigation that I think
 15 would work for this part of the Peninsula. Tunnelling
 16 would create more work. But if you can't afford to
 17 tunnel, choose a route that you don't have to tunnel.

18 Thank you.

19 ROD DIRIDON: Thank you.

20 Emilio Cruz will be followed by Barbara Dodge.

21 EMILIO CRUZ: Good morning. My name is Emilio
 22 Cruz. I'm a Bay Area representative. I'm representing
 23 myself this morning. I come to you with experience in
 24 the public sector, having served as the director of
 25 public transportation for the City of San Francisco, as

PHI-22.1



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PH1-22.1
cont.

1 well as director of economic development for City of
 2 San Francisco.

3 I think that all too often people lose sight
 4 of the connection that transportation has as it relates
 5 to economic development and as it relates to smart
 6 growth policies, especially in our urban area. We must
 7 build transit that not only serves our existing service
 8 but plans for the future and, in fact, helps shape
 9 future policy.

10 I believe that the High-Speed Rail Authority
 11 staff has been working very cooperatively with the
 12 various agencies, with the various neighborhoods in
 13 attempting to do exactly that.

14 Clearly my experience tells me that you cannot
 15 build a project of this size without establishing
 16 detractors, that you will always have opposition from
 17 some area because of the size and the magnitude of the
 18 project. You can study this project for decades and
 19 always have some level of opposition.

20 I think it's imperative that we move forward,
 21 that we recognize the overall importance of this
 22 project to the State of California, to our growth, to
 23 our ability to sustain ourselves as an economic engine
 24 in the world and to move forward.

25 I trust that the board will make the right

41

PH1-22.1
cont.

1 decision in moving it forward. Thank you.

2 ROD DIRIDON: Thank you, Mr. Cruz.

3 Barbara Dodge will be followed by Bill
 4 Franklin.

5 And again, we're down to one more card. So if
 6 you have intended to speak, now is the time to get your
 7 card in.

8 BARBARA DODGE: Hello, my name is Barbara Dodge I
 9 live in Gilroy and I live in the unincorporated portion
 10 of it. My husband and I recently retired to that area
 11 in 2007 after building a house there and spending 30
 12 years in San Jose.

13 I have since received very little information
 14 about the impact that this is going to have on me. I
 15 went to the Internet, but I don't have access to
 16 whatever information seems to be out there that is the
 17 decision-making process for choosing routes to go down
 18 through Gilroy and the background information that's
 19 been referred to as I've listened to all these folks
 20 here.

21 I can totally support a project that puts jobs
 22 there for people. I think everybody needs to work. I
 23 agree with that. However, I am very concerned that
 24 this is going to be another transportation project that
 25 ends up in the taxpayers' pocket because there won't be

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Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-23.2 cont. 1 enough ridership. And the way the route is going, I'm
 2 very concerned about not just my personal situation but
 3 all of the area that is going to be affected in the
 4 south county.
 5 I don't understand where can I get that
 PHI-23.3 6 information. I'd certainly appreciate as much as I
 7 could get.
 8 Thank you for your time.
 9 ROD DIRIDON: Thank you, Mrs. Dodge.
 10 Bill Franklin will be followed by Frances
 11 Grammer. And I think we have a few more cards.
 12 BILL RANKIN: Hi. My name is Bill Rankin --
 13 ROD DIRIDON: I apologize.
 14 BILL RANKIN: That's all right.
 15 I'm the chair of the North Willow Glen
 16 Neighborhood Association. My neighborhood of North
 17 Willow Glen supports High-Speed Rail coming into San
 PHI-24.1 18 Jose but would encourage the High-Speed Rail Authority
 19 to support the tunnel option or along the already noisy
 20 corridor of 87, 280 instead of their current program
 21 alignment that would further bisect and isolate the
 22 greater Gardner neighborhood.
 23 Besides the obvious side effects of noise and
 24 vibration, the houses directly next to the rail line --
 PHI-24.2 25 to the houses directly next to the rail line, the

PHI-24.2 cont. 1 neighborhood of Gregory Plaza will be highly affected
 2 by closing one of the two points of egress into that
 3 neighborhood, forcing students and seniors to take a
 4 much longer and unsafe route to get to schools in the
 5 communities.
 6 Thank you very much for hearing my comments.
 7 ROD DIRIDON: Mr. Rankin, thank you for being
 8 here. I apologize for misreading the document.
 9 BILL RANKIN: No worries.
 10 ROD DIRIDON: Frances Grammer, followed by David
 11 Collins.
 12 FRANCES GRAMMER: Hi. I'm Frances Grammer
 13 representing Assembly Member Bell. I want to thank you
 PHI-25.1 14 for holding this meeting in San Jose. We believe that
 15 we're working towards a collaborative process that will
 16 both benefit the neighborhood and the project.
 17 Assembly Member Bell wanted to reaffirm his commitment
 18 to the project and this route, which is critical to San
 19 Jose's economy and getting people back to work.
 20 Thank you.
 21 ROD DIRIDON: Please let Jim know we appreciate
 22 his long support.
 23 David Collins will be followed by Alice
 24 Nelson -- Alcina. I never have gotten that right.
 PHI-26.1 25 DAVID COLLINS: Hi. I'm Dave Collins. I'm a



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-26.1
cont.

1 field representative of Carpenter's Local 405. And on
 2 behalf the Northern California Carpenters Regional
 3 Council, I'd like to speak in support of support of
 4 High-Speed Rail, the general concept of it, in
 5 particular the Peninsula corridor and the route which
 6 is being addressed today from San Jose to San Joaquin
 7 Valley.

8 My previously labor friends have spoken on the
 9 need for work at this time, but I also recognize that
 10 this project's going to be much further out in terms of
 11 work. In truth, California needs to move forward with
 12 infrastructure projects in general to build towards the
 13 future. It's been almost 50 years since major projects
 14 of the '60s took place. And we're looking at almost a
 15 30 percent increase in population, as many of you know,
 16 in the next 20 years, 25 years. We need to build for
 17 that now. We can't wait.

18 ROD DIRIDON: Thank you, Dave.

19 Alcina Nelson -- what a pretty name --
 20 followed by Keith -- and we've got two of us trying to
 21 read the last name, and we can't read it.

22 Starts -- something that looks like it ends
 23 with a T-H, looks like.

24 ALCINA NELSON: Hello. Alcina Nelson. I am a
 25 homeowner in north Willow Glen. And I just wanted to

45

PHI-27.1
cont.

1 voice a little concern over the current plans which
 2 would take several properties that are near the planned
 3 rail line. In addition -- because I understand that it
 4 would take a park that is used by a lot of the
 5 neighborhood. People walk their dogs there. You see
 6 kids hanging out. There's a bocce court. Families
 7 picnic there. And that property would also be taken.

8 And I'd be very interested in having more
 9 details on the alternative analysis for tunnelling as
 10 well as the line that would potentially go along 280
 11 and 87 as opposed to through a neighborhood.

12 Thank you.

13 ROD DIRIDON: Alcina, thank you very much.

14 Keith -- can you help me with your last name?
 15 Kelly?

16 KATHY HAMILTON: Excuse me, my name is Kathy
 17 Hamilton. Any possibility?

18 ROD DIRIDON: That's got to be it.

19 KATHY HAMILTON: I'm sorry. I was rushing. It
 20 was my handwriting. I apologize.

21 ROD DIRIDON: Followed by Shue Hao.

22 KATHY HAMILTON: Hi. Again, I'm Kathy Hamilton
 23 from Menlo Park. And I'm here to speak on behalf of
 24 myself. I wanted to say that I don't think that there
 25 has been a careful and an objective view of other

PHI-28.1

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Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PHI-28.1
cont.

1 routes from San Jose to San Francisco.

2 You have removed all alternatives early in the

3 process, leaving no others to be considered. How can

4 you consider the CalTrain route as a preferred route if

5 there's no others? If I was in a job interview and

6 somebody told me I was preferred and there were no

7 other candidates, I found out later, I would be going

8 out to celebrate.

9 I don't think it is appropriate. I think that

10 the MOU with CalTrain, with stimulus application funds

11 have prejudiced the CalTrain route to be the only route

12 being considered, not the preferred route. And there

13 are many ways to get to San Francisco from San Jose

14 without destroying 50 miles of residential communities.

15 And I ask that you reconsider and look at other routes

16 that would be more beneficial and still have High-Speed

17 Rail and still build the project.

18 I just feel like the MOU was very prejudicial.

19 Thank you.

20 ROD DIRIDON: Kathy, thank you for being here and

21 for being at many, many of our hearings in the past.

22 Shue Hao? Am I pronouncing that last name

23 correctly?

24 SHUE HAO: Yes.

25 ROD DIRIDON: And this is our last card, so we'll

47

PHI-29.1

PHI-29.2

1 close the discussion, the meeting, after this card

2 unless we receive some more.

3 SHUE HAO: Yes, I have agreed with the lady before

4 me. In the Peninsula, San Jose to San Francisco, we

5 have CalTrain, so why we need the High-Speed railroad?

6 We have BART too. But recently, BART and the CalTrain,

7 they both have deficit. They don't have enough rider.

8 So why we spend the State money to build it? We

9 already have existing community transportation. So

10 High-Speed railroad can stop in San Jose, then they

11 transfer to CalTrain to San Francisco. Then don't

12 destroy the people and the business along the CalTrain

13 area.

14 So High-Speed Rail, how many people ride?

15 Like they do with the BART, they have overestimate

16 people, rider. When they build, finish, they don't

17 have enough rider. So why we spend so much money to do

18 something when we have big deficit later? So we should

19 build high-speed railroads where we don't have

20 transportation, where they need.

21 That's part of my opinion. Thank you.

22 ROD DIRIDON: Thank you, Ms. Hao. We've been

23 cautioned by the Attorney General's office, it would be

24 appropriate at this time, to make sure that we don't

25 leave anybody out, to recess the meeting now for ten

48



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

1 minutes. We'll then check again to see if there are
 2 any more people that would like to provide testimony.
 3 And we'll then adjourn the meeting.
 4 We'll be in recess at this time.
 5 (Recess taken)
 6 ROD DIRIDON: Let the record show that we are back
 7 in session. If you would please bring the conversation
 8 down now, please.
 9 The next speaker will be Brian Sullivan
 10 followed by Ms. Ann Romaine.
 11 BRIAN SULLIVAN: Thank you, Mr. Diridon. I'm
 12 Brian Sullivan. I'm the chairman of the Board of
 13 Directors of the Morgan Hill Chamber of Commerce. And
 14 I would just like to urge the Rail Authority to still
 15 consider the alternative route down 101 and not to just
 16 consider the one route by the Union Pacific Railroad
 17 tracks.
 18 Thank you.
 19 ROD DIRIDON: Thank you very much.
 20 Ann Romaine?
 21 ANN ROMAINE: Thank you. I'm Ann Romaine. I'm a
 22 resident of Millbrae, and my house is in the -- the
 23 train tracks, the CalTrain and BART, are right behind
 24 my fence. And so any level that the train -- that the
 25 High-Speed would come down would apparently take

PHI-30.1

PHI-31.1

PHI-31.1
cont.

PHI-31.2

1 eminent domain over our two blocks as the main area of
 2 Millbrae that would be affected.
 3 I read in the papers that Millbrae is in
 4 accord with all that's happening, but it doesn't take
 5 into consideration at least those two blocks of maybe
 6 20, 30 homes. And my wish is that there would be --
 7 that the rail would start in San Jose, go inland and
 8 down rather than having to take a swath all the way
 9 from San Francisco to San Jose of homes and businesses,
 10 which would be a huge disruption.
 11 And environmental impact impacts people. And
 12 I know this is for the future, and we want this --
 13 pollution in the air and all. But the people that are
 14 living right now are being affected terribly,
 15 environmentally. We are the environment. Why do we
 16 want a nice environment but for the people?
 17 So I'm suggesting the importance of starting
 18 in San Jose and going down.
 19 And the second point is that the BART station
 20 is just walking distance, yards, from our home. And
 21 their estimation of the ridership was inaccurate. That
 22 station, the parking lot is still not used near to
 23 capacity for BART riders. And so the ridership is very
 24 important to know, the need for accuracy. Does it have
 25 to come down with the High-Speed from San Francisco to



Public Hearing Transcripts, San Jose Sheriff's Auditorium - Continued

PH1-31.2
cont.

1 San Jose? Can it start in San Jose? People can ride
 2 CalTrain down, if it exists anymore. They can ride
 3 BART instead of -- thank you.

4 ROD DIRIDON: Thank you, Ms. Romaine.

5 Are there any other cards? Okay. Then this
 6 meeting will be adjourned. We'll come back into
 7 session at 5:00 -- the staff will be here in case other
 8 people show up to provide comment. But we will have
 9 another open session at 5:00 -- from 5:00 until 7:00 in
 10 the County Board of Supervisors chambers. That's right
 11 across the parking lot at 70 West Hedding Street.

12 And then we will be in full session tomorrow
 13 from 9:00 until 1:30, talking about other matters than
 14 the issue currently before us.

15 Thank you all for being with us today. And
 16 this session is then is in recess until the end of the
 17 noticed period. The staff will then adjourn it at that
 18 time.

19 Thank you.

20 (Whereupon, the proceedings adjourned
 21 at 12:00 o'clock noon)

1 STATE OF CALIFORNIA)
 2 COUNTY OF MARIN) ss.
 3)

4 I, DEBORAH FUQUA, a Certified Shorthand
 5 Reporter of the State of California, duly authorized to
 6 administer oaths pursuant to Section 8211 of the
 7 California Code of Civil Procedure, do hereby certify
 8 that the foregoing proceedings were reported by me, a
 9 disinterested person, and thereafter transcribed under
 10 my direction into typewriting and is a true and correct
 11 transcription of said proceedings.

12 I further certify that I am not of counsel or
 13 attorney for either or any of the parties in the
 14 foregoing proceeding and caption named, nor in any way
 15 interested in the outcome of the cause named in said
 16 caption.

17 Dated the 14th day of April, 2010.

18)
 19) DEBORAH FUQUA
 20) CSR NO. 12948
 21)
 22)
 23)
 24)
 25)



Responses to Public Hearing at San Jose Sheriff's Auditorium (San Jose, 10:00 AM - Wednesday April 7, 2010)

PH1-1-1

Comment of support is acknowledged.

PH1-1-2

Comment noted. See Responses to Comments L017-4 through L017-25.

PH1-1-3

Comment acknowledged.

PH1-2-1

Comment of support is acknowledged.

PH1-2-2

Comment of support is acknowledged.

PH1-2-3

Comment of support is acknowledged.

PH1-2-4

Comment of support is acknowledged.

PH1-3-1

Comment noted. See Chapter 7 of the Revised Draft Program EIR Materials for the rationale for the recommendation to select the Pacheco Pass alternative.

PH1-3-2

Comment noted. See Chapter 7 of the Revised Draft Program EIR Materials for the rationale for the recommendation to select the Pacheco Pass alternative.

PH1-3-3

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. The purpose of the project was not one of those topics. See Chapter 1, Purpose and Need and Objectives, in the 2008 Final Program EIR. The purpose of the Bay Area HST is to provide a reliable high-speed electrified train system that links the major Bay Area cities to the Central Valley, Sacramento, and Southern California, and that delivers predictable and consistent travel times. Further objectives are to provide interfaces between the HST system and major commercial airports, mass transit, and the highway network and to relieve capacity constraints of the existing transportation system in a manner sensitive to and protective of the Bay Area to Central Valley region's and California's unique natural resources.

Also noted in Chapter 1 is the need for the project. The capacity of California's intercity transportation system is insufficient to meet existing and future demand, and the current and projected future congestion of the system will continue to result in deteriorating air quality, reduced reliability, and increased travel times. The system has not kept pace with the tremendous increase in population, economic activity and tourism in the state. 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.

PH1-3-4

Comment acknowledged. See Chapter 2, Alternatives, in the 2008 Final Program EIR. Chapter 2 notes that the HST system would be a

fully grade-separated and fully access-controlled guideway with intrusion monitoring systems. This means that the HST infrastructure (e.g., mainline tracks and maintenance and storage facilities) would be designed to prevent access by unauthorized vehicles, persons, animals, and objects. The capital cost estimates include allowances for appropriate barriers (fences and walls), state-of-the-art communication, access-control, and monitoring and detection systems. Chapter 2 also discussed that trains would draw electric power from overhead wires connected to the commercial power grid. Also see Chapter 3.9, Aesthetics and Visual Resources, for a discussion of visual impacts of fencing and electrification.

PH1-3-5

Comment acknowledged.

PH1-3-6

The project proposes removal of lanes from Monterey Highway in south San Jose and not from Highway 101. Project-specific analyses of circulation, traffic, and parking will be conducted in the project-level EIR/EIS for the station areas, access roads, and other facilities that might be affected by the proposed HST alignment and stations. This will be documented in a Traffic, Transit, Circulation and Parking Report.

PH1-3-7

Comment noted.

PH1-4-1

Comment of support is acknowledged.

PH1-4-2

Comment noted. The 2008 Final Program EIR includes a HST station adjacent to the existing Caltrain station and VTA bus hub in Gilroy. Ridership studies have made clear the attractiveness of a station in Gilroy to serve Santa Cruz, San Benito and Monterey counties, as well as southern Santa Clara County.

PH1-4-3

Comment of support is acknowledged.

PH1-4-4

Comment of support is acknowledged.

PH1-5-1

Comment acknowledged. See Standard Response 4 regarding the ridership forecasts used in the Program EIR.

PH1-6-1

Comment of support is acknowledged.

PH1-6-2

Comment of support is acknowledged.

PH1-6-3

Comment acknowledged.

PH1-7-1

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

PH1-8-1

Comment acknowledged. We recognize that the potential for noise is of great concern to many commenters. The noise exposure of the HST depends on the location of the receiver relative to the train alignment, train speed, and intervening topography. The program-level environmental document analyzes the potential noise and vibration impacts and broadly compares the relative differences of potential impacts among the alternatives. The analysis also identifies key differences among the potential noise impacts associated with the various HST alignment alternatives and station location options, to support the selection of preferred alignments and station location options in the Bay Area to Central Valley study region. The next

phase of study, the project-level environmental document, will address the impacts on human and wildlife receivers and noise sensitive land uses along the Preferred Alternative alignment by predicting the wayside noise levels from HST passbys and comparing them to the existing background noise at each location. As explained in the 2008 Final Program EIR in responses to comments, an electric trainset at speeds of about 120 mph generates a lower level of noise than a typical diesel locomotive.

PH1-8-2

Comment acknowledged. We recognize that the potential for noise is off great concern to many commenters. The noise exposure of the HST depends on the location of the receiver relative to the train alignment, train speed, and intervening topography. The program-level environmental document analyzes the potential noise and vibration impacts and broadly compares the relative differences of potential impacts among the alternatives. The analysis also identifies key differences among the potential noise impacts associated with the various HST alignment alternatives and station location options, to support the selection of preferred alignments and station location options in the Bay Area to Central Valley study region. The next phase of study, the project-level environmental document, will address the impacts on human and wildlife receivers and noise sensitive land uses along the Preferred Alternative alignment by predicting the wayside noise levels from HST passbys and comparing them to the existing background noise at each location. As explained in the 2008 Final Program EIR in responses to comments, an electric trainset at speeds of about 120 mph generates a lower level of noise than a typical diesel locomotive.

PH1-9-1

Comment of support is acknowledged.

PH1-9-2

Comment acknowledged.

PH1-10-1

Comment noted. Project-specific analyses of circulation, traffic, and parking will be conducted in the project-level EIR/EIS for the station areas, access roads, and other facilities that might be affected by the proposed HST alignment and stations. This will be documented in a Traffic, Transit, Circulation and Parking Report.

PH1-10-2

Comment acknowledged. Please see Standard Response 9.

PH1-11-1

Comment of support is acknowledged.

PH1-12-1

Comment of support is acknowledged.

PH1-12-2

Comment of support is acknowledged.

PH1-13-1

Comment of support is acknowledged.

PH1-13-2

Comment noted.

PH1-13-3

Comment acknowledged.

PH1-14-1

Comment of support is acknowledged.

PH1-14-2

Comment acknowledged. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts, including farmland. Aligning the HST system with existing transportation corridors also presents

opportunities to minimize the need for private property acquisitions and farmland conversion in some areas.

PH1-14-3

Comment acknowledged. See Standard Response 9.

PH1-15-1

Comment of support is acknowledged.

PH1-16-1

Comment of support is acknowledged.

PH1-17-1

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

PH1-17-2

More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

PH1-17-3

Comment noted. A traffic impact analysis will be conducted at the project-level to determine the impact on neighboring streets due to the reduction in capacity of Monterey Highway. Feasible mitigation measures will also be discussed at the project-level. The results of the analysis will be documented in a Traffic, Transit, Circulation and Parking Report.

PH1-17-4

See Standard Response 6.

PH1-18-1

Comment of support is acknowledged.

PH1-19-1

Comment of support is acknowledged.

PH1-19-2

Comment of support is acknowledged.

PH1-19-3

Comment of support is acknowledged.

PH1-19-4

Comment of support is acknowledged.

PH1-19-5

Comment noted.

PH1-20-1

Comment of support is acknowledged.

PH1-20-2

Comment acknowledged. Please see Standard Response 9.

PH1-21-1

See Standard Response 10 regarding vertical profile alternatives.

PH1-22-1

Comment of support is acknowledged.

PH1-23-1

The CHSRA's website has materials archived online, including previous studies and current studies underway. Documents specific to the Gilroy area are found in the San Jose - Merced section of the CHSRA's online library at:

<http://www.cahighspeedrail.ca.gov/library.asp?p=8281>

The Alternative Alignment Maps show details of all alignments under consideration in the Gilroy area. The Preliminary Alternatives

Analysis Report describes the impacts associated with each alignment alternative and notes which alternatives will be moving forward in the Project EIR, now underway.

PH1-23-2

Comment acknowledged. The ridership modeling that has been developed to date indicates sufficient ridership for the HST system to be profitable. See Standard Response 4.

PH1-23-3

Information on the HST project can be obtained on the Authority's website at www.cahighspeedrail.ca.gov. Copies of the Authority's environmental documents are available at the Gilroy Public Library, 7387 Rosanna Street Gilroy CA 95020.

PH1-24-1

If a network alternative is selected that approaches San Jose from the south, an 87-280 alternative alignment will be included in an alternatives analysis process as part of a project-level EIR/EIS.

PH1-24-2

If the proposed HST alignment leads to road closures, the circulation and other potential traffic impacts due to these closures will be analyzed at the project-level EIR/EIS and mitigation measures, if applicable, will be proposed.

PH1-25-1

Comment of support is acknowledged.

PH1-26-1

Comment of support is acknowledged.

PH1-27-1

Comment acknowledged. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts. Aligning the HST system with existing transportation corridors also presents opportunities to

minimize the need for private property acquisitions in some areas. Specific property that may be necessary to implement a particular project level alignment alternative will be addressed during the project-level environmental process. An Alternatives Analysis Report will be prepared at the project-level to identify feasible and practicable alternatives to be carried forward into preliminary engineering design and environmental review as part of the project-level EIR/EIS.

PH1-27-2

If a network alternative is selected that approaches San Jose from the south, an 87-280 alternative alignment will be included in an alternatives analysis process as part of a project-level EIR/EIS.

PH1-28-1

Comment acknowledged. The May 2008 Final Program EIR explained that alternatives along the San Francisco to San Jose Corridor were considered early in the alternatives screening process. Potential alternatives that would use 101 or 280 were screened out from further evaluation in the Program EIR for a variety of reasons explained in the Program EIR at Chapter 2 and Appendix 2-G. The Superior Court in the Town of Atherton case determined that the Authority's basis for screening out 101 and 280 was supported by substantial evidence. We do not agree with the comment that this process was not objective. See also Standard Response 10 on alternatives. The MOU with Caltrain and the stimulus fund application do not bind the Authority to select a particular network alternative. The Authority is aware of its obligation under CEQA to consider the entire record before it in making a new decision based on the Revised Final Program EIR.

PH1-29-1

Ending HST in San Jose and having all the passengers bound for destination north of there transfer to Caltrain, the Caltrain infrastructure would need to be increased to carry all the additional, yet slower, trains. The capacity of a single HST is double that of a Caltrain Baby Bullet. Caltrain would need to be completely grade separated and parallel tracks added to absorb the additional trains

for passengers transferring from HST in San Jose. Cutting HST back to San Jose would not eliminate the need for many more trains to run up the peninsula. The HST is not duplicating Caltrain, but the Caltrain infrastructure needs to be expanded to accommodate all the new trips (not trains, people) that will use it between San Jose and San Francisco. For additional information, please see Standard Response 10.

PH1-29-2

Comment acknowledged. The ridership modeling that has been developed to date indicates sufficient ridership for the HST system to be profitable. See Standard Response 4.

PH1-30-1

The 2008 Final Program EIR and 2010 Revised Draft Program EIR assessed impacts with an alignment along the existing UPRR. The Project EIR, underway now, will analyze impacts to the alternatives developed from Scoping meeting held in 2009, including those along US 101 in Morgan Hill, San Martin and Gilroy.

PH1-31-1

The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass

with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The Authority will make a new decision on a network alternative to carry into the project level environmental document. The alternatives that avoid the Caltrain corridor are not the staff recommended network alternative, but will be considered by the Authority as part of the new decision. Public comments supporting terminating HST service in San Jose will be part of the record that the Board considers.

PH1-31-2

Comment acknowledged. See Standard Response regarding the ridership forecasts used in the Program EIR. The Program EIR does include evaluation of a network alternative that would terminate in San Jose and not travel the Caltrain Corridor. See Chapter 7 of the 2008 Final Program EIR, pp. 7-60 to 7-62. See Standard Response 4.

Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers (San Jose, 5:00 PM - Wednesday, April 7, 2010)

PH2

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5 CALIFORNIA HIGH-SPEED RAIL AUTHORITY
6 PUBLIC MEETING/COMMENT ON
7 2008 BAY AREA TO CENTRAL VALLEY
8 REVISED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT
9 MATERIAL
10
11
12
13 Santa Clara County Board of Supervisors' Chambers
14 70 West Hedding Street, First Floor
San Jose, California 95110
15 Wednesday, April 7, 2010
16 5:00 o'clock p.m.
17
18
19
20
21 REPORTED BY: DEBORAH FUQUA, CSR #12948
22
23
24
25

1

1 APPEARANCES
2
3 CALIFORNIA HIGH-SPEED RAIL AUTHORITY:
4 Member Rod Diridon, Executive Director
5 Executive Director Carrie Pourvahidi
6 Deputy Executive Director Dan Leavitt
7 Deputy Director Jeffrey Barker
8 Russell Burns, Member
9
10
11 CALIFORNIA ATTORNEY GENERAL EDMUND G. BROWN, JR.
12 Represented by:
13 CHRISTINE SPROUL, Deputy Attorney General
14 ---oOo---
15 PUBLIC COMMENTS PAGE
16 JIM HOMER..... 11
17 VICTORIA CARMONA..... 12
18 JIM LAZARUS..... 14
19 MARK KYLE..... 15
20 EMILIO CRUZ..... 16
21 JEFF MERRILL..... 18
22 JOSUE GARCIA..... 19
23 DENNIS GARRINGER..... 21
24 GARY PATTON..... 22
25

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Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

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1 Wednesday, April 7, 2010 5:07 o'clock p.m.

2 ---o0o---

3 P R O C E E D I N G S

4 ROD DIRIDON: Okay. At this point we are in

5 session as a hearing board for California High-Speed

6 Rail Authority. And the objective of this hearing is

7 to listen to your comments on the Bay Area to Central

8 Valley High-Speed Train Revised Program Environmental

9 Impact Report Material that has been out now for quite

10 some time. So you've had plenty of time to look at it.

11 We hope that you'll have had a chance to review it in

12 detail and are prepared to share your comments.

13 And this will be one of the last times you'll

14 have a chance to do that in a manner that will be taken

15 down in detail and will go into the review process by

16 our staff engineers in order that we can do the best

17 job that we can do in building a high-speed train

18 system for the people of California as is mandated by

19 Proposition 1A and approved by the voters in November

20 2008.

21 To set the stage for the program, I'm going to

22 refer to Dan Leavitt, who is the Executive Deputy

23 Director for the High-Speed Rail Authority. Dan will

24 then transfer this over to our Deputy Attorney General

25 who is with us today, Christine Sproul.



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

1 And Dan?

2 DAN LEAVITT: Thank you, Member Diridon.

3 Just a brief background on why we're here

4 tonight. To comply with the court judgment in the Town

5 of Atherton litigation in December, the High-Speed Rail

6 Authority adopted resolution HSRA 10-012, which

7 rescinded the July 2008 certification of the Bay Area

8 to Central Valley Program EIR. That resolution also

9 rescinded the board's approval of the Pacheco Pass

10 alignment alternative which serves San Jose and San

11 Francisco Bay Area and the Peninsula, Downtown San

12 Francisco via the CalTrain corridor as well as the

13 preferred station locations for the alignment. A

14 document entitled "Bay Area Central Valley HST Revised

15 Draft Program Environmental Impact Report Material,

16 this document here [indicating], was prepared to

17 address those areas that the Court identified as

18 needing additional work.

19 The document includes clarification that the

20 alignment alternative between San Jose and Gilroy be

21 located adjacent to but not within the Union Pacific,

22 UPRR, right of way, the conclusion that the alignment

23 alternative between San Francisco and San Jose between

24 San Jose and Gilroy would have somewhat higher property

25 impacts than were previously disclosed in the Final

5

1 Program EIR/EIS, and the conclusion that UPRR

2 statements indicating that it's not willing to allow

3 HST to use its right of way presents challenges for

4 both Pacheco Pass alternatives and the Altamont Pass

5 alternatives, but that these challenges are so much

6 greater for the Altamont Pass alternatives.

7 The report also concluded that the new and

8 revised information does not change the staff

9 recommendation in the 2008 Final Program EIR for the

10 preferred alignment and station locations.

11 As member Diridon noted, on March 4th of this

12 year, the Revised Draft Program EIR Material was made

13 public on the Authority's Web site. On March 8th, it

14 was sent out in CD form to over 300 state and federal

15 agencies, organizations and individuals who had

16 previously commented on the EIR document. On March

17 11th, the notice of completion was filed with the State

18 Clearing House. And that began the official public

19 comment period, the 45-day period, which ends on April

20 26th. We also delivered to 16 libraries hard copies of

21 the document throughout the study area. On March 12th,

22 the notice of availability was distributed to a mailing

23 list of 3,800 people who are on the Program EIR mailing

24 list. And it was also noticed in seven newspapers

25 throughout the study area. During the week of March

6



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

1 15th, we got a postcard to over 50,000 individuals who
2 are on the mailing list for the project-level processes
3 through the study areas that are covered by this
4 document.

5 Comments on this document can be received by
6 the Authority by mail, by fax, by e-mail, or by oral
7 testimony, either -- we took testimony earlier today,
8 or tonight at this meeting here today.

9 CDs of the document are available upon
10 request.

11 At the close of the public comment period,
12 staff will prepare responses to the comments that we
13 got, and it will be included in a Revised Final Program
14 EIR Material document.

15 This final document will be made publicly
16 available and will be an action item at a future
17 High-Speed Rail board meeting along with the 2008
18 Program EIR for a new decision on certifying the EIR
19 and selecting a preferred alignment and station
20 locations.

21 And with that, I would have Christine Sproul
22 of the Attorney General's office have a few remarks
23 about tonight.

24 CHRISTINE SPROUL: Thank you. My name is
25 Christine Sproul. I'm the Deputy Attorney General

7

1 assigned to assist the High-Speed Rail Authority along
2 with my colleagues Danae Aitchison, George Spanos and
3 Matthew Lintner with the various legal questions that
4 come to the Authority and, in particular, issues that
5 arise in the environmental review process.

6 I want to reiterate that the role of the board
7 and the staff in this public comment meeting is to
8 receive public comment. This is really the time for
9 members of the community to express their concerns and
10 share their thoughts and comments with you on the
11 revised draft material that's been published. There
12 will be a later time for board and staff and -- the
13 board members themselves to debate the issues to be
14 decided. But this is the opportunity for the members
15 of the public to comment for the board to receive those
16 comments.

17 The Chair, of course, will have the
18 opportunity to limit the periods to the appropriate
19 amount of time so that everyone has an opportunity to
20 speak. We would ask that people speaking give their
21 names clearly so that we have a complete and accurate
22 record. There is a court reporter who is taking down
23 the information so that we will have that record.

24 As Dan noted, everyone who is commenting and
25 others who maybe listening who want to have additional

8

Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

1 opportunities to submit comments, they will be able to
 2 submit comments in writing by U.S. mail, by fax, or by
 3 e-mail or orally tonight. So the other -- I also want
 4 to mention that tonight we do have available a
 5 translator should there be persons in the audience who
 6 wish to make comments in Spanish, who are not English
 7 speakers. And I want to identify him and ask him to --
 8 ask him to invite people to come to have him interpret
 9 and make their comments.

10 THE INTERPRETER: My name is Samuel Rosero
 11 [phonetic]. I am a Spanish-English interpreter. If
 12 you need my services, I have equipment to help you.
 13 Thank you.

14 ROD DIRIDON: In Spanish?

15 THE INTERPRETER: In Spanish and English, vice
 16 versa.

17 ROD DIRIDON: Can you say what you just said in
 18 Spanish, please?

19 (The Interpreter speaking Spanish)

20 CHRISTINE SPROUL: One other point I wanted make
 21 is that the focus of the comments tonight should be on
 22 the content of the document that's been published, the
 23 Revised Material. The Authority's obligation is to
 24 respond to comments on the Revised Material under the
 25 CEQA guidelines, Section 15088.5.

9

1 And then finally, in the back of the room on a
 2 board is information which will tell people how to
 3 reach the Authority and where they can send comments,
 4 where additional information is available.

5 Thank you.

6 ROD DIRIDON: Thank you, Dan and Christine. I
 7 appreciate that. Let me see what I have here.

8 I'd like to introduce Russ Burns, who is the
 9 member of the High-Speed Rail Authority appointed by
 10 the Assembly. He will be listening to your comments.
 11 But primarily your comments are going to be referred to
 12 the engineers and the staff who will then incorporate
 13 what you are presenting to us into the process of
 14 review for the environmental document that is in
 15 question.

16 You each will have as much as three minutes.
 17 And when we get to 30 seconds left, the young lady will
 18 hold up that sign. And when we get to the end of your
 19 three-minute period of time, complete the sentence that
 20 you're in at the time, and then please stop. That's
 21 out of deference to the other people who will come
 22 behind you and want to have an opportunity of speaking
 23 also.

24 This is not a time for us to respond to you.
 25 Christine mentioned that to you a moment ago. We won't

10



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

1 be responding to your comments. Your comments will go
 2 on the record, and then they'll be evaluated by our
 3 staff engineering people and be given full
 4 consideration as long as they apply to this document.
 5 If you're talking about something else, of course, they
 6 won't be responded to.

7 I think that brings us to the point of
 8 beginning the process. And I'm taking these green
 9 cards as they came to me in the order that they came.
 10 And so, please, if you do want to speak, get the cards
 11 to Sam.

12 Sam, put your hand up.

13 And she'll give them to me. And again, they
 14 will be taken in the order that they're received so as
 15 not to have any kind of a bias.

16 Jim Homer will be the first speaker. And Jim
 17 will be followed by Victoria Carmona.

18 JIM HOMER: Good evening. I apologize for not
 19 speaking directly to the comments, so I will be brief.
 20 My name is Jim Homer. I'm the business manager
 21 representing over 4,000 laborers in this county.
 22 Obviously I'm in favor of High-Speed Rail because it
 23 creates jobs, not just jobs for construction workers
 24 but ongoing jobs for everybody in the state. More
 25 important, I believe it's absolutely necessary to have

PH2-1.1

PH2-1.1
cont.

1 a High-Speed Rail for the economic growth and mentality
 2 of this state.

3 Fortunately, long before I came to this
 4 valley, there were railroads that crisscrossed this
 5 valley in the late 1800s. They had it right back then.
 6 That was the way to get around.

7 As we look at the rest of the world, we see
 8 that rail systems are the wave of the future, the way
 9 to transport people. Not only is it a benefit to the
 10 environment, it just takes down congestion, reduces the
 11 cost of getting from one place to another. It's time
 12 that we get this High-Speed Rail built. So obviously I
 13 encourage all of you to move forward with this process,
 14 and I support it 100 percent.

15 I thank you for your time.

16 ROD DIRIDON: Thanks for being here.

17 Victoria Carmona will be followed by Jim
 18 Lazarus. If, when you're called to be second up,
 19 you'll move down towards the front of the room, we'll
 20 save a little extra time. The microphone is where the
 21 gentleman spoke from, and you can -- well, you're
 22 taking the long way around.

23 VICTORIA CARMONA: Sorry about that, sir.

24 ROD DIRIDON: That's quite all right.

25 VICTORIA CARMONA: I'm Victoria Carmona. I'm all

PH2-2.1



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-2.1
cont.

1 for the High-Speed Rail project. I think that during
2 these down times we need to build the infrastructure so
3 that, when prosperity comes around the corner, we're
4 going to be ready for it.

PH2-2.2

5 Also in the interim, what it's going to offer
6 is good solid blue-collar jobs with union wages and
7 benefits, which I think is a whole lot better idea than
8 having to continually extend unemployment coverage.
9 And the people on the unemployment coverage would
10 rather be working, I'm thinking.

PH2-2.3

11 And I'm hoping too that this is going to be a
12 joint project and is going to include CalTrain and all
13 the transit agencies that are in trouble right now
14 because, when you get from San Jose to L.A., if you
15 can't get to all the points in between, it's not going
16 to be much of a help. But together you can accomplish
17 a great deal.

PH2-2.4

18 We're going to need this in place. The
19 trouble we've had before when we've tried to sustain
20 prosperity in this state is we've gone through boom and
21 bust cycles, but then we get bogged down with people in
22 open bidding wars over the available housing and over
23 the available office space, and it never really gets
24 off the ground and lasts for very long. And when we go
25 through the next boom cycle, we're going to have even a

13

PH2-2.4
cont.

1 larger population.

2 So let's get these things taken care of now
3 and get our infrastructure in place.

4 Thank you for allowing me to speak, and have a
5 very good night.

6 ROD DIRIDON: Thank you, Victoria.

7 Jim Lazarus will be next, followed by Mark
8 Kyle.

9 Thank you for making the trip down.

10 JIM LAZARUS: Thank you. Good to see you,
11 Commissioners and members of the staff. Jim Lazarus,
12 San Francisco Chamber of Commerce.

PH2-3.1

13 We have obviously been a strong supporter of
14 High-Speed Rail since first proposed and an advocate
15 for the alignments as recommended I guess in 2008. And
16 we believe that the draft environmental review, the
17 revised draft environmental review answers many of the
18 questions raised and confirms that the routing from San
19 Francisco to San Jose to Los Angeles and Anaheim is the
20 proper routing.

PH2-3.2

21 The Pacheco Pass alignment provides the least
22 environmental concerns. The Altamont alignment and
23 trying to cross the bay to the west bay to come to San
24 Francisco as required by Proposition 1A would be an
25 environmental nightmare. I think we all know that,

14

Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-3.2
cont

1 certainly those of us who have seen bay crossings --
2 additional bay crossing proposals come and go.

PH2-3.3

3 I think the San Jose to San Francisco
4 alignment itself will bring environmental improvements
5 to the Peninsula and the South Bay through
6 electrification of CalTrain, through the grade
7 separations and grade crossing improvements for traffic
8 and public safety.

PH2-3.4

9 So we urge to you adopt the Revised EIR and
10 move on with this very important project.

11 ROD DIRIDON: Thank you, Jim.

12 Mark Kyle, followed by Emilio Cruz.

13 MARK KYLE: Good evening, Commissioners, staff.
14 My name is Mark Kyle -- K-Y-L-E, for the reporter.

15 I want to thank you for the time that you
16 allowed for me tonight to speak, and I also wanted to
17 particularly thank the board, the staff, and your
18 consultants on the work that you've done on this
19 Revised Draft EIR. You've obviously taken the time to
20 listen to community concerns, gathered input, digested
21 that input and made modifications accordingly.

PH2-4.1

22 And that's exactly what this whole process is
23 supposed to be. It's an intergroup process. And it's
24 supposed to bring a result that will be a winner. And
25 right now, the High-Speed Rail is a winner if we

15

PH2-4.1
cont.

1 actually get it going.

2 And the only concern I have that I want to
3 raise is that the iterative process could become too
4 iterative. And I don't want to see this go on too
5 long. Let's take the comments from all the parties,
6 process them as you've been doing -- and doing a great
7 job -- take the preferred recommendation and have the
8 board adopt it, and let's move on.

PH2-4.2

9 In the worst economic crisis since the middle
10 of the last century, we need to put people to work. We
11 have a huge number of our members in Operating
12 Engineers Local 3 currently out of work. We want to
13 work. They want a good-paying job. And they can do
14 it. This kind of work will be long term and broad
15 based up and down the state.

PH2-4.3

16 So good job on the EIR and revisions. Board,
17 please adopt it. Let's move forward and not drag this
18 out too much longer.

19 Thank you very much.

20 ROD DIRIDON: Mark, thank you.

21 Emilio Cruz will be followed by Jeff
22 Merrick [sic].

PH2-5.1

23 EMILIO CRUZ: Good evening. My name is Emilio
24 Cruz. I'm representing myself. And my background -- I
25 served in the public sector for over a decade in the

16



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-5.1
cont.

1 City and County of San Francisco as director of public
 2 transportation, director of economic development, and
 3 also in the capacity as a program manager for the
 4 reconstruction of the Embarcadero. I can tell you that
 5 any large public project will have some level of
 6 opposition, either on the whole or on issues.

7 I can also tell you that, as we built the
 8 Embarcadero project, which included the demolition of
 9 the Embarcadero Freeway, there was always some aspect
 10 of the public that was opposed to some of the
 11 components of the project. And yet, when we finished
 12 the project, there was absolutely no member of the
 13 public who thought we should not have built it or that
 14 it was not a positive contribution to the city. And,
 15 in fact, I would argue that, without the construction
 16 of that project, we would not have seen the increase in
 17 transit use that we've seen, we would not have seen the
 18 revitalization of the Ferry Building, nor would we have
 19 seen the new AT&T ballpark.

20 So as I stated earlier, it is important that
 21 transit be a positive influence on public policy, smart
 22 growth. I believe that the High-Speed Rail Authority
 23 has a plan that meets those needs. I believe that this
 24 project will be an ultimate benefit for the State of
 25 California. And I believe that, if you are doing a

17

PH2-5.1
cont.

PH2-5.2

PH2-6.1

PH2-6.2

1 statewide project and have well over 200 cities
 2 supporting your project, then having a few in
 3 opposition are very good odds.

4 So I strongly support that you move forward
 5 with the project. I believe it is a vision of
 6 California. And I encourage everyone who is involved
 7 in the project to make sure that it moves forward.

8 Thank you.

9 ROD DIRIDON: Thank you very much, Emilio.

10 Jeff Merrick will be next, followed by Josue
 11 Garcia.

12 JEFF MERRILL: My name is Jeff Merrill,
 13 M-E-R-R-I-L-L. I'm going for this project. I'm all
 14 for it. I understand it's a -- I echo Emilio's things.
 15 There are a lot of changes to happen, and sometimes it
 16 does take a lot to get it in place.

17 Looking at the right of way changes, realizing
 18 it's truly difficult to -- special things do come up,
 19 things need to be worked out, making things a little
 20 harder. But if we look at all the things that have
 21 happened in the Bay Area -- we got BART in that I rode
 22 since I was a kid, allowed me to get everywhere, of
 23 course, except the Peninsula. Then, there was no
 24 connections. Now we have CalTrain here, although it
 25 has financial issues.

18



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-6.2
cont.

1 Hopefully all of this will all get worked out
2 allowing connectivity. We'll be able to get to the
3 airports when we do.

PH2-6.3

4 But I want to let everybody know that I ride
5 trains around the world. And I frequently use them for
6 business and on vacation. And I find it a very easy
7 way to get around. I plan my trips around that because
8 it saves me a lot of time and trouble flying and making
9 connections. The high-speed trains compartments are
10 much quieter. They don't squeal. They don't make
11 rumbling noises. They're very smooth when you ride on
12 them. You don't need reservations. The ticket kiosks
13 are very easy to use.

PH2-6.4

14 So again, I applaud you guys' efforts to try
15 and get this thing going forward. I look forward to
16 making the trip to L.A. Thanks.

17 ROD DIRIDON: Thank you, Jeff. I apologize for
18 mispronouncing your name.

19 JEFF MERRILL: It's probably my spelling.

20 ROD DIRIDON: Not so much spelling. Maybe
21 handwriting. I'm not one to knock anybody on that
22 issue.

23 Josue Garcia, followed by Dennis Garringer.

PH2-7.1

24 JOSUE GARCIA: Good afternoon, Commissioners.
25 Josue Garcia, the Deputy Executive Officer for the San

PH2-7.1
cont.

1 Benito and Santa Clara Counties Building and
2 Construction Trades Council.

3 Thank you for allowing me to speak before you
4 this evening. The project, I'm speaking in favor of
5 the project. And the project, as we know, it will
6 create a very good program in regards to
7 transportation. This is something that we need. This
8 is the moment that we've been waiting for for a long
9 time. We really need this project when it comes to
10 transportation.

11 But I want to talk to you about the jobs right
12 now. In the construction industry, 30 percent of our
13 members in the unionized sector are unemployed. And
14 this project will create a very, very good source of
15 employment.

16 I have said before that I go to high schools
17 and colleges trying to recruit kids into the
18 construction industry. And really would be perfect
19 because, once kids graduate from high school and
20 college, they will enter into the construction industry
21 on both levels, working with tools and in management as
22 well.

23 Definitely we need this project to keep our
24 people working. I go the union halls every day in the
25 morning just to see how our workers are doing. And it

PH2-7.2



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PH2-7.2
cont.

1 is very, very depressing. But however, when I bring
 2 hope like this project, you can see how their faces
 3 change because sometimes they need the hope.
 4 And when you are losing your home, when you
 5 are losing healthcare -- and some of the members don't
 6 even have food. And if I come back tomorrow or any
 7 time I come back with hope, whether with this project
 8 or other projects, it really brings a smile to their
 9 face.
 10 In fact, on Monday, I spoke to a group of
 11 people, and I gave them the good news that we're okay
 12 on this project. And they were very happy. At least
 13 they see something on the horizon. I want to thank you
 14 for this opportunity, and I want to urge to you move
 15 forward with the project.
 16 Thank you so much.
 17 ROD DIRIDON: Thank you, Josue.
 18 Dennis Garringer, followed by Gary Patton.
 19 DENNIS GARRINGER: Good evening. I'm here on
 20 behalf of our members that are unemployed right now.
 21 We really need the job. I'm a dispatcher with Local 3
 22 Morgan Hill. We represent Santa Clara, Santa Cruz, San
 23 Benito, and Monterey Counties. I'm tired of being a
 24 grief counselor, financial counselor. I would love to
 25 be putting these people to work. And this project will

21

PH2-8.1
cont.

PH2-9.1

1 bring jobs, all the crafts besides Local 3 could have
 2 work.
 3 We have too many people that have been out of
 4 work for too long, some of them up to two years. I've
 5 had people physically fighting call me on the phone
 6 asking when can they go back to work. I'd love to get
 7 back to dispatching.
 8 Thank you.
 9 ROD DIRIDON: Thank you, Dennis.
 10 Gary Patton will be followed by Neil
 11 Struthers.
 12 It's interesting that Gary Patton and I were
 13 elected on the same day in 1974.
 14 GARY PATTON: You served here, and I served over
 15 the hill. And we're still doing it, Mr. Diridon. Very
 16 good to be here, and thank you for hearing from me.
 17 My name is Gary Patton. I'm an attorney with
 18 the law firm of Wittwer Parkin, which is based in Santa
 19 Cruz County. And I'm appearing as special counsel to
 20 the Planning and Conservation League and the Planning
 21 and Conservation League Foundation. And we are
 22 working -- PCL and PCLF are working very closely with
 23 the Community Coalition on High-Speed Rail, which is a
 24 citizen business group based on the Peninsula, really
 25 mostly in the communities from Mountain View to

22



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-9.1
cont.

1 Burlingame. And I think that my remarks here would be
 2 ones that they would approve as well.

3 As I think Mr. Diridon knows and many of you
 4 may know, PCL has a long history of support for rail
 5 transportation in California. We are a supporter of a
 6 good High-Speed Rail project. But we are also a strong
 7 supporter of CEQA. And I am here to tell you -- and
 8 I'm sorry I have to -- that we are not convinced that
 9 what you're doing here in the CEQA process, as opposed
 10 to the project as a whole, is in fact what you need to
 11 be doing legally and what you ought to be doing to
 12 comply with CEQA.

13 As you know, the cities of Menlo Park and
 14 Atherton and a number of rail groups and the PCL did
 15 sue the Authority over its previous EIR. And that
 16 lawsuit resulted in a decision which the Authority then
 17 implemented to set aside the former EIR and set aside
 18 the decision based on the former EIR. The decision was
 19 a program-level decision to choose an entry corridor
 20 into the Bay Area that runs over the Pacheco Pass,
 21 through San Jose, up the CalTrain line and into San
 22 Francisco.

23 Legally the situation right now is you have
 24 not -- the Authority has not made a decision about what
 25 the entry point should be into the San Francisco Bay

23

PH2-9.2
cont.

1 Area. CEQA requires that, before that decision is
 2 made, you go through the entire environmental impact
 3 report process and you consider what it shows you. And
 4 you therefore have an open mind until you've done that
 5 CEQA process.

6 The fatal flaw in what you're doing right
 7 now -- I'm going to tell you, I think you can hear what
 8 you're doing right now. But the fatal flaw is, you are
 9 acting as though the decision you made before it was
 10 invalidated -- I'm sorry. I didn't know there was a
 11 time limit.

12 Let me just tell you, you have done several
 13 things -- particularly if you check your notice of
 14 availability. You have done several things to indicate
 15 you already made up your mind.

16 That is a fatal flaw. You do need to put out
 17 an EIR that says it's an EIR not a bunch of materials.
 18 You indicate you're going to adopt an EIR not some EIR
 19 materials. And you need to give people the ability to
 20 comment on the basic decision before you make it.

21 If you don't do that, I'm afraid you'll find
 22 yourself back in court and facing a very challenging
 23 court decision, which you shouldn't have to face.

24 Do it right.

25 ROD DIRIDON: Thank you, Gary.

24



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-10.1

1 Neil Struthers will be followed by Fernando
 2 Correa.

3 Neil STRUTHERS: Good afternoon, good evening,
 4 Members of the Authority, Neil Struthers, Chief
 5 Executive Officer of the Santa Clara, San Benito
 6 Counties Building and Construction Trades Council, an
 7 organization representing 30,000 families that depend
 8 on construction to earn a living.

9 Now, we commend the Authority for their
 10 commitment and collaboration with the public as it is a
 11 key part of this process. It's important that the
 12 project be done right and that all issues are
 13 addressed.

14 We believe that the Revised Draft Program EIR
 15 does this. We also support and believe that the
 16 Pacheco Pass alignment is the right way to do it.

17 Additionally, it's also equally important that
 18 this project doesn't die of delay, delay caused by
 19 small minority of those particularly on the Peninsula
 20 who want us to believe that they are only trying to
 21 make this project better. We're not fooled by this
 22 tactic, and I don't believe you are either.

23 Too much is at stake. Too many of us are out
 24 of work. 35 percent of all construction workers are --
 25 workers, not just union construction workers but

25

PH2-10.3
cont.

PH2-10.4

PH2-11.1

1 construction workers in the State of California are out
 2 of work today. And they're not worried about
 3 decreasing property values, as I think some of the
 4 motivation of those that are opposed. They're just
 5 worried about losing their house, if they haven't
 6 already lost it.

7 We need to put people to work. Failure to do
 8 so sends \$2 billion that's currently California's to
 9 another state. We can't afford to have this project
 10 delayed. It has to be done right, but that's a
 11 subjective term to a lot of different people. We need
 12 to put people to work.

13 California, we've taken on the challenges of
 14 other states and other countries, for that matter,
 15 declared too hard, too big, too difficult, or too
 16 expensive to try. Not only can we do this, we need to
 17 do this.

18 Thank you.

19 ROD DIRIDON: Neil, thank you.

20 Fernando Correa is here now, and Fernando is
 21 going to have an interpreter.

22 FERNANDO CORREA (through the Interpreter): Good
 23 afternoon. My name is Fernando Correa. I am from
 24 Local 507, Painters and Laborers.

25 I've seen that California, we need this

26



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PH2-11.1
cont.

1 transportation because I know that in other countries
2 it already exists. So we need this type of fast
3 trains. I think that in California, we have people
4 that prefer for that. And the good engineers that we
5 have in California, also construction, as journeymen,
6 as workers, all that is a benefit for this society in
7 California.

8 Also, we need to work, we are willing to work.
9 And we know how to do it because we've been in training
10 school, and we have high quality work.

PH2-11.2

11 And these coworkers, they have had no work for
12 a year. So sometimes I get scared; I get frantic
13 because we have families that only depend on their
14 father working.

15 As a union worker, it seems to me this project
16 is good. And I hope that in the future -- I don't know
17 what year that will be, I hope that this becomes a
18 reality.

19 Thank you.

20 ROD DIRIDON: Fernando, thank you. And thank you
21 Mr. Interpreter.

22 Norman Collier will be next, followed by
23 Warren Barry.

PH2-12.1

24 NORMAN COLLIER: My name is Norman Collier. I'm a
25 former senior project engineer for a military design

27

PH2-12.1
cont.

1 company. And I went through the EIR, and I found some
2 things that I thought need to be addressed.

3 One is the noise and vibration data was noted
4 as being adequate by the Judge, I believe, and was not
5 addressed in this updated EIR. However, I didn't feel
6 like the noise and vibration data was adequate to start
7 with. If you were a citizen and lived in a house very
8 close to the current UP tracks in south San Jose along
9 Monterey Highway and then you had the added traffic of
10 High-Speed Rail, I do not think that the combined noise
11 has been analyzed properly nor the frequency of the
12 number of trains that are going to be going up and down
13 that line.

PH2-12.2

14 Also, when I looked at the LOS data for
15 Monterey Highway, having lived in District 2 for --
16 District 2 is south San Jose, Monterey Highway area.
17 Having commuted from that area for over 20 years to the
18 airport, I do not feel that it addresses the loss of
19 the number of lanes that we're going to have after
20 High-Speed Rail on Monterey Highway. In fact, the LOS
21 data within some instances went to the letter F. And I
22 don't know LOS data that much, but it seems to me that
23 that may not be acceptable.

PH2-12.3

24 So I'm not against High-Speed Rail. In fact,
25 I'm very much for it. But I just think that those two

28

Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-12.3
cont.

1 areas need to be addressed further and don't appear to
2 be adequate to me in the report. Thank you.

3 ROD DIRIDON: Norman, thank you very much.

4 Warren Barry will be followed by John Goodwin.

5 WARREN BARRY: Good evening, Committee Members.

6 Thank you for letting me speak. My name is Warren
7 Barry. I'm a representative for the Plumbers and
8 Seafarers Union Local 393 in Santa Clara County here.

9 We urge to you pass this. We think it's a
10 good thing here in the county. Statewide, we need the
11 jobs. And please, I urge you to pass this.

12 Thank you very much.

13 ROD DIRIDON: Thank you, Warren.

14 John Goodwin will be followed by Correna
15 Franck. And I should note that we only have one more
16 person to speak after Correna. So now we have Jeff
17 Jansen.

18 But if you do intend to speak, make sure you
19 give your card soon to Sam so that we don't adjourn
20 without giving you the opportunity.

21 John?

22 JOHN GOODWIN: Good evening. I'm John Goodwin.
23 I'm with the legislation and public affairs section of
24 the Metropolitan Transportation Commission.

25 As you know, MTC adopted a resolution in

PH2-13.1

PH2-14.1

PH2-14.1
cont.

1 support of the Pacheco Pass alignment in 2007. The
2 Revised EIR has not materially changed our view of the
3 alignments. And I'm here tonight to reaffirm MTC's
4 support for Pacheco Pass alignment. And I have a
5 letter that I'd like to submit to the Authority
6 Secretary.

7 ROD DIRIDON: John, thank you very much. And you
8 can just -- Sam will take it right here.

9 Thank you, John.

10 Correna Franck will be followed by Jeff
11 Jansen, and Jeff is our last speaker.

12 CORRENA FRANCK: Good afternoon, and thank you for
13 letting me have an opportunity to speak.

14 I'm an operator with Local 3, and I just
15 wanted to share my opinion as far as I think this is a
16 terrific project that will give us -- again, I think
17 the word is hope.

18 I've been unemployed for two years. And it's
19 slim pickings out there for us construction workers.
20 And I'm excited for any opportunity that will give us
21 an opportunity to make us feel like we make a
22 difference again, and that we have structure as far as
23 our jobs go.

24 And this project is a blessing in many ways.
25 Personally, I look forward to the opportunity that it

PH2-15.1



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-15.1
cont.

1 may find many of us in the construction industry with
2 work. It's a theme of being very scared out there.
3 One more week of my unemployment. And with more jobs
4 that will give us an opportunity to be out there making
5 a difference to the community and giving our efforts,
6 this is a real positive, a real positive project.

7 And I appreciate your consideration. And
8 thank you very much for listening.

9 Thank you.

10 ROD DIRIDON: Correna, thank you for being here.

11 Jeff Jansen will be followed by whoever gets a
12 card in.

13 JEFF JANSEN: Jeff Jansen with Mayor Reed's office
14 in San Jose. I just wanted to submit a letter from the
15 Mayor.

PH2-16.1

16 ROD DIRIDON: You can give it to one of these
17 folks or Sam will take it. Do you want to summarize
18 the letter?

19 JEFF JANSEN: Just supportive of the project and
20 thanking you for the work that you've done
21 communicating with our residents.

22 ROD DIRIDON: Thank you very much, Jeff. And
23 regards to the Mayor. We'll see you tomorrow morning.

24 Harvey Darnell?

PH2-17.1

25 HARVEY DARNELL: Hello, I'm Harvey Darnell. I'm

PH2-17.1
cont.

1 chair of the Greater Gardener SNI NAC in San Jose. And
2 we want to support the program -- not exactly Program
3 EIR. We want to support the route through Pacheco Pass
4 with an adjustment on the program route to make sure
5 that it doesn't quite follow the SP tracks but actually
6 goes along 280, 87, or a tunnel under the Gardner
7 neighborhood.

8 We'll present a greater presentation perhaps
9 tomorrow if you have the opportunity. We've created a
10 PowerPoint so that you can see what it is that we're
11 suggesting and make your decision.

12 We certainly support the High-Speed Rail into
13 and through San Jose. We feel that it is a wonderful
14 addition to the San Jose transportation corridor and
15 look forward to having it come around our neighborhood.

16 Thank you.

17 ROD DIRIDON: Thank you, Harvey.

18 We have one more. Make sure that if you are
19 going to speak you get your comments quickly to Sam.
20 We don't want you to be left out.

21 Ed Foster?

PH2-18.1

22 ED POSTER: Good evening. Thirty-five, years ago
23 my father said Santa Clara County has 20 years' worth
24 of work. Well, he was wrong. Thirty-five years' worth
25 of work I've had. Like this person, I, like my son



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-18.1
cont.

1 back here and other brothers and sisters, union men and
2 women who are hard workers are out of work.

3 This project can help a great working force to
4 give us a world class speed train over here in
5 California. And if we prolong this and not take the
6 advantage of these working men and women and the
7 technology we have here in the Silicon Valley, we're
8 throwing it away and wasting time.

9 I encourage you to continue on and let's get
10 this project going. Thank you.

11 ROD DIRIDON: Ed, thank you very much for your
12 comments.

13 Christa Ramsbergs [sic], followed by Butch
14 Cabrera.

15 CHRISTA ANSBERGS: Sorry, that was Christa R.
16 Ansbergs. So I live in Mountain View. My house is
17 about three houses from the current CalTrain tracks.
18 And I am highly in favor of High-Speed Rail going
19 through there because I expect it to decrease the noise
20 level at my house. I live on Rengstorff Ave. It is
21 currently an at-grade crossing. And my personal
22 opinion, that should actually be cut off and become a
23 dead-end because it's redundant with over-crossings at
24 San Antonio and Shoreline. Thank you.

25 ROD DIRIDON: Thank you. That's a different point

PH2-20.1

1 of view.

2 Butch Cabrera is our last speaker at this
3 time. Please let's Sam know if you want to speak.

4 BUTCH CABRERA: Thank you for letting me speak
5 today. I'm here with the Operating Engineers Joint
6 Apprenticeship of Northern California, and I'm here on
7 behalf of about 563 of our apprentices. And we are
8 obviously in favor of this project not only to get us
9 work but to give us the training.

10 So, I mean, the future obviously is in
11 High-Speed Rail for California to get, you know,
12 commuters back and forth. But this also gives a great
13 opportunity to be able to teach somebody that hasn't
14 done this type of work to be able to get the skill to
15 be able to continue on with their future.

16 The only thing that we have to offer any of
17 our employers that are signatory to us is a skilled
18 labor force. And that's for all the crafts that we
19 have here. So this project right here will definitely,
20 definitely give our apprentices the opportunity to
21 learn something that they can pass on in the future to
22 other people that are coming up through the
23 apprenticeship and hopefully give them a skill that
24 they can take with them anywhere in the world, just
25 like earlier comments about them traveling to other



Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-20.1
cont.

1 different countries and places where there is
 2 High-Speed Rail. So that's something that they can
 3 take on and show somebody else.
 4 So thank you for your time.
 5 ROD DIRIDON: Butch, thank you.
 6 I think we have one more card.
 7 Thank you, Sam. Timothy -- Headley? Healey?
 8 TIMOTHY HEADLEY: That's Headley.
 9 ROD DIRIDON: I got it right the first time.
 10 TIMOTHY HEADLEY: I'm here representing Local 270
 11 and the Operating Engineers. And I'm here about the
 12 Clean Act, and California. And I'm here to support the
 13 light rail. There's a lot of things good about this
 14 project. It's going to bring a lot of training into
 15 our facility and clean up the air.
 16 I support -- you know, the gas prices are
 17 going crazy again. You know, certain people stepped in
 18 and lowered the gas prices. And as soon as they
 19 stepped out, they start raising them again. So I think
 20 we should do things about this situation.
 21 I thank you.
 22 ROD DIRIDON: Thank you, Timothy. Are there any
 23 other comments at this time?
 24 (No response)
 25 ROD DIRIDON: I'll ask again, are there any other

35

1 comments at this time?
 2 (No response)
 3 ROD DIRIDON: Okay. The board will be in recess
 4 then for about -- I'm sorry. Did someone have a card?
 5 VICTORIA CARMONA: I've already spoken before.
 6 ROD DIRIDON: Only one, in order to be fair to
 7 everyone.
 8 We will be in recess for about 10 minutes, and
 9 then we'll ask again to make sure that everyone who has
 10 had -- who would like to will have an opportunity of
 11 comment. Because it's unlikely, at that point, Russ
 12 and I will move on to another meeting which is pending
 13 in a short time, and the staff will continue to stay
 14 here in case there are additional remarks.
 15 Any other comments?
 16 (No response)
 17 ROD DIRIDON: Okay. We are in recess for the next
 18 ten minutes.
 19 (Recess taken)
 20 ROD DIRIDON: Ladies and gentlemen, we are
 21 reconvening after a ten-minute recess. I'll ask again
 22 if anyone continues to have a desire to give testimony.
 23 Remember that you have to fill out the green cards that
 24 Sam has.
 25 We'll continue to have someone here monitoring

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Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

1 those that might come in late until 7:00 o'clock. But
2 again, if anyone would like to at this point now,
3 you're welcome to. For the record, this is being
4 recorded. "Record which is being recorded," that's a
5 nice thing to do.

6 I'll note that no one is coming forward.
7 We'll continue to keep the hearing or the discussion
8 session open until 7:00 and I will be leaving.

9 Thank you all.

10 DAN LEAVITT: We have a public speaker, Mary
11 Pizzo.

12 MARY PIZZO: Again, my name is Mary Pizzo. I live
13 at 725 Harrison Street in San Jose, the area of San
14 Jose known as Gregory Plaza. And according to the
15 proposed alignment, one of only two access roads to our
16 neighborhood would be blocked for all pedestrian
17 traffic and car traffic.

PH2-221 18 The problem that that poses is threefold. The
19 first is it creates a safety issue in a neighborhood
20 that has 141 properties. But many of them are zoned
21 R2, so there are actually two to four families living
22 on the properties. So where you might look at it and
23 say it's only 140, you really should be doubling that
24 impact.

PH2-222 25 Second of all, it would then create three

PH2-222
cont.

PH2-223

1 individual streets that would, again, be dead-ends.
2 And as you may know, most police do not like to patrol
3 down to a dead-end street. That would cause for us a
4 huge amount of problems in particular because we butt
5 up against Highway 280 and the creek, which makes it
6 very easy for people who are creating problems and
7 mischief to quickly jump a fence and get away from a
8 police officer who may have driven down into the
9 neighborhood.

10 The final thing is it would absolutely
11 dramatically reduce the amount of safe walkable areas
12 in our neighborhood. School children would need to
13 walk completely around the entire neighborhood, walk
14 down under a covered overpass which currently today is
15 the Southern Pacific rail line. And on a cold, rainy,
16 dark day, it's quite unsafe. It's quite unsanitary.
17 And in many times we have homeless people who take
18 shelter there from poor, inclement weather.

19 During the summer, it's a shady spot for
20 homeless people. As you probably know, most railroad
21 lines become a haven for people who don't have the
22 ability to get to shelters and individual respite.

23 So I implore you to re-look at this particular
24 alignment, recognize the difficulties you would be
25 impacting on this neighborhood that's already been

Public Hearing Transcripts, Santa Clara County Board of Supervisors' Chambers - Continued

PH2-22.3
cont.

1 impacted repeatedly over the years.

2 And if you are going forward with your

3 proposal, I propose that you create a second roadway

4 out of the neighborhood that goes through the area of

5 town known as Riverside. Palm Haven is also another

6 name for it. That would be the only other street

7 access we would have to get out of the neighborhood in

8 case of an emergency.

9 And I appreciate your time. Thank you very

10 much.

11 DAN LEAVITT: Thank you.

12 Are there any other speakers?

13 (No response)

14 DAN LEAVITT: All right. Thank you. We'll still

15 be here until 7:00 o'clock.

16 (Whereupon, the proceedings adjourned

17 at 7:00 o'clock p.m.)

18

19

20

21 Don't was Russell Burns, Rod Diridon, Dan Leavitt,

22 Carrie Pourvahidi and Jeffery J-E-F-T-R-E-Y, Barker

23 B-A-R K ER.

24

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1 STATE OF CALIFORNIA)

2 COUNTY OF MARIN) ss.

3 I, DEBORAH FUQUA, a Certified Shorthand

4 Reporter of the State of California, duly authorized to

5 administer oaths pursuant to Section 8211 of the

6 California Code of Civil Procedure, do hereby certify

7 that the foregoing proceedings were reported by me, a

8 disinterested person, and thereafter transcribed under

9 my direction into typewriting and is a true and correct

10 transcription of said proceedings.

11 I further certify that I am not of counsel or

12 attorney for either or any of the parties in the

13 foregoing proceeding and caption named, nor in any way

14 interested in the outcome of the cause named in said

15 caption.

16 Dated the 14th day of April, 2010.

17

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19 DEBORAH FUQUA

20 CSR NO. 12948

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**Responses to Public Hearing at Santa Clara County Board of Supervisors' Chambers
(San Jose, 5:00 PM - Wednesday April 7, 2010)**

PH2-1-1

Comment of support is acknowledged.

PH2-2-1

Comment of support is acknowledged.

PH2-2-2

Comment of support is acknowledged.

PH2-2-3

High Speed Rail will provide connectivity with Caltrain and several other transit agencies operating in the corridor as shown in Table 3.1-4 of the Bay Area to Central Valley HST Program EIR/EIS. CHSRA will continue working with Caltrain and other transit agencies on connectivity.

PH2-2-4

Comment of support is acknowledged.

PH2-3-1

Comment of support is acknowledged.

PH2-3-2

Comment noted and in agreement with the 2008 Final Program EIR. The Pacheco Pass route was identified as the corridor most likely to contain the Least Environmentally Damaging Practicable Alternative (LEDPA) by the US EPA and US Army Corps of Engineers.

PH2-3-3

This comment states a belief that the HST will have a positive impact on the Peninsula and South Bay areas. Comment acknowledged.

PH2-3-4

Comment acknowledged.

PH2-4-1

The commenter wants the environmental process to move as quickly as possible. Comment acknowledged.

PH2-4-2

Comment of support is acknowledged.

PH2-4-3

The commenter supports certification of the EIR and its revisions. Comment acknowledged.

PH2-5-1

Comment acknowledged.

PH2-5-2

Comment of support is acknowledged.

PH2-6-1

Comment of support is acknowledged.

PH2-6-2

High Speed Rail will provide connectivity with Caltrain and several other transit agencies operating in the corridor as shown in Table 3.1-4 of the Bay Area to Central Valley HST Program EIR/EIS.

PH2-6-3

Comment acknowledged. See Standard Response 3. More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs.



PH2-6-4

Comment of support is acknowledged.

PH2-7-1

Comment noted.

PH2-7-2

Comment acknowledged.

PH2-8-1

Comment of support is acknowledged.

PH2-9-1

Comment acknowledged. The Authority staff believe the program EIR process, and its compliance with the Town of Atherton court judgment, fully comply with CEQA.

PH2-9-2

See Response to Comment O003-2.

PH2-9-3

The Authority has followed the process identified in CEQA Guidelines section 15088.5 for recirculation of only a portion of an EIR. This process **satisfies** the Town of Atherton court judgment, which required corrective work on only a portion of the prior Program EIR. The process also complies with CEQA.

PH2-10-1

Comment acknowledged.

PH2-10-2

Comment acknowledged.

PH2-10-3

Comment of support is acknowledged.

PH2-10-4

Comment of support is acknowledged.

PH2-11-1

Comment of support is acknowledged.

PH2-11-2

Comment of support is acknowledged.

PH2-12-1

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs, including cumulative noise analysis considering existing and proposed noise sources. Please also see Standard Responses 3 and 5.

PH2-12-2

You are correct in assuming that Level of Service F is not an acceptable condition for traffic operations. Detailed traffic analysis at the project-level EIR/EIS will evaluate the impacts due to reduction in lanes of Monterey Highway on traffic, circulation, parking and pedestrian and bicycle facilities. Feasible mitigation measures will also be discussed at the project-level. The results of the analysis will be documented in a Traffic, Transit, Circulation and Parking Report.

PH2-12-3

Comment acknowledged. The Revised Final Program EIR, Chapter 2, includes mitigation strategies to address impacts on Monterey Highway. These **strategies** will be considered by the Authority Board for adoption and inclusion at the project EIR level. Noise and vibration impacts will continue to be studied at the project EIR level as well.

PH2-13-1

Comment of support is acknowledged.

PH2-14-1

Comment of support is acknowledged.

PH2-15-1

Comment of support is acknowledged.

PH2-16-1

Comment of support is acknowledged.

PH2-17-1

If a network alternative is selected that approaches San Jose from the south, an 87-280 alternative alignment will be included in an alternatives analysis process as part of a project-level EIR/EIS.

PH2-18-1

Comment of support is acknowledged.

PH2-19-1

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

PH2-20-1

Comment of support is acknowledged.

PH2-21-1

Comment of support is acknowledged.

PH2-22-1

Comment noted. Project-specific analyses of circulation, traffic, and parking will be conducted in the project-level EIR/EIS for the station

areas, access roads, and other facilities that might be affected by the proposed HST alignment and stations. This will be documented in a Traffic, Transit, Circulation and Parking Report. If the proposed project impacts access to any pedestrian facility while in operation or during construction, the impacts will be evaluated and feasible mitigation measures will be recommended.

PH2-22-2

Comment acknowledged. Community cohesion is discussed in section 3.7 of the 2008 Final Program EIR. Included in that discussion is a mitigation strategy to ensure connectivity across the rail corridor for pedestrians, bicycles, and vehicles to maintain neighborhood integrity. The proposed location for a second roadway access in the comment will be considered at the project level of environmental review if the network alternative the Authority board selects involves San Jose.

PH2-22-3

The HST project under consideration in the Program EIR includes grade separations to fully separate the HST from local automobile and pedestrian traffic. The HST project also includes a fully access-controlled guideway with intrusion monitoring. The access controls on the HST guideway, combined with the grade separation, are anticipated to prevent easy pedestrian access to the rail tracks.

PH2-22-4

See Response to Comment PH2-22-4.