

16 We were kind of, because of the laws, unable to go
 17 as fast as the bus probably could go.
 18 Unfortunately, but we still made it here.
 19 By the time we're done today, we will leave
 20 here probably at 3 o'clock. Hit the traffic, and
 21 hopefully we will be home by 9:00, 9:30. That's all
 22 good.

23 But as a councilperson, I really wanted to
 24 work with my constituents today, but I won't be able
 25 to do any service this evening.

0058

1 Furthermore, had this train been set up and
 2 coming through Merced, I could have gone to work at
 3 9 o'clock in the morning, took off at 11:00, been
 4 here by 1:00 without a problem. Left here at 3:00,
 5 been home by 5:00 to answer all of those phone calls
 6 of my constituents.

7 I mention that because that's how important
 8 this high-speed rail system, especially coming
 9 through Merced is.

10 Furthermore, I bring resolutions from the
 11 City of Merced, at Water and Merced county, in favor
 12 of the proposed route.

13 Let me also add, once again, I emphasize the
 14 selection of the Diablo Canyon route as the most
 15 viable and practical and as the Number 1 choice for
 16 the transportation hub and maintenance facility.

17 Thank you very much for your time.

18 MR. PETRILLO: I also want to thank you, and
 19 I apologize for stepping out. But Merced has also
 20 been one of those communities that's made our lives
 21 much easier with their professionalism and
 22 responsiveness throughout this process.

23 And I want to thank all of you very much for
 24 that.

25 MS. ANDREWS: I would like to echo the

0059

1 chairman's comments.

2 I also would like to add that you are
 3 serving your constituents at this moment. So keep
 4 that in mind.

5 Thank you very much for your continued
 6 support.

7 MR. DIRIDON: Council member having been one
 8 of those that had to juggle the balls that you are
 9 juggling today, I feel for you.

10 I wish we had the system in operation for
 11 you so you could have come down and gotten back
 12 quickly to save time and save air pollution in the
 13 process.

14 I would like to complement you. Your
 15 arguments are compelling. We need your assistance
 16 in pursuing the objectives you present in terms of
 17 persuading others of your point of view.

18 In addition to that, I would like to
 19 complement you on your secret weapon, Dr. Basesy
 20 (phonetic) has been with us at virtually every

PH-LA2002-1
 cont.

21 meeting, and also has been very convincing. And we
22 complement you in having him available to your
23 community, and thank you for that.

24 MR. RICK OSORIO: Thank you very much. And
25 we're ready to partner with you at any time.

0060

1 MR. PETRILLO: Just, Dr. Basey, I see him
2 more than I see most members of my family.

3 MR. RICK OSORIO: Thank you very much.

4 MR. PETRILLO: Jim Abbate, followed by Bert
5 Crane.

6 (Mr. Jim Abbate takes the podium.)

7 TESTIMONY BY MR. JIM ABBATE: Hello. My
8 name is Jim Abbate, A-b-b-a-t-e. My address is in
9 Merced, California. I'm a local businessman in
10 Merced. And I would like -- Mr. Osorio has also
11 taken off work to be down here today.

12 I'm also a member of the Merced boosters who
13 is a group of citizens who come together to promote
14 sensible economic policies for the Merced possibilities.
15 I'm here to advocate for the Diablo route
16 alternative and the draft EIR/EIS.

17 I believe it would be a mistake to further
18 analyze the routes that have already been listed.

19 There's been comments made by small groups
20 within these hearings. These groups would like to
21 revisit the decisions that have already been made.

22 As history's shown, most of these groups are
23 more interested in stopping this project at any cost
24 than they are to back this project.

25 I would like to say that those groups would
0061

1 like to see the California of 200 years ago, and
2 that's not going to happen.

3 At this point now, California is a very
4 large economic diverse state. We're going to be
5 growing another 50 percent over the course of the
6 next 50 years. We need to find a good, clean
7 alternative to moving large groups around or
8 California is going to come to a standstill.

9 So I hope that we would look at the EIRs and
10 we would not revisit old information and that we
11 would move forward.

12 If the Diablo route is chosen, I also would
13 hope that the Castle Airport would be considered for
14 a maintenance hub.

15 Thank you.

16 MR. PETRILLO: Thank you very much.

17 MR. DIRIDON: Mr. Chairman, if there's no
18 other speakers from Merced, I would like to offer my
19 same comment with regard to station -- while the
20 gentleman is coming forward, Mr. Chairman, if I
21 could put the same comments on the table in regard
22 to densification near a station, if Merced, you were
23 to be chosen.

24 Not just minor densification, but creating a
25 high-rise city in that downtown corridor that would

PH-LA2003-1

0062

1 give you potential for economic viability. But
2 reduce urban sprawl? A dramatic way.

3 (Mr. Bert Crane takes the podium.)

PH-LA2004 4 TESTIMONY BY MR. BERT CRANE: My name is
5 Bert crane.

6 A little bit about myself. Our family has
7 farmed and ranched in the Merced area for six
8 generations, cattlemen and farmers.

9 I want to address a couple issues. Ag
10 issues, as well as traffic issues in the Central
11 San Joaquin Valley.

12 We already heard testimony today that the
13 Central San Joaquin Valley air is getting worse. At
14 a local air quality meeting in Modesto, ag was
15 contributed, or said to contribute 35 percent of the
16 emissions, and the automobiles and industry the
17 other 65.

18 In a recent study that was done in Texas, ag
19 was actually overstated as producing more emissions.
20 They actually produced less emissions than 35
21 percent.

22 Having said that, we do have new
23 conservation management plans, CMPs, that have to be
24 in place by July 1st.

25 Each farm and ranch in the Central

0063

1 San Joaquin Valley will be -- will have to take new
2 measures to cut emissions, dust, mowing, retrofit
3 engines, and so forth to take measures to eliminate
4 the particulate matter in the air.

5 I would like to comment on Diablo route. I
6 support Diablo route, and urge the committee and
7 authority to support Diablo alignment. As well as
8 preserve ag land in the area.

9 I also have concerns that the ag lands --
10 that the process be sensitive to ag issues, and just
11 as sensitive as they are to the environmental
12 issues. And that the ag lands do be preserved, and
13 in a way that best suits the project.

14 I urge you to move forward on this project.
15 And I urge you not to let the opposition cause
16 further delays in any of the project.

17 If there aren't any questions, thank you for
18 your time.

19 MR. PETRILLO: Thank you very much.

20 Benjamin Duran followed by Dee Dee D'Adamo.

21 (Mr. Benjamin Duran takes the podium.)

PH-LA2005 22 TESTIMONY BY MR. BENJAMIN DURAN: Good
23 afternoon chairman. Members of the commission,
24 thank you for this opportunity to chat with you.

25 A little bit about myself. I come in a

0064

1 number of capacities. I currently serve as
2 president of the Merced County Hispanic network
3 which is a public policy forum to meets to talk

PH-LA2004-1

PH-LA2004-2

PH-LA2005-1

4 about public policy issues.

5 I'm also president of Merced Community
6 College, and as Mr. Abbate, also, I am a member of
7 the Merced boosters. And in that respect, I think
8 I represent a fair number of constituents in the
9 Merced county.

10 As a result, I have taken upon myself to go

11 about and speak with members of the constituency to
12 talk to them about high-speed rail and see if they
13 understand. And I'm here to say to you, after
14 having done that, that I'm here to support the
15 current EIR, EIS.

16 Specifically the Diablo Grande alignment.
17 We believe that sufficient time and money has been
18 spent on the project. The studies, we believe this
19 commission has been diligent in its work.

20 And I would echo the comments that a number
21 of other folks have made this afternoon that, in
22 fact, you can study something to death.

23 We're at the risk practically of continuing
24 to study this thing to the point where all of the
25 work that has been done would be relegated to old

0065

1 work and would have to do the new work.

2 I think that enough is enough. And I think
3 it's time for us to move this thing along. Having
4 said that, we would also urge you to consider the
5 Castle Airport Industrial Park as a potential site
6 for a maintenance hub.

7 In the capacity as an educator, I think I
8 spoke to this group some time ago, and would like to
9 reiterate the fact that in the Central Valley,
10 higher education attainment is about 50 percent of
11 the rest of the state.

12 In other words, when students from my
13 college or from the high schools consider going to
14 universities, they are transferring to the CSU
15 system and the U.S. system at only half of the rate
16 of the rest of the state.

17 In that capacity -- in those terms, what
18 happens is that, as we talk to these students, it's
19 access. The ability to access universities of their
20 choice.

21 The high-speed rail, for instance, would
22 literally provide an opportunity for students from
23 the Central Valley to jump on a train, come down
24 here, head back, and spend time.

25 Because of our demographics and the high

0066

1 Hispanic population, for instance, many of those
2 students, either because of cultural reasons or
3 because of economics, would rather stay home.

4 That's just one example of the value of the
5 high-speed rail.

6 Certainly the ability to allow workers to
7 jump on a train and work in different parts of the

PH-LA2005-1
cont.

PH-LA2005-2

PH-LA2005-3

8 state and be back home with their families each
 9 night would be a wonderful thing.
 10 I would leave you with this:
 11 I would leave you with the fact that if that
 12 high-speed rail existed today, the fans of the
 13 San Francisco giants could jump in a train and go
 14 up, and go to a first-place giants game and be back
 15 home before people in Los Angeles knew they were
 16 gone.

17 So thank you for the time.
 18 MR. DIRIDON: You mean all three of the fans
 19 from the L.A.?

20 MR. PETRILLO: Dee Dee D'Adamo followed by
 21 Elaine Trevino.

22 (Ms. Dee Dee D'Adamo takes the podium.)
 23 TESTIMONY BY MS. DEE DEE D'ADAMO: Thank
 24 you, Mr. Chairman.

25 Members of the committee, we're here again
 0067

1 from Merced. As we have been virtually every
 2 hearing that this authority has had up and down the
 3 state. That's for one reason.

4 We want to show our support to the authority
 5 and our support to this project. We realize that
 6 this is an evolving process, and that things are
 7 likely to change.

8 But the Congressman Cardosa asked me to once
 9 again show that he's standing by you and that he
 10 supports a northern mountain crossing that goes
 11 through Merced with a maintenance repair facility at
 12 the former Castle Air Force base.

13 I would like to just expand on what Ben
 14 Duran just said in terms of access to education and
 15 to other areas of the state, and of the educational
 16 opportunities that we hope to have soon in Merced
 17 with the advent of UC Merced.

18 This system will provide a crucial link to
 19 the valley, to other major population centers of the
 20 state.

21 I would like for those of you that live in
 22 an urban area to just think of what it's like. I
 23 have the same problem that Rick Osorio had. I had
 24 to get up. I left at 6 o'clock this morning. I
 25 live a little bit further north. Went through

0068
 1 traffic in Fresno. Went through traffic in
 2 Los Angeles in order to get here on time.

3 I did not have another option. There would
 4 not have been another option for me because as far
 5 as airport, the systems that we have don't offer the
 6 same options that other urban areas of the state
 7 provide for.

8 So we think that this link is crucial to us
 9 in the Central Valley.

10 I note here, also, in this flier we were
 11 commenting earlier. We just saw it for the first

PH-LA2005-3
 cont.

PH-LA2006-1

PH-LA2006-2

PH-LA2006-3

12 time, average one-way fares ranging between \$18 to
13 \$24 for a one-way ticket.

14 That's just fabulous. And this is so
15 important to these low-cost fairs, to residents of
16 the Central Valley. Even though we are considered
17 one of the fastest growing regions of the state,
18 we've had tremendous growth up and down the valley,
19 we still lag behind other areas of the state,
20 particularly in terms of economic development and
21 educational opportunities and whatnot.

22 So it's really -- our unemployment rates are
23 among the highest in the nation. So these low-cost
24 fairs really and truly will provide a link that we
25 do not now have.

0069

1 So thank you for considering Merced,
2 considering Castle Air Force Base. And we look
3 forward to working with you on this project.

4 MR. PETRILLO: Thank you very much.

5 MS. DEE DEE D'ADAMO: And I have written
6 comments from the Congressman that I will just hand
7 you.

8 MR. PETRILLO: Elaine Trevino followed by
9 John Macarro.

10 (Ms. Elaine Trevino takes the podium.)

11 TESTIMONY BY MS. ELAINE TREVINO: Good
12 afternoon, chairman, members of the board.

13 I just wanted to address an issue quickly
14 before I read a statement from the Merced Maricopa
15 County Asthma Coalition. And that's the issue of
16 densities.

17 I'm working on two projects for Merced for
18 condominium and townhouses in the downtown area and

19 periphery.

20 There was a number alluded to earlier about
21 density in the Central Valley. Five units -- excuse
22 me -- four per acre developed.

23 I can assure you from the standpoint of
24 Merced County and the City of Merced that infill
25 projects are being given priority above all other

0070

1 projects, and our densities are as high as 18 units
2 per acre. And so we're already preparing for the
3 demand of housing in the Central Valley, growth.

4 And secondly, just as you know, we have a
5 university that is going to be developed, or is
6 being developed in Merced. With a thousand students
7 projected in 2005.

8 So we have a shortage of housing in the
9 community, and anticipate further shortage if these
10 high density units aren't developed.

11 We're in high density mode. We're in infill
12 mode.

13 Obviously there's larger developments
14 occurring in the periphery of our city and county
15 like all others. But smart growth is definitely

PH-LA2006-3
cont.

PH-LA2007

PH-LA2007-1

16 more than just being talked about in the Central
17 Valley, but it's being practiced. I want to make
18 that note briefly.

19 One area that I noticed at the public
20 hearings has probably been addressed the least is
21 health. And how high-speed train system would
22 impact the health of Central Valley residents.
23 So the Merced Mariposa asked me to read this
24 to you.

25 Chairman and members of the authority,
0071

1 please consider this letter in support of the
2 high-speed rail system in California.

3 The Merced Asthma Coalition is a
4 community-based corporation funded by the
5 California -- community to make policy changes as to
6 asthmatic children.

7 In Merced and Mariposa counties, our focus
8 is on the poor air quality for the asthma population
9 which consists of -- the American Lung Association
10 recently ranked Merced County as the eighth most
11 polluted county in the nation. For ozone, with the
12 City of Merced being the sixth most polluted city.

13 These two markers are worse than last year's
14 ranking. The two major air pollutants of concern to
15 the county are ozone and particulate matter.

16 Unfortunately the geography in the
17 San Joaquin Valley contributed to the entire country
18 for the federal ozone standard, logging 108 days of
19 unhealthy air. Aside from not attaining this ozone
20 standard.

21 The San Joaquin Valley basin is in extreme
22 nonattainment for the federal ozone standard. In
23 addition the new rule for PM 2.5 goes into effect in
24 the San Joaquin Valley, it's not expected to be in
25 compliance with the standard.

0072

1 Ozone and particulate matter have
2 significant impacts on health. They aggravate heart
3 and lung conditions, such as asthma, and are related
4 to increases in the emergency room and physician
5 visits, hospital admissions, medication use, and
6 school or work absences.

7 Exposure to ground level ozone pollution can
8 lead an individual to cough, have chest pain, or
9 experience fatigue, and over time will result in
10 permanent airway remodels.

11 Breathing high levels of PM produces
12 coughing, production of phlegm and inflammation.
13 The smallest types of PM are linked to decreased
14 lung function and lung disease.

15 High-speed rail system in California is an
16 efficient and much needed mode of public
17 transportation that would benefit the San Joaquin
18 Valley.

19 In an effort to protect the health of the
20 residents of the Merced Mariposa County, Asthma

PH-LA2007-1
cont.

PH-LA2007-2

21 Coalition supports any positive steps the state
 22 makes in reducing emissions in the San Joaquin
 23 County.
 24 We support the air quality analysis
 25 presented in the EIR/EIS study, and look forward to

PH-LA2007-2
 cont.

0073

1 working with to you implementing the system as soon
 2 as possibility.
 3 Thank you very much.
 4 MS. ANDREWS: First of all, thank you very
 5 much. Good presentation.
 6 But I want to especially commend you on your
 7 letter. You are absolutely right. There's a very
 8 clear nexus between the health benefits and
 9 high-speed rail in terms of clean air and reducing
 10 the particulate matter. And I am really, really
 11 excited that you pointed that out today, and you are
 12 absolutely right.

PH-LA2008

13 It is a message that we have to continue to
 14 share as we continue down this path of getting
 15 high-speed rail built.
 16 So I want to congratulate you and commend
 17 you for recognizing that we have not paid enough
 18 attention to that, and it is a very important
 19 matter.

20 Thank you very much.
 21 MS. ELAINE TREVINO: And my last comment to
 22 that. One of my concerns personally has been in the
 23 environmental analysis, environmental comments at
 24 the last six hearings -- is this the seventh? --
 25 last six hearings has been on ecosystems, but they

0074

1 always forget the human element of the ecosystem and
 2 how that impacts the human as far as protection of
 3 the environment.

4 So we just would like to bring that to light
 5 every once in a while. That's an important
 6 component of the ecosystem.

7 MS. ANDREWS: I look forward to your
 8 comments in that section.

9 Thank you.

10 MR. DIRIDON: Mr. Chairman, I would like to
 11 beg the pardon of the group. But I have to catch an
 12 airplane. And thank you.

13 MR. PETRILLO: Mr. Macarro followed by John
 14 Macarro.

15 (Mr. John Macarro takes the podium.)

16 TESTIMONY BY MR. JOHN MACARRO: Actually,
 17 this is a joint presentation from the Pechanga band
 18 of Luiseno indians located in Temecula, California.

19 I am John Macarro. I am general counsel for
 20 the Pechanga band. Speaking on the cultural issues
 21 will be Paul Macarro, the cultural coordinator from
 22 the Pechanga Indians.

23 (Mr. Paul Macarro takes the podium.)

24 TESTIMONY BY MR. PAUL MACARRO: Good

PH-LA2009-1

25 afternoon. I am Paul Macarro. I represent Pechanga
0075

1 Tribe in cultural resources. We will be submitting
2 written comments on the high-speed rail project.
3 And we made out comments made -- we're primarily
4 concerned with the route of L.A. to San Diego.

5 We can provide information about Indian
6 cultural resources and sacred sites that are likely
7 to be impacted by this projected route. The
8 particular subject of our concern, the historic
9 (Speaking in Indian language) village which is
10 located within the project's direct route through
11 the Temecula area.

12 It is the sacred site of the Pechanga
13 people. It plays an important role in our chosen
14 (Speaking in Indian language) creation stories. And
15 borrowing from western terminologies (Speaking in
16 Indian language). It was a spiritual hub or
17 capital. It is a recorded site, and is well
18 documented in reports timed with the ARU.

19 In 1973 some 1,500 acres of the site were
20 added to the historic register. The trial believes
21 this site meets the eligibility for resources.

22 We respectfully request that the site be
23 avoided and preserved; that this site not be
24 subjected to any disturbance or any impacts direct
25 or indirect from this project. Between the March
0076

1 Air Force base to Mira Mesa segment alone there's up
2 to 63 archeological resources that could be impacted
3 by this project.

4 The majority of those sites include bedrock,
5 pictograph regions, ceremonial sites, and the
6 (Speaking in the Indian language) rocks. These
7 sites are culturally affiliated with our tribe. We
8 request that all copies of the archeological reports
9 and studies compiled for this project be afforded us
10 so that the tribe is able to provide further
11 meaningful comments on the cultural resources.

12 Prior to the completion of the project, the
13 tribe would request a more in-depth Phase I and
14 Phase II archeological testing if necessary to
15 determine site integrity and site boundaries.

16 The Pechanga tribe requests the opportunity
17 to submit cultural resources that may be impacted,
18 including the ability to review and comment in our
19 archeological reports. We request that the tribe be
20 allowed to monitor and participate in all
21 archeological surfaces.

22 Lastly, once tests have been completed,
23 Pechanga requests that it be included as a partner
24 with the review and permitting agencies and creating
25 a cultural appropriate mitigation measures.

0077

1 Have a good afternoon, and thank you so
2 much. This is our council and also my brother.
3 MR. PETRILLO: And we apologize for the

PH-LA2009-1
cont.

4 disturbances with the phones.

5 (Mr. John Macarro returns to the podium.)

6 TESTIMONY BY MR. JOHN MACARRO: I want to
7 talk about the legal aspects of what Pechanga does
8 and how we hope to integrate ourselves into the
9 process.

10 Pursuant to federal law, ANEPA and the
11 National Historic Preservation Act, which are
12 applicable to this project, an agency official shall
13 ensure that consultation of the Section 106 process
14 provides the Indian tribe a reasonable opportunity
15 to identify it's concerns.

16 Therefore, we request that Pechanga be a
17 consulting party and the authority and the FRA
18 consult with the tribe on a government-to-government
19 basis concerning the project impacts to cultural
20 resources and sacred sites.

21 Also, we would like to request that
22 reviewing and permitting agencies enter into a
23 memorandum of agreement pursuant to applicable
24 federal and state law with the Pechanga tribe.

25 These MOSSs should include the following
0078

1 terms: That address inadvertent discoveries of
2 cultural resources; that they set terms of
3 culturally appropriate treatment and mitigation of
4 cultural resources; that they relinquish all
5 cultural resources uncovered during development for
6 proper treatment; that they leave in place and avoid
7 all sacred and ceremonial sites and Native American
8 human remains and allow tribal monitoring by the
9 Pechanga Tribe of all grading and ground disturbing
10 of the project in sensitive areas of the tribe's
11 traditional territory.

12 Sacred sites are entitled to specific
13 considerations pursuant to federal law. The NHPA
14 requires that the agency must consult with the
15 tribes where historic properties are of religious
16 and cultural significance to Indian tribes, and that
17 they require that agencies consider measures to
18 avoid, minimize, or mitigate adverse effects to
19 religious and culturally significant sites.

20 Getting back to the memorandum of agreement,
21 the tribe routinely enters into MOAs with droppers
22 and cities and counties in the area, where Luiseno
23 traditional sites are located.

24 It does not prohibit the project from going
25 forward. It just takes into consideration our views
0079

1 and our culture.

2 Once again, this site is of extreme
3 importance to the Pechanga Indian Reservation. It
4 is basically the center where we were created.

5 And also we would like to state that the
6 tribe believes that the site should be eligible for
7 the state and national register.

8 Thank you.

PH-LA2009-2

PH-LA2010

9 MR. PETRILLO: Thank you very much.
 10 Next, the newest member --
 11 (Mr. Lee Bocse takes the podium.)
 12 TESTIMONY OF MR. LEE BOCSE: Actually, it's
 13 true. I see them more than my patients in my
 14 office.
 15 I want to thank the authority for the kind
 16 words, and also want to thank you from Southern
 17 California for letting the people of Central Valley
 18 monopolize a lot of your meeting time today. It
 19 goes to show you how important this is for us in our
 20 area.
 21 We're getting on a bus in the next ten
 22 minutes. We're told if we don't get on the fly
 23 before 4 o'clock, we won't get home until
 24 10 o'clock.
 25 It's gratifying for me when I come to

0080

1 Southern California to see the support of this
 2 thing. The traffic and air quality, you are living
 3 this every day. We're seeing the studies and air
 4 quality issues, and we're about to experience what
 5 you are living with for the last ten years. And for
 6 a healthcare provider like myself, it's frightening.

7 It seems that California for a lot of ways
 8 in transportation leads the way in vision and nohow.
 9 I know when there was an earthquake in that area,
 10 your freeways were up and running in a matter of
 11 weeks.

12 I was in the Bay Area, and those freeways
 13 aren't still up and running in some areas. It has
 14 been 11 or 12 years since that time.

15 Again, when it comes to transportation, L.A.
 16 leads the way. And again, I would apologize for
 17 taking your time. I only wanted to touch on a few
 18 things.

19 I've been to six of the seven hearings. The
 20 only one we weren't able to attend was in San Diego.
 21 I heard testimony, mainly positive and some
 22 negative.

23 And again the authority has done a fabulous
 24 job in taking in all the testimony, especially in
 25 San Jose where it got contentious, and in some areas

0081

1 crossed the line.

2 But the authority board, when I got involved
 3 in this, I didn't know them from Adam. In our
 4 community, they come to Merced County when asked to.
 5 Outreach has been fabulous.

6 They realize that the Central Valley, in
 7 some ways, is going to be the key to connect both
 8 the Bay Area and Southern California. Because you
 9 are going to geographically cross our area.

10 At the same time, they have been our
 11 champions in getting message out to people to say
 12 this is something we need to see happen. And be
 13 completed by the year 2020.

PH-LA2010-1

14 When we look at the EIR, one of the big
 15 things that is talked about is we talk about the
 16 purpose. And it's to provide a reliable mode of
 17 travel which links the major cities and the
 18 metropolitan areas of the state and delivers
 19 consistent travel times.

20 Again, that's one of the cardinal rules of
 21 this EIR, and again, I believe it meets that
 22 criteria.

23 The second thing this EIR addresses is that
 24 this system provide an interface with commercial
 25 airports, mass transit, and highway network systems.

0082

1 And again it does all of that.

2 Again, I would like to commend the board on
 3 taking on a project that we know is big and there's
 4 going to be a lot of problems with a job this size.
 5 I believe that this EIR/EIS has the solutions.

6 I'm here today representing the cities of
 7 Livingston, Merced, Atwater, Mariposa, and -- I hope
 8 to get the resolutions supporting high-speed rail
 9 and Castle stop as a maintenance facility.

10 And two other things I want to address.
 11 Diablo versus Pacheco. We believe the Diablo route
 12 should be picked over Pacheco because it requires
 13 less travel time between L.A. and San Francisco. It
 14 involves less ag land to be used, and allows a
 15 abandoned Air Force base to be used as a maintenance
 16 and construction facility.

17 And I wanted to address the question on air
 18 quality. I believe, as Ms. Andrews says, this is
 19 the one issue that's being lost. When I look at the
 20 numbers, and we did a little bit of background, one
 21 in six children in the Central Valley are asthmatic.
 22 One in eight children are on inhalers.

23 Again, I don't know what it is in Southern
 24 California, but I'm sure those numbers have to be at
 25 least the same, if not higher.

0083

1 And this air quality issue is only going to
 2 get worse. It's not a matter of why we can't build
 3 the system. It's a matter of when and how soon.
 4 Because the ideas of expanding freeways and
 5 airports, aren't going to add anything to the air
 6 quality solution. They're going to take away from
 7 it.

8 I want to acknowledge the board. I
 9 appreciate all their kind words, and I also want to
 10 thank the citizens of Southern California.

11 Again you have the vision like you always
 12 have, and I think in the Central Valley we're asking
 13 for your help today, not to forget us. In the past
 14 we've been the stepchild of a lot of projects.

15 I thank the board and citizens.

16 MR. PETRILLO: Thank you very much. And
 17 please make your bus.

18 Zahirah Washington. Do I have that right?

PH-LA2010-1
cont.

PH-LA2010-2

PH-LA2010-3

PH-LA2010-4

PH-LA2010-5

PH-LA2011

19 (Ms. Zahirah Washington takes the podium.)
 20 TESTIMONY OF MS. ZAHIRAH WASHINGTON: Good
 21 afternoon, chairman and members of the commission.
 22 My name is Zahirah Washington. And I'm
 23 speaking this afternoon on behalf of the Natural
 24 Resources Defense Counsel. There are more than
 25 100,000 California members.

0084

1 The comments I will go over today are a
 2 sample of concerns that will be addressed in a more
 3 detailed comments to be submitted before the August
 4 deadline.

5 I want to begin by saying that we're excited
 6 by the prospect of high-speed rail. If properly
 7 planned and designed, high-speed rail can provide an
 8 infrastructure similar to Europe and Asia and open
 9 California to a whole host of possibilities.

10 However, as currently envisioned, the
 11 authority's rail project, they have fully assessed
 12 the environmental impact of the project.

13 First, the high-speed rail project will have
 14 a tremendous effect on California's parks.
 15 California is renowned for it is national beauty.
 16 And California is the top destination for park
 17 tourism.

18 Californians appreciate this resource. And
 19 actively demonstrated a commitment to open parks and
 20 space by approving millions of dollars in bond funds
 21 to maintain parks.

22 In sharp contrast to this commitment, the
 23 authorities of EIR regards these as unavoidable
 24 impacts viewing these treasures as fungible.
 25 According to the draft report, the high-speed train

0085

1 can result on impacts to 58 to 83 park resources.

2 This is an outstanding measure and fails to
 3 protect our environment on a literal and fundamental
 4 level. The extent of the authority's potential
 5 damage is disheartening, especially since its
 6 citizens are deeply -- they engage in extensive
 7 negotiations to secure property that could be
 8 developed into parks.

9 For example, in the City of Los Angeles --
 10 in the corn fields as locations of parks. These
 11 properties are particularly significant in a city
 12 like Los Angeles where two-thirds of the children do
 13 not live within walking distance of a public park.

14 The authorities proposal to turn these rare
 15 sites into corridors for 200-mile-per-hour traffic
 16 is unconscionable.

17 Further, the high-speed rail project will
 18 have -- station stops in farming communities will
 19 encourage the development of housing, schools, and
 20 infrastructure. By the draft report does not
 21 adequately address these impacts.

22 MR. PETRILLO: I don't mean to break in.
 23 But there's something that you said. If you could

PH-LA2011-1

PH-LA2011-2

24 provide us the information.
25 As far as we know, all of our routes through
0086

1 the Los Angeles basin are on existing right of ways.
2 So I am not quite sure what you are referring to.
3 And I would appreciate it if you would identify
4 where we depart from an existing right of way to
5 impact a park in the L.A. basin area.

6 If you can provide -- I don't mean to break
7 in now. But if you can provide that as part of your
8 comments, that would be helpful. But our
9 understanding is that everything is on existing
10 right of ways.

11 MS. ZAHIRAH WASHINGTON: Well, it's my
12 understanding that some of the existing right of
13 ways that are not in the process of being converted
14 into parks. So areas that took years and years of
15 negotiations to convert into parks --

16 MS. ANDREWS: What you are saying, for
17 example, the Taylor.

18 MS. ZAHIRAH WASHINGTON: The Taylor yards.

19 MS. ANDREWS: The Taylor areas used as an
20 example is an area that currently we consider an
21 existing right of way.

22 You're saying there's plans to convert it
23 into a park.

24 MR. PETRILLO: So your objection is of using
25 existing right of ways that may in the future be
0087

1 converted to a park?

2 MS. ZAHIRAH WASHINGTON: Not maybe in the
3 future. It will be converted into a park.

4 MR. PETRILLO: I don't know. Will -- you
5 mean it's already bought?

6 MS. ZAHIRAH WASHINGTON: It's already
7 bought, and the process is undergoing. But I think
8 I will provide all the information with the
9 comments.

10 MR. PETRILLO: You are pulling up the tracks
11 for the trains?

12 MS. ZAHIRAH WASHINGTON: Actually, I'm not
13 sure exactly what stage it's in right now in the
14 process. But I do know that those properties, the
15 plans for the parks are in the process.

16 MS. ANDREWS: I think it will be helpful as
17 part of your written comments that you do provide us
18 with that information because at this stage, there
19 could be plans underway with the City of Los Angeles
20 or other cities that we're not aware of.

21 So that would be very important information
22 to provide us as you provide us information as part
23 of your comments on the --

24 MS. ZAHIRAH WASHINGTON: We definitely will.
25 We realize there's some things that have happened
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1 while the EIR process was going on, and more
2 recently that you might not be aware if that will

PH-LA2011-3

3 impact the future alignment choices.

4 MR. PETRILLO: I also need to know from you,
5 then, what the alternative is. Obviously if you
6 tear out the right of way, we would have to go in a
7 different way, and we would have other environmental
8 impacts that may be more severe like tearing down a
9 whole community.

10 MS. ZAHIRAH WASHINGTON: Uh-huh.

11 MR. PETRILLO: Those are some of the issues
12 that we have to struggle with. Anything you can do
13 to help us in identifying what the relative
14 environmental and social impacts are on rerouting
15 it, because obviously we can't say we're not going
16 to build a high-speed rail simply because it cuts
17 through a single park and there is no alternate.

18 MR. MORSHED: Aren't the findings of the
19 Environmental Impact Report as to what relative
20 environmental impacts are.

21 So anything you can do to help identify that
22 because, obviously, when we did -- the initial
23 studies were done a year ago at least. And
24 situations may have changed and information may be
25 not available to us. We need to be able to take a

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1 look at both what it's going through and what
2 alternatives we have.

3 MS. ZAHIRAH WASHINGTON: Okay. We will
4 because this is -- this is done subsequent to you
5 finishing this study. And a single park may not
6 seem like a lot, but it's significant in
7 Los Angeles.

8 MS. ANDREWS: You said up to 88. That's a
9 lot.

10 MS. ZAHIRAH WASHINGTON: That's statewide,
11 which is a huge amount of parks.

12 MR. MORSHED: Let me clarify, when the
13 document says "Potential impact on 88 parks," when
14 we did the analysis, we basically -- not only where
15 the alignment is, but what is the neighborhood of
16 the alignment.

17 And if -- for example, you may have some
18 sound impact on a nearby park. They're not in the
19 same place, and they don't grow through the park.
20 But there's a potential impact.

21 So not necessarily an impact, and --

22 MS. ANDREWS: And not necessarily a direct
23 impact.

24 MR. MORSHED: Very few of those actually is
25 directly in the park or anywhere close, but it's the

0090

1 sound extension or some other potential traffic
2 coming by may have an impact.

3 So there's some secondary impacts on the
4 park that we have to identify and list.

5 Excuse me for interrupting you. But your
6 statements are obviously important to us.

7 MR. PETRILLO: Obviously we don't want to

8 have impacts on the park. We want to be sure that
9 we do have alternatives available to us in all of
10 these involvements. We're talking about doing this
11 or doing a highway.

12 MS. ZAHIRAH WASHINGTON: Really it's
13 difficult. But to respond to you in terms of the
14 amount of impacts that whether they're high or
15 secondary direct impacts, the EIR states that the
16 total potential high impacts, which are also the
17 direct impacts of the high-speed train, are to
18 Section 4F resources, will be 54 to 89 resources
19 that they will have direct and high impacts on.

20 It's not just you are getting the sound
21 impacts. Just based on what the EIR states, it's
22 possibly this could actually be cutting through and
23 acquiring a portion of the parkland that exists.

24 MR. PETRILLO: I think the EIR evaluates one
25 of the things. Again, it's important for us to look

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1 at and evaluate the alternatives.

2 If you're talking about the nature of the
3 impacts vis-a-vis the alternative impacts, which
4 would be the impacts from carrying the same amount
5 of people by using roads, and I think the EIR has
6 pointed out that our alternatives, even though it
7 will have these impacts, they're substantially less
8 than what the alternative is.

9 Now, we still may have routing options
10 available to us. But I think that's part of what
11 we're trying to weigh here. Is relative impacts
12 between the high-speed rail system and the
13 alternatives that are presented to us because both
14 of them, whether we like it or not, will have
15 significant impacts as any large public works
16 project will have.

17 It will have significant impacts. The
18 question is which alternative will have the least.
19 That's sort of what we're trying to achieve.

20 Any help you can give us in terms of
21 identifying in areas of your special concern,
22 alternatives that are available us to, because
23 that's really what we're trying to deal with.

24 We just can't promise the state of
25 California that this would be a no-impact, no-cost

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1 project. It will be an impact and cost project.
2 But relative to the alternatives is what we're
3 trying to deal with here.

4 MS. ZAHIRAH WASHINGTON: Okay. We will try
5 to address that.

6 MR. MORSHED: I think in the same line, I
7 want to make sure, again, when you are talking about
8 the number of parks that the document identifies
9 having impact, the document contains generally at
10 least two corridors in each area. Sometimes maybe
11 three.

12 It includes a number of stations, far more

PH-LA2011-4

13 than actually eventually will be adopted. So the
14 document is a summation of all of those options
15 looked at.

16 Now, it could be that in one particular
17 area, for example -- I don't know whether it's a
18 fact or not, I just give you an example. From

19 Point A to B, there are two options being
20 considered.

21 One of the options may have impact on five
22 parks. The other options equally considered in the
23 document may impact zero parks. When you go to
24 decide, you will have to weigh the options that has
25 no impact on the park versus the one that has five.

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1 And only if you pick the one that has five
2 will you impact it. But to have impact on that 54,
3 you have to take every single option where it's the
4 worst possible scenario relative to the park.

5 MS. ANDREWS: Do you understand what
6 Mr. Morshed is saying in terms of how the
7 environmental document is outlined now?

8 This is why your comments will be so
9 important. Because as we literally go through the
10 process deliberating, and deciding what to approve,
11 we do have to go through the alternatives the way
12 that Mr. Morshed explained.

13 And that's where your information could be
14 very valuable in terms of what the chairman has
15 suggested, and that is as we decide and are looking
16 at an alternate they have has an impact on one park
17 versus five parks, what would be helpful is if you
18 provide impact that helps us get to a conclusion
19 that helps us accomplish our goal which is to
20 provide the least impact.

21 So that's an area that would be helpful.

22 MR. PETRILLO: Sorry. We don't usually
23 interrupt, but this is very important.

24 MS. ANDREWS: You said "unconscionable."

25 MS. ZAHIRAH WASHINGTON: I thought it was a

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1 good word.

2 MR. PETRILLO: We appreciate your concerns,
3 and we're spending a little extra time. It was
4 mostly on our time.

5 MS. ZAHIRAH WASHINGTON: Further, the
6 high-speed rail project will have far-reach ground.
7 Stations stopping in farm regions will have -- but
8 the draft report does not adequately address these
9 being impacts.

10 For example, the draft report fails to
11 adequately identify water resources to accommodate
12 the additional growth that will be recommended
13 around the various location stops.

14 MR. PETRILLO: Again, I want to make it
15 clear we're talking about vis-a-vis the
16 alternatives. We understand that.

PH-LA2011-5

17 But there are no identifications in most of
 18 those cases of what are the alternatives. We have
 19 certain limitations on what we can do. And,
 20 therefore, anything you can give us that can help us
 21 define that.

22 Again, we're talking about alternatives
 23 because we -- this whole environmental impact report
 24 is whether we should carry these people by
 25 high-speed rail or carry these people by road. And

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1 both of them are going to have impacts.

2 Which is going to have the most impact is
 3 what we're trying to deal with in any particular
 4 route. So the fact that underwater -- there may be
 5 places where there's an absence of analysis. But
 6 there's a same absence of analysis on alternatives.

7 In addition, I want to point out this is a
 8 program EIR and not a specific EIR. All of these
 9 EIRs are to be followed with a project-specific EIR
 10 to deal with each segment. We had to do this.

11 There's no way that the Environmental Impact
 12 Report system which, by law, which I wrote major
 13 portions of it, ever contemplated doing projects of
 14 this size and scope.

15 So it was changed to allow these problematic
 16 EIRs that can get the main things which are
 17 basically what are the relative differences between
 18 two major alternatives when you're talking about a
 19 statewide system.

20 And then addressing the specific
 21 environmental impact systems in a tiered process
 22 when -- some of these things -- is there anything
 23 we're missing here that we can't pick up in the
 24 project EIR, that's what we would like.

25 That's really what we would -- we would

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1 really appreciate because that's what we're trying
 2 to get at.

3 MS. ZAHIRAH WASHINGTON: I think one of the
 4 points is that there's some things that really help
 5 you identify and understand the full impacts and the
 6 range of impacts that the project is going to have.
 7 One of them being water resources.

8 California is already seeking out water
 9 resources for even it's projected population that it
 10 has now, let alone the population that will result
 11 after the high-speed rail comes into being. But
 12 that's sort of like a very large impact.

13 MR. PETRILLO: The issue and -- I don't want
 14 to debate. But the issue is will we require more
 15 water resources by using high-speed rail, or more
 16 water resources by using roads and highways?

17 That's the question that we need to answer.
 18 We can't necessarily answer any specific question
 19 until we get down to the specific environmental
 20 impact project impact reports.

21 So that's what we're trying to -- I don't

PH-LA2011-6

22 mean to -- anything you can give us to help us to
 23 resolve those issues because we're -- there is no
 24 way that we can say on a program EIR that we have
 25 analyzed every single impact that could possibly
 0097

1 happen to the specifics of the project.

2 What we're analyzing is should we go with
 3 high-speed rail or should we go with roads. And if
 4 we decide to go with high-speed rail, what are their
 5 general alignments and their general impacts?

6 So this is what we we're trying to deal with
 7 here as much as we can. Given the limitations of
 8 the Environmental Impact Report.

9 But go ahead. I'm sorry.

10 MS. ZAHIRAH WASHINGTON: Based on that, you
 11 probably won't like my last statement either.

12 MS. ANDREWS: We're anticipating that your
 13 statements are going to be pretty much in line with
 14 what we already know. That's our point. And that's
 15 why we have the alternatives, as Mr. Morshed talked
 16 about.

17 For us it's going to be helpful ultimately
 18 if we can engage you in a partnership to help us
 19 look at, from your environmental perspective, of
 20 other ways that we can look at this. Because we are
 21 acknowledging and conceding, yeah, there are going
 22 to be impacts. But it's just a matter of what the
 23 less of the two evils, if you will.

24 Go ahead and continue.

25 MS. ZAHIRAH WASHINGTON: Okay. Finally,

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1 MS. ANDREWS: You did say you support
 2 high-speed rail?

3 MS. ZAHIRAH WASHINGTON: I did.

4 Finally, the draft report fails to fully
 5 assess even the most blatant environmental impacts.

6 For example, the project will take over a
 7 decade to product. But the report has a cursory --
 8 considerable construction impacts are an obvious
 9 result of a project of this size, and the
 10 authority's failure to adequately address these
 11 impacts illustrates a failure to fully examine the
 12 scope of environmental impacts including air
 13 quality, water quality, traffic circulation.

14 And we encourage additional analysis study
 15 and review consistent with these consequences to
 16 design a project that we can all afford.

17 Thank you for your time.

18 MR. PETRILLO: John Freund?

19 (Mr. John Freund takes the podium.)

PH-LA2012 20 TESTIMONY BY MR. JOHN FREUND: Mr. Chairman,
 21 members of the board, I appreciate the time, as a
 22 private citizen, you are giving me here to voice a
 23 broader view than those espoused by the
 24 professionals.

25 I was a little bit alarmed when I saw the

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PH-LA2011-7

PH-LA2012-1

1 deadline of 2020. As a long-time resident of
 2 Los Angeles here, I'm afraid that by 2020, traffic
 3 on the freeways, as much as in the main arteries
 4 from Wilshire Boulevard to Imperial Boulevard, will
 5 be choked to the point where nobody can get to the
 6 station of the rapid transit system anymore.

7 I would, therefore, express my concern about
 8 it, and would like to urge to investigate any and
 9 all opportunities to build that system faster all
 10 over California. We need it frankly now.

11 Moreover, the alternative that is traffic by
 12 air is also getting to be a problem. It's not the
 13 traffic itself. It's the congestion at the
 14 airports.

15 It takes an hour to fly to San Francisco,
 16 but it takes two hours to stand in the airport and
 17 line before you get on the plane. And in
 18 San Francisco it takes another hour to retrieve your
 19 luggage. So there's a definite limitation by air.

20 I hope that an expedited project on land
 21 here will assist us in getting from here to
 22 San Francisco and to Sacramento faster than by air.
 23 Please don't tell the airlines.

24 However, there's also a limitation expressed
 25 here by one of our foremost -- by one of our

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1 foremost experts with the rail. And for that
 2 reason, although it is -- has a very short history,
 3 I would urge that we very thoroughly investigate the
 4 possibility of maglev. Maglev will double the
 5 speed. 400 miles per hour, 500 miles per hour.

6 True, maglev has no experience here. But we
 7 have to take the risk, and the risk is then that by
 8 2020, we're going to have either a maglev or we have
 9 a system of high speed that has come from Europe and
 10 is outdated by 50 years.

11 Something will have happened between now and
 12 2020 that gives us an opportunity to broaden our
 13 vision and to project and to make California not
 14 only the first state in the nation as far as traffic
 15 is concerned, but hopefully also the first country
 16 all over the world.

17 Maglev is a promise for the future. I don't
 18 know. We don't know how it will work out. But it
 19 certainly deserves a very thorough consideration and
 20 in what we can do now in order to solve our rapid
 21 and fast transportation system.

22 I looked at the maps here and wonder in a
 23 system that is to eliminate, for instance, the
 24 coastal route projected here and make it one system
 25 ranging from San Diego through Los Angeles through

0101

1 Lancaster and Mojave, and from there through the
 2 Central Valley where it can split to San Jose and
 3 San Francisco on one side and Sacramento on the
 4 other side.

5 Will probably reduce the costs, and will

PH-LA2012-1
 cont.

PH-LA2012-2

6 also -- if we adopt a faster system such as maglev,
7 will also then cut our travel time and allow us more
8 latitude in projected routes.

9 Moreover, California is only part of the
10 United States. From Mojave to the presently faster
11 growing urban area in the United States, and that is
12 Las Vegas, it's only a short extension then. True,
13 there will be more mileage added, but it will be
14 made up by the increased speed.

15 Maglev also might offer us a better
16 opportunity to suspend a system at an altitude of
17 anywhere between 10 and 50 feet, which works
18 especially in the urban area, reduces the
19 possibility of accidents.

20 Right now with the metropolitan
21 transportation system, there's hardly a month where
22 you don't have horrible accidents which are tied to
23 the rail. If we suspend it, there won't be no
24 children playing on the rails. And there will be no
25 crossings on a level. It will just go above us.

0102

1 I'm thinking about an old system in Germany
2 which is suspended and which operates for over 100
3 years now and never had a single accident because
4 it's just above the people or the pedestrians there.

5 So this is something perhaps that we also
6 might look into.

7 And then in our present routing, I would
8 think about a greater possibility to connect the
9 airports to integrate the air system with the land
10 system from San Diego through Orange County through
11 Long Beach airport through LAX, Burbank, the future
12 Lancaster and Palmdale, and from there on, if we can
13 connect airports with that fast system, we will have
14 a truly integrated is system then.

15 And also, we will have an opportunity for
16 people to change quickly from one of these systems
17 to the other ones to the other one.

18 And finally, I come to the point which
19 concerns all of us as taxpayers and citizens, and
20 that is the costs. The sooner or the faster we
21 build, the less inflation will catch up with it.
22 The mile built in 2020 will cost more than a mile
23 built in 2010.

24 There's no doubt about it. Because we
25 cannot reduce -- we can reduce inflation, but we

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1 won't ever eliminate it. And therefore, I come to
2 the last point that I would like to make, and that
3 is a combined system of public funds and the
4 government with private enterprise.

5 There are billions and billions of dollars
6 at home and abroad waiting to be invested in public
7 transportation. Let us do it, but make sure that
8 the public hand retains control during the project
9 and during the costs of operation.

10 So in summarizing, I appreciate your giving

PH-LA2012-2
cont.

PH-LA2012-3

11 me your time, and I hope that some of these
12 suggestions might be somewhat of use for all of us.

13 Thank you, Mr. Chairman. Thank you to the
14 authority.

15 MR. PETRILLO: Thank you very much for
16 coming here and speaking today. We appreciate it a
17 lot, and many of your comments are very well taken
18 and things that we have hoped that we would be able
19 to accomplish. We appreciate your concern with
20 California and with our system.

21 Now, that is our last speaker today. And,
22 therefore, I myself would like to thank you all for
23 coming.

24 If anybody here has any additional comments,
25 submit it to us in writing so that we may consider

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1 it.

2 (The proceedings concluded at
3 3:23 p.m.)

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1 STATE OF CALIFORNIA) ss

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3 I, Martin Spee, CSR 10303, do hereby declare:

4

5 That the foregoing 104 pages contain a full,
6 true and correct transcription of the proceedings.

7

8 I further declare that I have to interest in
9 the event of the action.

10

11 I declare under penalty of perjury under the
12 laws of the State of California that the foregoing

13

14 is true and correct.

15

WITNESS my hand this 7th day of July, 2004.

PH-LA2012-3
cont.

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Martin Spee, CSR 10303

Response to Public Hearing Comments, Los Angeles, June 23, 2004 (Comment PH-LA-2001-2012)

PH-LA2001-1 through PH-LA2001-4

Please see standard response 6.23.1.

PH-LA2002-1

Please see standard response 6.3.1.

PH-LA2003-1

Please refer to Response 6.3.1. Please also see standard response 2.35.1 in regards to locations for maintenance facilities.

PH-LA2004-1

Please see standard response 6.3.1.

PH-LA2004-2

Potential agricultural impacts are discussed in Section 3.8 *Agricultural Lands* of the Program EIR/EIS. The objective of maximizing the use of existing transportation corridors and rights-of-way to the extent feasible serves to minimize potential agricultural impacts and impacts on the natural environment. New corridor alignments and outlying station concepts throughout the Central Valley were eliminated primarily as a result of potential impacts on agricultural lands and natural resources, high potential for severance impacts, and the potential to contribute to development and sprawl and to increase development pressure on agricultural lands.

PH-LA2005-1

Acknowledged. Please see standard response 1.1.33.

PH-LA2005-2

Please see standard response 2.35.1.

PH-LA2005-3

Acknowledged. Please see standard response 1.1.33.

PH-LA2006-1

Acknowledged. HST fare assumptions were made in order to develop ridership and revenue forecasts as part of the Authority's June 2000 Business Plan (see Business Plan for more details on fare assumptions). Actual HST fares have not been determined yet, but will need to be competitive with other modes of transportation.

PH-LA2006-2

Please see standard response 2.35.1 and standard response 2.18.1. Please see standard response 6.3.1.

PH-LA2006-3

Acknowledged. HST fare assumptions were made in order to develop ridership and revenue forecasts as part of the Authority's June 2000 Business Plan (see Business Plan for more details on fare assumptions). Actual HST fares have not been determined yet, but will need to be competitive with other modes of transportation.

PH-LA2007-1

Acknowledged.

PH-LA2007-2

Acknowledged.

PH-LA2008-1

Acknowledged.

PH-LA2009-1

See standard responses 3.12.1 and 10.1.14.

The archaeological reports and studies for this project, *Paleontological Resources Technical Evaluation* and *Cultural Resources Technical Evaluation* technical reports (January 2004) for the Los Angeles to San Diego via Inland Empire region are available on the Authority's website (www.cahighspeedrail.ca.gov) along with the other technical reports for the Los Angeles to San Diego via Inland Empire region and the other four regions investigated. These two technical reports were mailed to the Pechanga Indian Reservation care of John Macarro (July 23, 2004).

This program-level environmental process was done at a conceptual level of detail and relied upon existing available data for cultural resources. There was no field review or testing for cultural resources. Should the HST project move forward, field review and testing would be required as part of more detailed project-specific analysis. In particular, the Authority will coordinate with the Pechanga Tribe regarding avoidance of the Exeava'Temeku village (located just west of the I-15/I-79 interchange). As part of this program-level process, the co-lead agencies initiated consultation with the Native American Heritage Commission for a search of their Sacred Lands file and lists of Native American contacts. The Native American contacts were sent letters providing information about the proposed project alternatives and requesting information about any traditional cultural properties that could be affected by the project. Authority staff also met with tribal representatives in a series of three Native American Outreach Workshops during the fall of 2003 (Frazier Park, San Luis Recreation Area, and Temecula Community Center). Following the release of the Draft Program EIR/EIS, two additional workshops were held (March 24, 2004, at the San Luis Recreation Area; and April 14, 2004, at UC-Riverside), led by the co-lead agencies' staff.

The co-lead agencies will continue to work with the Pechanga Tribe in all subsequent phases of planning and construction of the HST system should the HST project move forward. The co-lead agencies also will work with the Pechanga Tribe as well as other interested and/or potentially impacted tribes to develop appropriate mitigation measures.

PH-LA2009-2

Please see standard response 3.12.2.

PH-LA2010-1

Acknowledged.

PH-LA2010-2

Please see standard response 2.35.1.

PH-LA2010-3

Please see standard response 6.3.1. Please also see standard response 2.35.1 in regards to the location of maintenance facilities.

PH-LA2010-4

Acknowledged.

PH-LA2010-5

Acknowledged.

PH-LA2011-1, -3, and -4

The primary goal of the Program EIR/EIS Section 4(f) and 6(f) analysis was the identification of Section 4(f) and 6(f) resources on or near the proposed HST and Modal Alternative alignment options, and analysis of the relative potential for impact of the alternatives on these resources. If the HST project moves forward, potential alignment variations which can avoid or reduce potential impacts and appropriate mitigation measures would be identified in subsequent project-level environmental reviews.

The Draft Program EIR/EIS identifies “55 to 85 Section 4(f) properties affected,” which includes area within 150 ft [46 m] on each side of alignment centerline. While this number of 4(f) properties may appear large, it must be considered in the context of a proposed HST system that would extend for more than 700 miles and this figure includes city parks, playgrounds, golf courses, recreation centers, sports complexes, duck ponds, etc., as well as state parks. The goal of maximizing the use of existing transportation corridors and right-of-way to the extent feasible to minimize potential environmental impacts (including impacts to 4[f] and 6[f] resources) is part of the purpose and need for the proposed HST system.

A considerable number of comments have been received regarding potential impacts to the Taylor Yard and Cornfield properties owned by California State Parks. There were only two alignment options identified as practicable between Sylmar and Los Angeles in this program environmental process: the MTA/Metrolink; and the I-5/Metrolink. The MTA/Metrolink alignment would potentially impact the periphery of Taylor Yard property, whereas the I-5/Metrolink alignment would bisect the Cornfield property. Taylor Yard and the Cornfield site were not identified in the Section 4(f) analysis (public parks and recreation) of the Draft Program EIR/EIS because at the time of the analysis in 2002, neither site was identified as an existing or future park in the sources reviewed for the analysis. However, since that time, the California Department of Parks and Recreation has initiated general plans for these two facilities.

The MTA/Metrolink corridor is an existing rail corridor used by Metrolink commuter services and Amtrak intercity services. Use of the MTA/Metrolink corridor offers opportunities to mitigate potential HST impacts (e.g. by putting the alignment underground, on aerial structure, or by aligning it away from sensitive resources). The HST current design for the Draft Program EIR/EIS assumes that the HST alignment would be along San Fernando Road adjacent to Taylor Yards (primarily to avoid curves). Keeping the MTA/Metrolink design option along the existing Metrolink right-of-way around the Taylor Yards area should also be considered in future studies. In contrast

the I-5/Metrolink alignment option would bisect the Cornfield property with a new, at-grade alignment. Constructing the I-5/Metrolink alignment underground through the Cornfield property would not be practical because of the need to transition to an aerial structure to serve the LAUS HST station site.

The MTA/Metrolink option would have fewer potential impacts to local and regional parks than the Combined I-5/Metrolink option and was selected as the preferred option by the co-lead agencies. The Combined I-5/Metrolink alignment option has the potential to impact Griffith Park, Elysian Park and the Cornfield property. The Combined I-5/Metrolink route would also potentially impact slightly more biological resources than the MTA/Metrolink route.

The preferred alignment and station locations identified by the co-lead agencies, greatly minimizes the potential impacts on California's parklands at the program-level. For example, in the Bay Area to Merced region, the Hayward Line to I-880, which avoids Don Edwards National Wildlife Preserve, was identified as the preferred alignment between Oakland and San Jose. Also further study has been recommended before a preferred alignment is identified for the northern mountain crossing of the proposed HST system, and alignments through or under Henry Coe State Park are not to be included in that further investigation. The SR-58/Soledad Canyon Corridor alignment (Antelope Valley), which avoids major parks (such as the Angeles and Los Padres National Forests, Fort Tejon Historical Park, and Pyramid Lake) is identified as the preferred alignment between Bakersfield and Sylmar, and between Sylmar and Los Angeles, the MTA/Metrolink that avoids Elysian Park is identified as the preferred option. In addition, between Burbank and Los Angeles Union Station, the MTA/Metrolink refers to a relatively wide corridor within which alignment variations will be studied at the project level. Please also see standard response 6.24.2.

PH-LA2011-2, -5, and -6

Please see standard response 5.2.3 for issues related to potential impacts to housing, schools, infrastructure and water supply. Also, it is important to note that the timeframe (year 2035) considered in the growth inducement and indirect impact analysis is well beyond the planning horizon of any currently available General Plan, and as such it is not possible to make non-speculative, specific conclusions about potential impacts related to housing and land use. To the extent that information was available, a generalized analysis of land use and community compatibility was presented in Section 5.4.6.

Planning for water supply and other utilities to serve new development would be the responsibility of local government with land use authority in coordination with utility providers.

PH-LA2011-7

See standard response 3.15.3 and see added Section 3.18 providing discussion of potential impacts from construction activities for a proposed HST system. Also more detailed analysis would be provided in project-level environmental reviews, should a decision be made to proceed with development of a proposed HST system.

PH-LA2012-1

Acknowledged. The year 2020 is used for the Authority's ridership and revenue projections for the "forecast" year. Under this assumption, the entire system (Bay Area, Sacramento, Central Valley, Los Angeles, San Diego) would be completed in 2016 and have over three years of operations to build ridership. Under this scenario, segments of the statewide system (for example Bay Area to Los Angeles) could begin operations prior to 2016. The Authority developed an Implementation Plan which includes an updated schedule for implementing the statewide HST system. Financing for the construction of a HST system in California and for carrying out the project specific environmental studies needed for construction have not been established. Previous estimates by the Authority concluded that once financing was established, it would take 8 to 10 years to complete the work (environmental review, right-of-way

acquisition, construction, start-up/testing, etc.) needed to begin HST operations.

PH-LA2012-2

Please see standard response 2.10.3 regarding the consideration and rejection of Maglev technology. Please see standard response 2.12.2 in response to your comment that steel-wheel-on-steel-rail technology is "outdated by 50 years."

In regards to the potential maximum speeds of Maglev, the FRA's Maglev Deployment Program supports the development of a system capable of operating speeds of 240 mph (385 km/hr). This is the maximum speed of the Shanghai Maglev airport connector line that uses the Transrapid Maglev technology and is also the maximum speed that had been proposed for a Transrapid Berlin-Hamburg intercity Maglev line in Germany. Central Japan Railways and Transrapid claim potential maximum operating speeds of 310 mph (500 km/hr)—these are the only potential Maglev technologies that have demonstrated high-speed operations in revenue service or on full-scale test facilities.

The HST Alternative would have a "fully grade-separated guideway" (2.6.4 *Performance Criteria*) which is imperative for safety and reliability; this applies to steel-wheel-on-steel-rail technology as well as for Maglev technology. Aerial structures can be used for both technologies at about the same cost in California.

Alignment options (either the LOSSAN rail corridor or Interstate 5) for dedicated HST service from San Diego through Orange County were considered and rejected. In regards to the LOSSAN rail corridor, Section 2.6.8 (H) states, "after review of the work of the Commission, recent technical reports, and comment received during scoping and in the screening process, the Authority and FRA determined to study an upgraded LOSSAN corridor to provide higher operating speeds but rejected a dedicated high-speed system for this area. The high level of existing passenger rail, extensive existing rail infrastructure, and mixed rail traffic operations on this corridor, along with the limited existing right-of-way and sensitive coastal

resources, make a dedicated electrified HST service infeasible for this corridor at this time.” (Draft Program EIR/EIS, page 2-40) Section 2.6.9 *Alternative Alignment and Station Options Considered in Screening Evaluation* describes the rationale behind the elimination of the I-5 corridor from further investigation between Los Angeles and San Diego. This option was found to be impracticable because of extremely constrained right-of-way in the corridor and high construction impacts.

PH-LA2012-3

Acknowledged.

Comment Letter PH-LA2013

DENNIS A. CARDOZA
18TH DISTRICT, CALIFORNIA

COMMITTEE ON AGRICULTURE
SUBCOMMITTEE ON DEPARTMENT OPERATIONS,
OVERSIGHT, NUTRITION AND FORESTRY

SUBCOMMITTEE ON GENERAL FARM
COMMODITIES AND RISK MANAGEMENT

SUBCOMMITTEE ON LIVESTOCK AND
HORTICULTURE

COMMITTEE ON RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION, AND PUBLIC LANDS

SUBCOMMITTEE ON WATER AND POWER

COMMITTEE ON SCIENCE
SUBCOMMITTEE ON RESEARCH

PH-LA2013

Congress of the United States
House of Representatives
Washington, DC 20515-0518

WASHINGTON, DC OFFICE:
503 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6131

DISTRICT OFFICES:
415 WEST 18TH STREET
MERCED, CA 95340
(209) 383-4455

1321 I STREET, SUITE 1
MERCED, CA 95354
(209) 527-1818

445 WEST WEBER AVENUE, SUITE 240
STOCKTON, CA 95203
(209) 946-0361
(800) 356-6424

WRITTEN TESTIMONY
CALIFORNIA HIGH SPEED RAIL AUTHORITY
DRAFT PROGRAM EIR/EIS PUBLIC HEARING

CONGRESSMAN DENNIS CARDOZA
18TH CONGRESSIONAL DISTRICT, CALIFORNIA

JUNE 23, 2004
LOS ANGELES, CALIFORNIA

I appreciate the opportunity to again provide comment to the California High Speed Rail Authority regarding the Draft Program EIR/EIS. I concur with the Authority's conclusion that our existing transportation system does not meet California's current transportation needs, much less the demands of a growing population. With growth in the state projected to increase 31% by the year 2020, and 54% by the year 2035, it is crucial that we act now to meet this state's transportation infrastructure needs. High speed rail offers a common-sense solution to our state's transportation, congestion, and air quality problems and also provides a vision for our state's infrastructure and economic future.

High Speed Rail offers great benefits to California's Central Valley, in particular by linking the Central Valley to the other major population centers of the state with an environmentally friendly high speed mode of transportation. The Central Valley has experienced the highest growth rate in the state in recent years. This trend is expected to continue well into the future. Although growth in the Valley has brought economic opportunity, it has also brought with it congestion, poor air quality, impaired travel reliability and longer travel times. Additionally, the I-5 and highway 99 corridors provide the major surface transportation link between the northern and southern parts of the state. As an apex of this state's transportation activity, it is especially important for the High Speed Rail Authority to consider the unique problems and needs of the Central Valley when evaluating the Draft Program EIR/EIS.

The Central Valley ranks among the worst air quality regions in the nation. The San Joaquin Valley Air Pollution Control District, with jurisdiction over eight San Joaquin Valley counties, stretching from San Joaquin to Kern counties, has recently applied for a "bump up" of its air quality nonattainment status, from severe nonattainment to extreme nonattainment. The extreme nonattainment designation is shared only with the Los Angeles air basin. A high speed rail system, with links up and down the Valley will help to alleviate our air quality and congestion problems. I appreciate the Authority's analysis of air quality benefits and impacts, which estimate that a High Speed Rail system will result in a significant decrease in criteria pollutants

compared to the no project alternative. I wish to underscore the importance of the Authority's consideration of air quality benefits as it evaluates the Draft EIR/EIS, particularly in severe or extreme nonattainment regions.

The Draft EIR/EIS concludes that development, construction, operation and maintenance of the High Speed Rail will result in the creation of as many as 450,000 jobs in this state. As a member of Congress representing some of the highest unemployment areas in the nation, such as Merced County, I believe the potential this project brings for economic development in the Valley is especially important. All too often, the Central Valley lags behind economic development and job growth experienced in other areas of the state. I strongly urge the Authority to adopt a Northern Mountain Crossing through Merced County to align with San Jose, with route connections up and down the Valley. This option will best connect the Valley with the other major urban areas of the state and also will bring better economic development opportunities to the Valley. Additionally, I strongly urge the Authority to incorporate the selection of a Main Repair and Maintenance Facility in Merced County at the Castle Airport, Aviation and Development Center, also known as the former Castle Air Force Base.

The Draft Program EIR/EIS outlines the High Speed Rail system's needs for a Main Repair and Maintenance Facility. The Castle Airport, Aviation and Development Center is an ideal location for a repair and maintenance facility. It meets the outlined criteria, and carries with it the added benefits of public ownership, available land and opportunities to connect with other rail and air services.

I commend the Authority Board members and staff for their diligent work on the Draft Program EIR/EIS. I recognize that there is much work to be done on the document, and that our state's financial crisis may delay consideration of the bond by the voters. This should not let us lose sight of the vision and of our goal, and will hopefully provide the Authority with the opportunity to further improve the proposal. I appreciate the opportunity to provide my comments and look forward to working with the Authority on this project.

PH-LA2013-1 cont.

PH-LA2013-2

PH-LA2013-3

PH-LA2013-4

PH-LA2013-1



**Response to Comments of Congressman Dennis Cardoza, 18th Congressional District, California, June 23, 2004
(Letter PH-LA2013)**

PH-LA2013-1

Acknowledged.

PH-LA2013-2

Acknowledged.

PH-LA2013-3

Please see standard response 2.35.1.

PH-LA2013-4

Acknowledged.

Comment Letter PH-LA2014

PUBLIC HEARING ON CALIFORNIA HIGH-SPEED TRAIN DRAFT PROGRAM EIR/EIS



PH-LA2014

COMMENT SHEET

Los Angeles, June 23, 2004

Written comments may be submitted at today's meeting or be mailed or faxed to the Authority.

Mail: California High-Speed Train
Draft Program EIR/EIS Comments
925 L Street, Sacramento, CA 95814

Fax: (916) 322-0827
Attn: California High-Speed Train
Draft Program EIR/EIS Comments

Comments may also be submitted through the Authority's
Web site: www.calhighspeedrail.ca.gov.

All comments must be received by end of day August 31, 2004.

Name: CALVIN LEE
Affiliation (if applicable):
Address: 622 WALL ST #203
City, State, Zip: LA CA 90014
Phone #: 213/489-7383
E-mail:

Please provide your comments below on the project's draft environmental document:

I support HIGH HIGH-SPEED TRAIN
SYSTEM ESP SINCE I LIVED
IN LONDON (1963-73) + HAD A
CHANCE TO SEE A REAL TRAIN
SYSTEM

SUPPORT PALMDALE LINK ESP
WITIT AIRPORT THERE



Thank you for your comments. If needed, please continue on reverse.

PH-LA2014-1

PH-LA2014-2

Response to Comments of Calvin Lee, June 23, 2004 (Letter PH-LA2014)

PH-LA2014-1

Acknowledged.

PH-LA2014-2

Please see standard response 6.23.1.