
Public Scoping Comments – General Comments

Appendix M



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

Kris Livingston

From: Greg_Hill@ca.blm.gov
Sent: Thursday, September 24, 2009 3:36 PM
To: HSR Comments
Cc: Ethel_Smith@ios.doi.gov; Sandra_McGinnis@blm.gov
Subject: LA-SD HST Section via the Inland Empire

Dear Mr. Leavitt

The Bureau of Land Management (BLM) has received notification of the NOI for preparation of an EIS/EIR for the proposed Los Angeles to San Diego Section of the California High Speed Train (HST) System (FR Doc. E9-23003).

The BLM manages federal public lands that may be crossed or affected by the proposed route of the HST in Riverside and San Diego Counties. Please include the BLM on the mailing list for this project. This project may require the application for a right-of-way across federal lands. Also, please indicate the location of public lands managed by the BLM, along with any BLM special designations, on project location maps. Impacts to public lands and any special designations, such as Areas of Critical Environmental Concern, should be analyzed in the EIS/EIR.

You may contact me for further questions or for BLM and public land related data needed in the EIS/EIR.

Thank you

Greg Hill
Planning & Environmental Coordinator
Bureau of Land Management
Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262
(760) 833-7100



FEMA

October 15, 2009

Mr. Dan Leavitt
Deputy Director
925 L Street, Suite 1425
Sacramento, CA 95814

Re: California High-Speed Rail Authority
Invitation to Participate in the Environmental Review Process

Dear Mr. Leavitt:

This letter is in response to your letter dated September 30, 2009, addressed to Ms. Nancy Ward, Regional Administrator, Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), requesting our agency become a participating agency in the environmental review process for the Los Angeles to San Diego section of the High Speed Train EIR/EIS.

FEMA is declining your invitation to be a participating agency as we do not have jurisdiction or authority with respect to the proposed improvements. The proposed improvements may be located in counties that could involve local jurisdictions participating in the National Flood Insurance Program (NFIP). Any development within these counties must comply with any requirements of the County's Flood Damage Prevention Ordinance (Ordinance).

Should you have any questions or if I may be of further assistance, you may contact me at (510) 627-7728, or by email at fema-rix-ehp-documents@dhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Donna M. Meyer".

Donna M. Meyer, CEM
Deputy Regional Environmental Officer



DEPARTMENT OF THE ARMY

P.O. Box 532711
Los Angeles, CA 90017-3401

December 28, 2009

REPLY TO
ATTENTION OF:

Regulatory Division

David Valenstein
Federal Rail Administration
1120 Vermont Avenue
MS-20
Washington, District of Columbia 20590

Dear Mr. Valenstein:

The U.S. Army Corps of Engineers (Corps) has reviewed the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Los Angeles to San Diego segment of the California High-Speed Train Project. We appreciate the opportunity to provide comments.

Several alternatives to be considered for the California High-Speed Train Project would require approval by the Corps. Corps approval would be required for (1) any proposed modifications to an existing Corps project, (2) the use of land in which the Corps holds a property interest, and (3) discharges of dredged or fill material into jurisdictional waters of the United States. These approvals would be considered major Federal actions for which we, as a Federal agency, have independent legal responsibility to comply with the National Environmental Policy Act (NEPA).

The Corps' responsibilities to maintain the function of its flood risk management features, including the Los Angeles County Drainage Area, which includes Whittier Narrows Dam and many other channels and dams, are of paramount importance. To that end, the Corps is required to comply with the terms of 33 U.S.C. § 408, a Federal law which requires that before allowing any alteration, occupation, or use of a flood control work, the Corps must determine that such use will not be injurious to the public interest and will not impair the usefulness of such work. This determination, which may only be made by the Chief of Engineers or his delegee, requires detailed evaluation, as described in Corps guidance we have attached to this letter. Please be advised that impacts to our flood control works could result in substantial delay to the project or a denial from the Corps. Corps approval under Section 408 is required for modifications to all existing Corps projects, regardless of whether they are currently operated by the Corps or by a non-Federal sponsor such as a city, county, or flood control district.

In order to ensure that the District Commander will be prepared to issue a timely recommendation to the Chief of Engineers or his delegee regarding the preferred alternative identified by the FRA in the EIR/EIS, Corps staff need to be involved in the review, screening, and analysis of alternatives that would propose modifications to any Corps project. Because the Corps has jurisdiction by law over approval of any proposed changes to Corps projects, it is imperative that your agency coordinate with our staff that has special expertise regarding the potential impacts on flood risk management systems of our Corps projects. Please coordinate with Phillip Serpa, the lead Project Manager for Section 408 issues, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil. Please submit any requests for Section 408 review with the required supporting documentation to our District Commander at the address above.

The Corps must also determine that the project will not affect our property interest or our ability to manage the area in question. A consent to use or alter our easement area may only be granted after the Section 408 analysis is completed.

The third Corps approval that may be required for the project is a Clean Water Act (CWA) Section 404 permit for the discharge of dredged or fill material into waters of the United States. The final decision on a Section 408 request will precede the final decision on a CWA Section 404 permit.

I understand that the California High-Speed Train Project is a substantial effort, and I thank you for the opportunity to become involved at this time. Please note, however, that if, as expected, the required Section 408 review and analysis exceeds our normal and ordinary capabilities under our appropriations, we may require additional funds to handle necessary actions under the environmental review process. We are in the process of discussing the potential authorities to accept funds for that purpose.

Please coordinate with Phillip Serpa, the lead Project Manager for Section 408 issues, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil. If assembling supporting documentation or specific information regarding our projects is required, you may also contact:

- Whittier Narrows Dam Safety Study – Se-Yao Hsu, Project Manager, at 213-452-4016 or Se-Yao.Hsu@usace.army.mil, or Phillip Serpa, Basin Manager, at 213-452-3402 or Phillip.J.Serpa@usace.army.mil
- Prado Dam – Katie Parks, Basin Manager, at 213-452- 3399 or Katie.B.Parks@usace.army.mil
- San Luis Rey River Flood Control Project, White Water River Basin Project, and Murrieta Creek Flood Control, Environmental Restoration and Recreation Project – David Van Dorpe, Project Manager, at 213-452-4008 or David.M.VanDorpe@usace.army.mil
- Norco Bluffs, Santa Ana River Project – Greg Boghossian, 213-452- 3982 or Gregory.H.Boghossian@usace.army.mil

During the Programmatic EIS (Tier 1) phase of the California High-Speed Train Project, the Corps concurred on the alternative 'most likely to yield' the least environmentally damaging practicable alternative (LEDPA). The decision was only commensurate with the level and breadth of the environmental data made available to the Corps at that time and was only based on the coordination of CWA Section 404 issues. In addition, such concurrence does not obviate the need for FRA to fully comply with all requirements of the CWA 404(b)(1) Guidelines (40 C.F.R. Part 230) during the preparation of any subsequent project level EIS.

While potential alternatives are evaluated at both the Tier 1 and Project-level (Tier 2) NEPA stages, it is not usually until the last stage, or project-specific stage (which includes 404 permitting) that substantive determinations regarding the adequacy of alternatives development and analysis occur. The CWA 404(b)(1) Guidelines specify that a CWA section 404 permit can only be issued for a discharge of dredged or fill material to waters of the United States if the discharge is determined to be the LEDPA. For non-water dependent projects that require filling of wetlands or other special aquatic sites, like this transportation project, the CWA 404(b)(1) Guidelines presume that there are upland alternatives available and that these upland sites are less environmentally damaging. The burden to prove otherwise lies with the project sponsor or applicant. In particular, the "No (Federal) Action" alternative, and alternatives that avoid or minimize fill in waters of the United States must be carefully analyzed. Impacts resulting from the build alternatives must be compared to the No (Federal) Action alternative to understand the overall intensity and magnitude of impacts.

Finally, the Corps suggests that the California High-Speed Train Project be constructed within or adjacent to existing transportation corridors where there are lower occurrences of potential sensitive biological and aquatic resources. The Corps suggests that the State Route 56 and State Route 8 corridor also be analyzed as alternative routes.

If you have any questions regarding CWA Section 404 issues, please contact Veronica Chan, Regulatory Project Manager, at 213-452-3292.

Sincerely,



for Mark D. Cohen
Deputy Division Chief
Regulatory Division

Enclosures

CECW-PB

SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

DISTRIBUTION:

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET NW
WASHINGTON, D.C. 20314-1000

CECW-PB

OCT 23 2006

MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS

SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

1. REFERENCES:

- a. ER 1165-2-119, dated 20 September 1982, Modifications to Completed Projects
- b. 33 CFR 208.10, Local flood protection works; maintenance and operation of structures and facilities
- c. 33 USC 408, Taking possession of, use of, or injury to harbor and river improvements
- d. 33 CFR 320.4, General policies for evaluating permit applications
- e. Section 404 of the Clean Water Act
- f. Section 10 of the River and Harbors Act of 1899

2. PURPOSE. Recent events have demonstrated the need to provide clarification and additional guidance on the policy and procedures for dealing with proposals to modify or alter completed Corps of Engineers projects that are either locally or federally maintained. Often requests for modifications to Corps projects come up in the context of Section 404 permitting actions or for modifications to existing Corps projects for the purposes of O&M. This memorandum addresses the use of the appropriate authority and the proper level of approval for such proposals.

3. BACKGROUND.

a. ER 1165-2-119 provides policy and guidance on the modification of completed Corps of Engineers projects, and describes the specific circumstances under which modifications can be approved and accomplished. In general, proposed significant modification of a completed project, involving new Federal construction or real estate acquisition, and any proposed modification that would make the project serve new purposes, or increase the scope of services to authorized purposes beyond that intended at the time of construction, or to extend services to new beneficiaries (areas), requires authorization by Congress. There may be instances where reporting officers find that proposed significant changes to a completed project may be desirable, in which case investigations may be undertaken to document the need for and the feasibility of such project modifications. To the extent practicable, such changes should be accomplished under existing authorities. However, the circumstances under which such modifications can be approved and made are limited, as discussed in the ER, and are briefly summarized below.

b. For projects constructed, operated and maintained by the Corps, the Corps may, as part of its operations and maintenance efforts, make reasonable changes and additions needed to

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SUBJECT: Policy and Procedural Guidance for the Approval of Modification and Alteration of Corps of Engineer Projects

properly operate the project or minimize maintenance. In addition, multiple purpose projects operated and maintained by the Corps may be modified within existing authorities for dam safety assurance, changes in water control plans, addition of water supply, changes to meet water quality needs, and recreation and fish and wildlife enhancement, as discussed in the ER. The Chief of Engineers also has limited discretion to modify navigation projects. For Corps-constructed projects operated and maintained by local interests, any proposed Federal work at these projects usually requires congressional authorization, with the exception of work required to correct a design deficiency.

c. Guidance on the responsibilities for the operation and maintenance of local protection projects is found in 33 CFR 208.10. This regulation describes local sponsors' responsibilities for operating and maintaining the structural soundness and functionality of the project in order to assure that the project meets its authorized purposes. Specifically, 33 CFR 208.10 a (5) requires that "no improvement shall be passed over, under, or through the walls, levees, improved channels or floodways, nor shall any excavation or construction be permitted within the limits of the project right-of-way, nor shall any change be made in any feature of the works without prior determination by the District Engineer" that such changes will not adversely affect the functioning of the protective facilities. The types of changes that can be considered and approved by a District Engineer under 33 CFR 208.10 are relatively minor, low impact modifications, such as pipes or pipelines proposed to pass over or through a Federal work, or a road or similar type of infrastructure improvement proposed to pass over a Federal levee. Such minor proposed modifications are considered part of a District Engineer's responsibilities related to normal O&M of such facilities. Any proposed modification of a Federal work, such as a levee or channel, which would involve significant changes to the authorized project's scope, project purpose, or functioning, cannot be approved by the District Engineer, but instead must be forwarded through the Division Commander for the approval of the Chief of Engineers, as explained hereinafter. That is, any proposed change to a Federal work exceeding the level of ordinary District O&M responsibilities for a project must be sent through the Division Commander to the Chief of Engineers for approval, as discussed in the following paragraphs.

d. Any proposed modification to an existing Corps projects (either federally or locally maintained) that go beyond those modifications required for normal O&M require approval under 33 USC 408. 33 USC 408 states that there shall be no temporary or permanent alteration, occupation or use of any public works including but not limited to levees, sea walls, bulkheads, jetties and dikes for any purpose without the permission of the Secretary of the Army. Under the terms of 33 USC 408, any proposed modification requires a determination by the Secretary that such proposed alteration or permanent occupation or use of a Federal project is not injurious to the public interest and will not impair the usefulness of such work. The authority to make this determination and to approve modifications to Federal works under 33 USC 408 has been delegated to the Chief of Engineers.

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4. POLICY.

Any significant alteration or modification to either a locally or federally maintained Corps of Engineers project must be approved by the Chief of Engineers under 33 USC 408 unless covered by ER 1165-2-119. Modifications to a Corps projects beyond those necessary to properly operate the project or to minimize maintenance costs as well as any significant alteration or modification requested by any non-Federal interest for their own benefit also requires the Chief's approval under 33 USC 408.

5. PROCEDURES.

a. The following information will be provided with any request for the approval of significant modifications or alterations to a locally or federally maintained Corps project requiring the Chief of Engineers approval under 33 USC 408.

1. A written request by the non-Federal interests for approval of the project modification/alteration.
2. A physical and functional description of the existing project
3. A detailed description of the proposed modification
4. The purpose/need for the modification
5. A description of any related, ongoing Corps studies/efforts in the watershed
6. A Public Interest Determination
7. Appropriate NEPA documentation
8. Any Administrative Record
9. A discussion of indirect effects
10. A discussion of E.O. 11988 Considerations
11. Technical Analysis
 - Technical adequacy of the design
 - Changes in water surface profiles and flow distribution
 - Assessment of anticipated local and system-wide resultant impacts, i.e., impacts on system integrity
 - Upstream and downstream impacts of the proposed alterations, including potential impacts to existing floodplain management and water control management plans of Federal projects within the basin
 - A discussion of residual risk

b. If there is an associated Section 404/10 permit action, the required public interest and technical evaluations under 33 USC 408 can be done concurrently with that action. Upon completion of the public interest determination and of the technical analyses regarding the impact of the proposed modification on the usefulness of the project, the District Engineer will make a recommendation (with supporting documentation) through the Division Commander to

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the Chief of Engineers (Attn: Appropriate RIT) for his consideration and approval under 33 USC 408. The District Engineer will make the final Section 404/10 permit decisions following the Chief of Engineers decision under 33 USC 408. A minimum of 30 days must be allowed for HQUSACE review.

c. For locally operated and maintained Corps projects, the operations and maintenance for any approved project modifications or alterations will be the responsibility of the non-Federal sponsor and the Project Cooperation Agreement or other appropriate document must be updated to address non-Federal sponsor responsibilities for the approved modifications.

6. If the desired modifications cannot be suitably pursued or approved under any of the preceding approaches, additional congressional authorization may be required. Section 216 of the Flood Control Act of 1970 is the appropriate authority to use to consider such modifications.

7. Consideration will be given to further delegation of the approval authority to a lower level as we gain more experience with the types of changes that are proposed for approval under 33 USC 408.

FOR THE COMMANDER:


for DON T. RILEY
Major General, USA
Director of Civil Works



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

NOV 17 2008

CECW-PB

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

1. References:

- a. CECW-PB Memorandum dated 23 October 2006, Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects.
- b. ER 1105-2-101, Planning - Risk Analysis for Flood Damage Reduction Studies, dated 3 January 2006.
- c. CECW-HS Memorandum dated January 23, 2008, Subject: Guidance for the Prioritization of Fiscal Year (FY 2008) Levee Safety Program Inspection Funds.
- d. EM 1110-2-1619, Risk Based Analysis for Flood Damage Reduction Studies, dated 1 August 1996.
- e. ER 1110-2-1150, Engineering and Design for Civil Works Projects, dated 31 August 1999.
- f. ER 1165-2-502, Delegation of Review and Approval Authority for Post-Authorization Decision Documents, dated 31 March 2007.
- g. ER 1105-2-100, Appendix H, Policy Compliance Review and Approval of Decision Documents, November 2007.
- h. ER 1110-1-12, Quality Management, dated 30 September 2006.

2. Purpose: The purpose of this memorandum is to provide additional clarification and to supplement reference 1a, which remains in effect. This memorandum addresses approval levels for various types of alterations/modifications under 33 U.S.C. 408; the application of risk analysis to the required engineering studies, review requirements, report processing requirements, and appropriate funding mechanisms and focuses primarily on flood risk management projects.

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3. Policy:

a. Application of 33 CFR 208.10 and 33 U.S.C. 408.

(1) 33 U.S.C. 408 authorizes the Secretary of the Army to permit alterations/modifications to existing Corps projects in certain circumstances. The Secretary of the Army has delegated this approval authority to the Chief of Engineers. In addition, the authority to approve relatively minor, low impact alterations/modifications related to the operation and maintenance (O&M) responsibilities of the non-Federal sponsors has been further delegated to the District Engineer for approval in accordance with 33 CFR 208.10. The types of alterations/modifications that can be approved by a District Engineer include placement of structures such as pump houses, stairs, pipes, bike trails, sidewalks, fences, driveways, power poles, and instrumentation provided these alterations/modifications do not adversely affect the functioning of the project and flood fighting activities. If proposed changes are limited to restoring the authorized level of protection or improving the structural integrity of the protection system and do not change the authorized structural geometry or hydraulic capacity, they may be approved in accordance with 33 CFR 208.10. The authorized level of protection is intended to be the top of the levee associated with the design water surface plus appropriate freeboard including consideration for subsidence. Alterations/modifications approved by the District Engineer in accordance with 33 CFR 208.10 are considered within the O&M responsibilities of the non-Federal sponsor and will be implemented by the non-Federal sponsor at no cost to the federal government and are not eligible for credit.

(2) The types of alterations/modifications under 33 U.S.C. 408 that require approval by the Chief of Engineers include degradations, raisings, and realignments and other alteration/modifications not discussed in paragraph 3a(1) above, to the flood protection system. In instances where it is not clear if the proposed alteration/modification is within the authority delegated to the District Engineer for approval in accordance with 33 CFR 208.10 or when the proposed alteration/modification requires approval by the Chief of Engineers, there must be an engineering analysis conducted with consideration of the full range of loading conditions to determine the impact of the alteration/modification on systems performance (flood elevations and structural integrity). Such alterations/modifications include non-Federal levee tie-ins, ramps, riverside landscaping, retaining walls, fill against a levee (such as railroad trestles and overbuild), bridges, relief wells, seepage berms, and stability berms. If the engineering analysis indicates that system performance is adversely impacted by the alteration/modification, then the proposed alteration/modification must be submitted for approval by the Chief of Engineers. The "system performance" includes the portions of the watershed above and

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

below the proposed site of alterations/modifications to the extent that adverse impacts can be identified. "Adverse impacts" include any significant increase in risk to public safety.

(3) Regulatory approval under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 for a structure within the waters of the United States does not, by itself, constitute approval for a project alteration/modification.

b. Risk Analysis.

(1) Non-Federal proposals to degrade, raise, or realign existing Corps projects under 33 U.S.C. 408 should be evaluated as new construction of Federal projects and the potential impact of these changes, including system impacts, must be evaluated in accordance with Corps regulations and policy. A risk analysis will be applied to all evaluations of alterations/ modifications to Corps flood damage reduction projects to be approved under 33 U.S.C. 408 in accordance with ER 1105-2-101 and shall apply to the following:

(a) Projects, whether with or without Federal funding, where an ongoing or proposed study considers alternative solutions,

(b) Where the proposed alterations/modifications under 33 USC 408 may impact levees within the purview of forthcoming EC 1110-2- 6067 (formerly known as draft ETL 1110-2-570), Certification of Levee Systems for the National Flood Insurance Program (NFIP) dated 30 September 2008.

(c) Alterations/modifications for which the non-Federal sponsor requests or intends to request credit either under Section 104 of WRDA 1986 or Section 2003 of WRDA 2007.

(2) Risk analysis is not required when evaluating the performance of an existing system where consideration of alternative solutions, USACE certification, or credit are not involved. Even though ER 1105-2-101, Section 6, Variables in a Risk Analysis, includes geotechnical and structural analysis, the risk and uncertainty analysis for evaluation of potential system impacts is limited to the hydrologic and hydraulic parameters. Impacts will be determined by comparing performance parameters as presented in ER 1110-2-101 for the existing or base condition to the condition resulting from the project alteration/modification. The base performance conditions are defined by authorized project features. USACE has provided technical guidance in EM 1110-2-1619, but has yet to fully develop the guidance needed to analyze risk and uncertainty for the geotechnical and structural performance of a system. Until such guidance is developed, deterministic procedures are appropriate for demonstrating geotechnical and structural integrity under the full range of loading conditions. For loading conditions

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where flood waters exceed the level of protection, the analysis shall include a breach analysis to assess impacts within the system. Under no circumstances will the analysis assume failure of any component of the levee or flood wall system for the flood up to the top of protection as a means to relieving systems impacts.

(3) The district and the non-Federal sponsor should work together to provide an appropriate assessment that incorporates state of the art analyses of other areas of uncertainty. Specific areas of concern include seismic stability, impacts of the overtopping loading conditions and potential impacts to interior drainage. Specific to seismic stability, the studies need to demonstrate that under normal operating conditions failure will not result in unexpected release of flows that would impact project performance.

c. Review Requirements.

(1) All documents submitted by the non-Federal sponsor for consideration under 33 U.S.C. 408 will require an Agency Technical Review (ATR). The ATR may be accomplished by the home district in which the proposed alteration/modification is under consideration. Vertical team coordination is required to assure technical requirements are met throughout the process. This coordination can be accomplished through In-Progress-Reviews (IPR) and during interim draft documentation review.

(2) In addition, documents submitted by the non-Federal sponsor for consideration under 33 U.S.C. 408 that require approval by the Chief of Engineers must undergo a Type II Independent External Peer Review (this is the Safety Assurance Review (SAR) set out under Section 2035 of WRDA 2007) prior to submission of the request for approval to HQUSACE. When the Corps is concurrently performing investigations that will entail a safety assurance review, the SAR for the overarching study will suffice but must be completed prior to initiation of construction. In cases where no Corps investigations are ongoing, an SAR on the proposed alteration/modification must be performed. The SAR must be performed by the non-Federal sponsor prior to a request for approval of the proposed alteration/modification. Guidance on the conduct of Independent External Peer Reviews, including Type II SAR's, is under development and will be forthcoming.

(3) Nothing in this guidance alters Division or District quality management responsibilities in accordance with ER 1110-1-12 and any associated regional guidance.

d. Report Review and Approval.

(1) Requests for approval by the Chief of Engineers of proposed alterations/modifications of an existing Corps project and the supporting documentation

SUBJECT: Clarification Guidance on the Policy and Procedural Guidance for the Approval of Modifications and Alterations of Corps of Engineers Projects

will be forwarded to the appropriate HQUSACE Regional Integration Team (RIT). The final decision document products shall include supporting Engineering analyses to the level of detail for preconstruction engineering and design in accordance with ER 1110-2-1150. ER 1110-2-1150 is being updated and is forthcoming. The submittal package will also include the District's memorandum requesting approval and the MSC endorsement of the request as well as the items listed in paragraph 5 of reference 1.a. and the following items:

- (a) A description of all other flood and/or storm risk management actions in the watershed, including current operations and proposed changes actively underway or planned for the future;
- (b) A copy of any related credit requests and a description of the sponsor's intent to seek credit and/or reimbursement, if applicable;
- (c) A risk analysis of the proposed alterations/modifications in accordance with ER 1105-2-101;
- (d) The District's analysis of the policy and legal compliance aspects of the proposed alterations/modifications;
- (e) The District Engineer's determination that the proposed alterations/modifications will meet USACE engineering and safety standards, and will not have significant adverse affects on the functioning of the protective facilities; and
- (f) A copy of any prior HQUSACE guidance regarding alterations/modifications of the project and other damage reduction projects in the watershed.

(2) The RIT will forward the submittal package to CECW-PC for a policy compliance review in accordance with the paragraph 5 of reference 1 a. and the attached Section 408 Submittal Checklist. The policy compliance review results will be provided to the Chief of Engineers or designee prior to approval. The RIT will coordinate the results, as needed, to correct or improve the package as necessary to address significant concerns.

e. Funding.

At this time, funds have not been specifically appropriated by line item for review of proposals under 33 U.S.C. 408. Potentially available sources of funds for review activities include Inspection of Completed Works (ICW) funds and, if there is an ongoing funded project activity directly related to the 408 proposal, project funds. In certain circumstances for alterations/modifications necessary for Federal transportation projects,

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USACE may accept and expend funds provided by an State DOT agency pursuant to section 139(j) of Public Law 109-59 (codified at 33 U.S.C. 139(j)) provided the Secretary of Transportation finds such review activities directly and meaningfully contribute to an underlying transportation project. In such cases, USACE only may accept funds in amounts necessary to permit USACE to meet the time limits for environmental review established for the project and only may accept funds for activities beyond the normal and ordinary capabilities permitted by USACE's general appropriations. HQUSACE will continue to investigate other avenues of funding for Corps activities under 33 U.S.C. 408.

4. Vertical Teaming: Since it is impossible to anticipate each and every scenario, vertical teaming is a must when there is doubt as to the appropriate course of action related to the application of this guidance. Please coordinate through the appropriate HQUSACE's RIT as needed to ensure that analyses and submittals are in accordance with policy. A guide has been enclosed to help identify the minimum required actions. Other actions should be addressed as appropriate.

FOR THE COMMANDER:



STEVEN L. STOCKTON, P.E.
Director of Civil Works

Encl

DISTRIBUTION:
(See pages 7 and 8)

Final
11/12/08

Section 408 Submittal Package Guide

This guide is intended to ensure a complete submittal, aid the review process and serve as a guide for sponsors/applicants requesting approval of significant modifications or alterations to a locally or federally maintained Corps project requiring Chief of Engineers approval under 33 USC 408. Incomplete submittals will delay processing of applicant requests. This information will be submitted to the MSC for quality assurance review prior to making any recommendations to HQUSACE.

Applicant (Normally the Non-Federal Sponsor) Prepared Documents

1. Written request for approval of the project modification

- A detailed description of the proposed modification
- The purpose/need for the modification
- An appropriate map or drawing

2. Technical Analysis and Adequacy of Design. All necessary technical analysis should be provided. The list below is only a guide for typical items that would routinely be expected and is not intended to list every item that could be needed to make this determination.

- Geotechnical Evaluation.
 - Stability
 - Under seepage
 - Erosion Control
 - Vegetation
 - Material usage/borrow/waste/transport/hauling
- Structural
 - Bridges and related abutments
 - Pier penetrations of levee embankments
 - Diaphragm walls
 - Other structural components integral to the project
 - Gates or other operable features
- Hydraulic and Hydrology
 - Changes in inflow
 - Changes in water surface profiles and flow distribution
 - Assessment of local and system wide resultant impacts
 - Upstream and downstream impacts of the proposed alterations, including Sediment transport analysis as needed
 - Impacts to existing floodplain management

- Operation and Maintenance Requirements
 - Applicant facilities
 - Pre flood preparation
 - Post flood clean up
 - Sediment removal
 - Water control management plan
 - Impacts to other Federal projects within the basin
 - Corps facilities

3. Real Estate Analysis

- Reference ER 405-1-12, Chapter 12, Sections I and II.
 - Include:
 - Description of all Lands, Easements and Rights of Way required for the modification, including proposed estates
 - Description of all Lands, Easements and Rights of Way owned as a part of the authorized project
 - Maps clearly depicting both required real estate and existing real estate limits
 - Navigational servitude, facility relocations, relocation housing assistance and any other relevant factors

4. Discussion of Residual Risk. Discuss the changes to the existing level of risk to life, property as a result of the modification. Will the project incur damages more frequently as a result of flooding that will require Federal assistance under PL 84-99? Risk analysis will be used as the method for communicating residual risk.

5. Administrative record for key decisions for related actions for applicants proposed modification such as environmental reports, judges' decisions, permits, etc.

6. Discussion of Executive Order 11988 Considerations

- Justification to construct in the floodplain
 - No practicable alternative determination, if Federal agency, Agency determination.
- Public Notice Notifications

7. Environmental Protection Compliance. All 408 actions must be in full compliance with all applicable Public laws, executive orders, rules and regulations, treaties, and other policy statements of the Federal government and all plans and constitutions, laws, directives, resolutions, gubernatorial directives, and other policy statements of States with jurisdiction in the planning area. Examples are State water and air quality regulations; State historic preservation plans; State lists of rare, threatened, or endangered species; and State comprehensive fish and wildlife management plans. The District must maintain full documentation of compliance as part of the administrative record. The submittal package provided to HQUSACE will document considerations with significant bearing on decisions regarding the 408 request. Typically the minimum submission will include the following:

- National Environmental Policy Act. The appropriate NEPA process will be determined by the district in consultation with agencies that regulate resources that may be affected by the proposed action. All resources listed in Section 122 of the Rivers and Harbors Act 1970 must be considered. The evaluation will include a description and analysis of project alternatives, the

significance of the effects of each alternative on significant resources. Direct, indirect, and cumulative effects of all reasonably foreseeable actions including the actions of others and natural succession must be considered and documented. A risk analysis must be completed to determine the significance of risks to human life & safety, and property. Mitigation plans must be well described. If Federal funds are or may be involved the mitigation plan must be incrementally justified. NEPA documents will be consistent with 33 CFR 230.

- **Endangered Species Act.** Coordination/consultation with the US Fish and Wildlife Service and/or NOAA Marine Fisheries Service must be complete. Each agency with jurisdiction over a species that may be affected by the proposed action must provide a letter/memo indicating completion of ESA coordination. This documentation may range from a memo saying no ESA protected species or habitats are in the project impact area through a Biological Opinion.
- **Fish and Wildlife Coordination Act.** Either a Final FWCA Report or a letter from the USFWS stating that a FWCA Report is not required must be included.
- **Marine Protection, Research and Sanctuaries Act** For projects involving ocean disposal, or dredged material disposal within the territorial seas, the discharge will be evaluated under Section 103 of the MPRSA. The disposal must meet the criteria established by the EPA (40 C.F.R. 227 and 228). The submittal will document that that materials to be discharged are consistent with the current criteria and the disposal site is suitable.
- **Wild and Scenic Rivers Act.** The submittal will document efforts to identify designated rivers or river reaches (including potential rivers) in the vicinity of the project, and describe follow-up coordination with the agency having management responsibility for the particular river. If a designated river reach is affected, a letter indicating completed coordination is required from the managing agency.
- **Coastal Zone Management Act.** If the proposed action is in a coastal zone documentation of a "determination of consistency" with the state coastal zone management program the appropriate State agency (16 U.S.C 1456) must be included.
- **Clean Air Act.** This is a two-part compliance process. First, the submittal must include a determination that the proposed action is consistent with the Implementation Plan of the affected jurisdiction(s), and concurrence of the appropriate regulatory agency, or a conditional permit. Second, the submittal must include a letter from the USEPA that they have reviewed and commented on the environmental impact evaluations including the NEPA documents.
- **HTRW.** HTRW includes but is not limited to the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, and the Toxic Substances Control Act. The submittal package must include documentation that the USEPA and appropriate State and Tribal agencies with jurisdiction or expertise have been given reasonable opportunity to comment on the proposed action and that their input has been fully considered. The Corps will not incur additional liability related to HTRW.
- **National Historic Preservation Act.** This includes all other applicable historic and cultural protection statutes. The submittal package will include documentation that the Advisory Council on Historic Preservation, and appropriate State and Tribal agencies with jurisdiction or expertise has been given a reasonable opportunity to comment on the proposed action and that their input

has been fully considered. It is not expected that actual mitigation will be completed but appropriate letters indicating completed Consultation determination of significance must be provided.

- Noise Control Act. Documentation of the significance of noise likely to be generated during construction of the proposed project and the noise that may result due to implementation must be provided. If significant noise may result, a noise mitigation plan must be provided.

District Prepared Documents and Analysis of Applicants Request to be submitted to MSC

1. Transmittal letter to MSC Commander with district's determination of technical soundness and environmental acceptability.
 - a. A physical and functional description of the existing project
 1. Name of authorized project
 2. authorizing document
 3. Law/Section/Date of project authorization
 4. Law Sections/Dates of any post-authorization modifications
 5. Non-Federal sponsor
 6. Congressional Interests (Senator(s), Representative(s) and District(s))
 - b. Project Documents:
 1. Type of Decision Document:
 2. Agency Technical Review (ATR) approval Date
 3. Independent External Peer Review (IEPR) approval date
 - c. Policy, Legal and Technical Analysis:
 1. Is the original project authority adequate to complete the project as proposed?
 2. Has the District Counsel reviewed and approved the decision document for legal sufficiency?
 3. Have all aspects of ATR been completed with no unresolved issues remaining?
 4. Have the District Commander documented policy/legal/technical compliance of the decision document?
 - d. Written request for approval of the project modification (applicant prepared)
 1. A detailed description of the proposed modification
 2. The purpose/need/rationale for the modification
 - e. A description of any related, ongoing Corps studies and studies by others within the watershed
 - f. A description and listing of other Corps projects, ongoing and completed, in the watershed
 - g. A description of any projected/anticipated credit (section 215/104, etc.) for project modification work and date credit agreement(s) signed
 - h. Sponsor letter of understanding of their responsibility to perform all required OMRR&R for project modifications. For approved alterations/modifications, the non-Federal sponsor shall revise/update the

O&M Manual to reflect the non-Federal O&M responsibilities and the O&M Manual shall be approved by the District Engineer.

i. Real Estate Analysis Review (District/Division)

j. Agency Technical Review (ATR), ER 1110-1-12 para. 3-8. (District coordinates review)

Provide a description of the technical review team, consolidate and analyze their comments, resolution of comments and district commentary on adequacy of technical support and submit to MSC. This is the section 408 technical analysis. *Prior coordination with MSC is required to determine ATR requirements for each submittal. New Quality Management ER under review will require all Agency Technical Review (ATR), formerly ITR, .*

2. If there is an associated Section 404/10 permit action, the required public interest and technical evaluations under 33 USC 408 can be done concurrently with that action. Upon completion of the public interest determination and of the technical analyses regarding the impact of the proposed modification on the usefulness of the project, the District Engineer will make a recommendation (with supporting documentation) through the Division Commander to the Chief of Engineers (Attn: Appropriate RIT) for his consideration and approval under 33 USC 408. The District Engineer will make the final Section 404/10 permit decisions following the Chief of Engineers decision under 33 USC 408.

- Where the 408 action requires an EIS and the Corps is the Lead Agency the District will draft the ROD, but it will not be signed until the Corps has completed its 408 analysis *and the Chief of Engineer's has issued 408 approval*. The Corps' ROD and the 408 request will be processed as concurrently as possible to reduce the delay between the 408 decision and ROD. Since the 408 approval requires the highest level of approval, the ROD will be signed in HQUSACE. After the 408 request is approved and the ROD is signed, the district may issue any needed Section 404/10 permits.
- Where the 408 action requires an EA and FONSI, the Corps is the lead Federal agency the District will prepare the EA and the District Engineer will draft the FONSI analyzing the 408 request and any other Corps action, and submit it to the Chief of Engineers for review and approval. After the 408 authorization is signed by the Chief of Engineers the District Engineer may sign the FONSI and issue any needed Section 404/10 permits

3. Coordination of Section 404/10 and NEPA compliance with 408 requests When Other Agencies are Involved

- HQUSACE has determined that the EIS for projects led by another Federal agency and including a component requiring Corps 408 authorization will require two RODs. The Lead Agency under NEPA will prepare a ROD for the overall project. The Corps would be a Cooperating Agency and thus be allowed to adopt the Lead Agency's EIS. The second ROD, will be specific to the Corps' actions, including the 408 approval and/or Section 404/10 permits. The District will draft the ROD, but it will not be signed until the Corps has completed its 408 analysis *and the Chief of Engineer's has issued 408 approval*. The Corps' ROD and the 408 request will be processed as concurrently as possible to reduce the delay between the 408 decision and ROD. Since the 408 approval requires the highest level of approval, the ROD will be signed in HQUSACE. After the 408 request is approved and the ROD is signed, the district may issue any needed Section 404/10 permits.

MSC prepared documentation and analysis of District submission

Policy and Legal Compliance Review

1. Has the MSC certified the legal/policy/technical and quality management of the decision document?
2. MSC Legal certification approval date
3. MSC certification of policy compliance date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901



November 19, 2009

David Valenstein
Federal Railroad Administration
1120 Vermont Avenue, NW, MS 20
Washington, D.C. 20590

Subject: Scoping Comments for Los Angeles to San Diego (via the Inland Empire) Section of the Proposed High-Speed Train System Environmental Impact Statement/Environmental Impact Report

Dear Mr. Valenstein:

The United States Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published September 24, 2009, requesting comments on the Federal Railroad Administration (FRA) and California High Speed Rail Authority (CHSRA) proposal to prepare a joint project Draft Environmental Impact Statement (Draft EIS) and Draft Environmental Impact Report (Draft EIR) for the Los Angeles to San Diego (via the Inland Empire) section of the Proposed High-Speed Train (HST) System (Project). Our enclosed comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

We appreciate the close working relationship we have had with FRA and CHSRA as a cooperating agency on the previously completed statewide, programmatic, "Tier 1" EIS for a HST system for California. We understand that project-level, "Tier 2" EISs have been initiated as a follow-up to the statewide analysis. If properly planned, EPA supports the concept of an HST system in California that can provide an alternative to increasing vehicle miles traveled and lead to reduced environmental impacts. We look forward to continuing our coordination with you on the Tier 2 EISs and other Tier 2 project-level environmental analyses. We also accept the invitation to become a participating agency on this Project, as requested in CHSRA's October 22, 2009 letter.

Through our previous comments on the statewide, programmatic EIS, EPA provided multiple recommendations and concerns to be addressed at the Tier 2 level. EPA also provided detailed comments on the HST Project Environmental Analyses Methodologies on May 14, 2008. Our detailed comments below include these, and other recommendations, related to continued interagency and community coordination, relationship of this Project to other regional transportation projects, land use and transportation linkages, and analysis of impacts to (1) water

resources, (2) biological resources and wildlife, (3) noise, (4) energy resources, (5) air quality, (6) environmental justice communities, and (7) invasive species. In addition, we have provided recommendations for the analyses of cumulative impacts, growth inducement, and impacts due to tunneling. We also recommend that FRA and CHSRA follow through with the mitigation measure commitments made in the Tier 1 Final Programmatic EIS (see enclosure).

Interagency and Community Coordination

EPA commends the previous efforts of FRA and CHSRA in coordinating with our agency to highlight the potential environmental impacts of an HST system for all of California as outlined in our April 2003 Interagency Memorandum of Understanding (MOU). The MOU outlined a process for integrating the requirements of NEPA and Clean Water Act (CWA) Section 404 to streamline the environmental review process for the statewide “Tier 1” Programmatic Environmental Impact Statement (PEIS), which is now completed.

For this, and all upcoming project-level EISs that tier off of the statewide programmatic document, EPA is available for continued coordination with FRA/CHSRA and other resource agencies to discuss potential environmental concerns and solutions at the earliest possible opportunity.

Furthermore, methods to incorporate effective public participation into the NEPA process should be fully described and implemented early to better address public concerns during the planning process. Where potential acquisition of property is proposed, an open, participatory process involving affected residents should be implemented.

Green Design and Operations

Green Design

EPA recommends FRA and CHSRA commit to building a state-of-the-art sustainable high speed rail system that incorporates the highest levels of energy efficiency available into construction, operations, and maintenance. CHSRA and FRA should provide a clear vision for how the new train system will be built, operated, and maintained in a manner that reduces use of energy, avoids impacts to environmental resources, and provides for improved mobility in an equitable manner. EPA is available to meet with CHSRA and FRA to further discuss design measures to reduce energy usage as much as possible.

Recommendations:

- Include a commitment to achieving Leadership in Energy and Environmental Design (LEED) Platinum certification for the proposed stations and train facility.
- Identify measures to conserve water and manage stormwater runoff. We recommend implementation of “green infrastructure” in onsite stormwater management features, such as bioretention areas, vegetated swales, porous pavement, and filter strips. These features can serve as both stormwater treatment and visual enhancements. More detailed information on these forms of “green infrastructure” can be found at http://cfpub.epa.gov/npdes/home.cfm?program_id=298.

- Identify measures to produce energy onsite and incorporate them into the design of the station, rail, and maintenance facilities.
- Identify in the DEIS estimates of energy savings from proposed measures to improve efficiency through materials, lights, insulation and operations. Commit to industrial materials recycling, or the reusing or recycling of byproduct materials generated from industrial processes. Nonhazardous industrial materials, such as coal ash, foundry sand, construction and demolition materials, slags, and gypsum, are valuable products of industrial processes. Industrial materials recycling preserves natural resources by decreasing the demand for virgin materials, conserves energy and reduces greenhouse gas emissions by decreasing the demand for products made from energy intensive manufacturing processes; and saves money by decreasing disposal costs for the generator and decreasing materials costs for end users. More information can be found at: <http://www.epa.gov/epawaste/conserve/rrr/imr/index.htm>
- Develop an Environmental Management System (EMS) for the proposed facility. An EMS (<http://www.epa.gov/ems/index.html>) is a set of processes and practices that enable an organization to reduce its environmental impacts, reduce costs, and increase its operating efficiency. An EMS is a continual cycle of planning, implementing, reviewing, and improving the processes and actions that an organization undertakes to meet its business and environmental goals. CHSRA and FRA, through an EMS, can demonstrate a commitment to being environmentally sound, in the planning, construction, monitoring, and follow-up actions related to operations.

Relationship to Regional Transportation Projects

The Draft EIS for the Los Angeles to San Diego HST segment should specifically identify how other proposed rail projects in Southern California relate to this Project, as well as how the HST system would integrate with other existing transportation systems, such as Metrolink. EPA encourages FRA and CHSRA to coordinate with local transportation agencies to ensure that the HST is integrated with other public transportation systems.

EPA stated in our comments on the Tier 1 Draft PEIS that a Draft EIS for the Los Angeles to San Diego (LOSSAN) corridor and planned improvements would be prepared separately from the HST environmental review process. That environmental review process has been completed. The Draft EIS for this Project should clarify how the previous proposal for LOSSAN improvements relates to this action.

FRA has proposed a separate network using magnetic levitation technology for high speed train service in southern California. The Tier 1 Final PEIS did not fully discuss the magnetic levitation proposal or the need for both steel-wheel on steel-rail technology proposed for this project and the magnetic levitation technology proposed for a separate high speed train system in southern California. FRA has also recently proposed the Desert Xpress High Speed Passenger Train to run from Victorville, California to Las Vegas, Nevada. A full discussion of these project proposals, their potential integration, and potential duplication of efforts and incompatibilities should be included in the Draft EIS.

Recommendations:

- Clarify the relationship between the LOSSAN proposal and this segment of the HST system. Discuss other proposals by FRA for magnetic levitation technology high speed train service in California and the proposed Desert Xpress train and identify integration and/or incompatibility of these projects.

Coordination with local transportation agencies provides an opportunity to integrate high speed rail with plans for local service. EPA recommends FRA and CHSRA involvement in regional projects in order to minimize duplication of efforts and conflicting transit goals so that potential design, construction, permitting, and mitigation in the area can be streamlined to minimize environmental impacts.

Recommendations:

- Address how the proposed Project will insure that potential duplication of efforts and incompatibilities with other rail and/or transit systems will not occur.
- Identify integration and/or incompatibility of the proposed Project with other existing and proposed projects, including existing and potential expansion of Metrolink service.
- Identify the specific features of the Project that are being designed to “link up” with the other transportation proposals in the region.

Land Use and Transportation Linkage

The Draft EIS should identify all transportation improvements proposed to provide access to the proposed Project from anticipated key rider groups in Los Angeles, San Diego, and other population centers, including transit connections, new methods to move people while reducing congestion, and increased bus service (express service, increase in service on existing routes, and new routes). The Draft EIS should analyze and disclose the temporary and permanent environmental impacts of constructing stations, parking facilities, maintenance and storage facilities, power propagation infrastructure, and required road construction and modifications. Because the project system is planned, in part, along the existing Metrolink corridor, the Draft EIS should describe, in detail, the specific modifications to the existing rail network and rail crossings required to be compatible with a HST system.

The Draft EIS should also demonstrate avoidance and minimization measures to reduce environmental impacts associated with the construction of passenger stations and maintenance facilities, such as multi-level parking structures as opposed to large surface parking lots. The Draft EIS should identify where proposed stations, parking facilities, and additional required infrastructure will be located in the project corridor, and should disclose the associated impacts from station development on planned and unplanned growth.

Recommendations:

- Describe the expected land use changes associated with station locations, including new transit services and other methods for riders to access the stations.
- Describe the associated environmental impacts of those land use changes, including indirect and cumulative impacts.
- Identify how access to the HST system will be integrated with the existing Metrolink system and describe, in detail, the specific modifications to the existing rail network and rail crossings required to be compatible with an HST system.
- Identify parties responsible for mitigating the environmental impacts associated with the indirect and cumulative impacts of the projected land use changes.
- Identify the timeline for improvements and maintenance.

A substantial benefit of a proposed high speed rail corridor connecting Los Angeles to San Diego is the opportunity to provide improved transit services and to reduce vehicle miles traveled (VMT). EPA strongly supports including project elements that will further reduce VMT.

Recommendations:

- Minimize the number of parking spaces to the greatest extent possible at the station in order to facilitate the use of transit;
- Coordinate with other transit providers to maximize station access by transit;
- Design the new facilities to be pedestrian and bicycle-friendly, in addition to linking with other modes of transit; and
- Support policies that will increase density and mixed uses in the station areas.

Water Resources

The Clean Water Act Section 404(b)(1) Guidelines (Guidelines) at 40 CFR Part 230.10(a) state that “. . .no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.” While EPA has concurred that the HST alternative alignment identified in the Programmatic EIS is “most likely to contain” the least environmentally damaging practicable alternative (LEDPA), FRA and CHSRA will have to demonstrate in the Draft EIS for this Project that potential impacts to waters of the United States have been avoided and minimized to the maximum extent practicable prior to obtaining a CWA Section 404 permit (40 CFR 230.10(a) and 230.10(d)).

March Air Reserve Base to Mira Mesa

In our comments on the Tier 1 Draft PEIS, EPA expressed concerns about potential impacts to the Santa Margarita Ecological Reserve and the Santa Margarita River. We appreciate the measures identified in the Tier 1 Final PEIS to avoid impacts to the Ecological Reserve. The Draft EIS should disclose what impacts the proposed route would have on the Santa Margarita River and other habitat and wildlife movement corridors between March Air Reserve Base and Mira Mesa.

Recommendations:

- Describe the impact of the proposed HST alignment to the Santa Margarita River and to the wildlife habitat and movement corridors in this region. Identify techniques and design variations to avoid these resources.

Carroll Canyon and Miramar Road

An inland route connecting Mira Mesa to San Diego may affect downstream lagoons. A HST route through Carroll Canyon will affect the ability of this floodplain to absorb seasonal and annual flooding, will increase erosion and sedimentation, and may negatively impact the water quality of the downstream Los Penasquitos Lagoon. A Mira Mesa to San Diego route has the potential to impact multiple rare vernal pools in San Diego County. Because of the rarity of the vernal pools, these impacts are an important factor to consider in the Draft EIS.

Recommendations:

- EPA recommends avoiding placement of a HST route in canyons due to the significant permitting challenges such alternatives may face as a result of large amount of cut and fill, increased erosion and sedimentation, and downstream impacts.
- Disclose the number and location of individual vernal pools and larger vernal pool complexes that would be affected by each alternative alignment.
- Follow through with commitments made in the statewide Tier 1 Final PEIS, specifically “Avoidance and minimization measures would be incorporated into the development, design, and implementation phases at project-level environmental analysis. In addition, close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices” (Final PEIS, Page 3.17-25).
- Ensure the mitigation measures as listed in the table starting on page 3.17-28 of the Final PEIS are incorporated in the Draft EIS for this project (see enclosure).
- Demonstrate that all potential impacts to waters of the United States have been avoided and minimized. If these resources cannot be avoided, the Draft EIS analyses should clearly demonstrate how cost, logistical, or technological constraints preclude avoidance and minimization of impacts.

- Identify design measures and modifications to avoid and minimize impacts to water resources. Quantify the benefits achieved for each alternative studied, for example, number of stream crossings avoided, acres of waters of the United States avoided, etc.
- Identify all protected resources with special designations and all special aquatic sites and waters within state, local, and federal protected lands. Additional steps should be taken to avoid and minimize impacts to these areas.
- Include a compensation proposal for unavoidable impacts to CWA regulated waters that complies with new regulations for compensatory mitigation promulgated in April 2007 (40 CFR 230 Subpart J).

Waters Assessment

The waters assessment should be of an appropriate scope and detail to identify sensitive areas or aquatic systems with functions highly susceptible to change. EPA also recommends the following in the Draft EIS for the assessment of existing conditions and environmental consequences of each proposed alternative:

Recommendations:

- Estimate waters of the United States within the project area using CWA jurisdictional determinations, which should be submitted to the Army Corps of Engineers for verification.
- Provide maps of the estimated or verified CWA jurisdictional determinations.
- Provide specific descriptions of proposed activities in CWA regulated waters including grading plans and cross sections.
- Include the classification of waters and the geographic extent of waters and adjacent riparian areas.
- Characterize the functional condition of waters and adjacent riparian areas.
- Describe the extent and nature of stream channel alteration, riverine corridor continuity, and buffered tributaries.
- Include wildlife species affected that could reasonably be expected to use waters or associated riparian habitat and sensitive plant taxa that are associated with waters or associated riparian habitat.
- Analyze the potential flood flow alteration.
- Characterize the hydrologic linkage to any impaired water body.
- Analyze the potential water quality impact and potential effects to designated uses.

- Address techniques proposed for minimizing surface water contamination due to increased runoff from additional impervious surfaces.

Avoidance and Minimization Measures

To demonstrate compliance with CWA Guidelines, FRA/CHSRA must explore onsite alternatives to avoid or minimize impacts to specific waters. Typically, transportation projects can accomplish this by using spanned crossings, arched crossings, or oversized buried box culverts over drainages to encourage continuity of sediment transport and hydrological processes and wildlife passage.

The Draft EIS should include a complete systematic analysis for drainage crossings which identifies and prioritizes the potential for improvements to the aquatic system and for wildlife use at each crossing, as applicable. Additionally, the Draft EIS should identify measures and modifications to avoid and minimize impacts to water resources. Temporary and permanent impacts to waters of the U.S. for each alternative studied should be quantified; for example, acres of waters impacted, etc. For each alternative, the Draft EIS should report these numbers in table form for each impacted water and wetland feature.

Biological Resources and Impacts to Wildlife

EPA is supportive of FRA and CHSRA previous commitments in the statewide Tier 1 Final PEIS that “project-level studies will identify areas where it is important to maintain connectivity and will ensure that sufficient mitigation is included to maintain movement corridors,” and “wildlife underpasses or overpasses will be added to the (HST) at-grade alignments, where appropriate, to reduce the overall effects on wildlife corridors and movements” (Final PEIS Appendix 2, Chapter 9, Standard Response 3.15.9). If the proposal includes fencing of the HST system, the proposal may affect wildlife movement corridors where (1) the HST alignment is not in an existing rail or highway corridor and would traverse natural areas, and (2) habitat use in existing rights-of-way occurs across roads and rail lines currently unobstructed by fences. The Draft EIS should address wildlife movement impacts associated with the proposal and present mitigating measures, if appropriate. Proposed stream and wash crossings should be designed to maintain or improve existing wildlife passages.

EPA provides the following recommendations to be implemented by FRA and CHSRA for the Draft EIS. Much of the information identified below is now available for FRA and CHSRA to use in landscape-level analyses, and up-front data compilation and coordination with species experts prior to initiation of project-level planning will contribute to a better understanding of the measures needed to reduce impacts to biological resources.

Recommendations:

- Incorporate information developed for the California Essential Habitat Connectivity Project and identify how Project alternatives have been designed to allow for continued wildlife movement:

http://www.dot.ca.gov/hq/env/bio/program_efforts.htm

- Use data developed for the statewide California Wildlife Action Plan (CWAP) to inform the siting of Project alternatives and mitigation. Identify in the Draft EIS the specific design changes proposed to avoid resources. The CWAP addresses 800 at-risk species and provides range maps. The range maps for these species are available from the California Department of Fish and Game:
<http://www.dfg.ca.gov/habitats/WDP/>
- In addition to reviewing the available data indicating where species ranges may be bisected by the HST system, EPA recommends that FRA and CHSRA facilitate a meeting of scientists and local experts to explore specific locations and design features for wildlife crossings that are needed.
- Identify the connections that would likely remain after construction of the HST system and highlight these areas as "connectivity zones" for protection and preservation. In the Draft EIS, identify specific commitments for preservation of these corridors through mitigation measures and cooperative agreements.
- As applicable, disclose how fencing the train route will affect wildlife movement and discuss how fencing for safety purposes will be integrated with proposed wildlife passages, such as culverts, bridges, viaducts, underpasses, and overpasses.

The Draft EIS should also describe efforts to avoid and/or minimize impacts to threatened and endangered species and associated habitats, as well as preserves, parks, and restoration and habitat management areas. The Draft EIS should describe the extent and nature of the protected species and their primary habitat(s) and the extent and nature of potential impacts to proposed and designated critical habitat. The Draft EIS should also provide a description of narrow endemics, unique habitat elements, and suitable habitat for native fauna and flora in the project area and the extent each proposed alternative may affect each resource. Efforts to minimize or avoid impacts to resources should be presented with a quantification of specific resources avoided.

Noise Impacts

The Draft EIS should address the potential noise and vibration impact to residents, businesses, and wildlife related to the construction and operation of the proposed Project. Potential impacts to human health and welfare and wildlife activity are important with a project of this magnitude, particularly in light of the densely populated area and maximum speed and resulting noise and vibration that the HST will produce throughout the train route.

Recommendations:

- All noise impacts to should be fully analyzed and presented in the Draft EIS. In addition, the Draft EIS should include commitments to implement measures to adequately mitigate noise impacts associated with the Project. The Draft EIS should assess noise and vibration exposure to determine the severity of impacts near the proposed HST route.

- The Draft EIS should address nocturnal and diurnal impacts to wildlife activities such as foraging, predator avoidance, and nesting that may be affected by new noise and vibration introduced to natural habitats.

Energy Resources

It is our expectation that the HST project will increase annual electricity use and decrease use of diesel fuel and gasoline. Successful implementation of the proposed project depends on the availability of sufficient sources of energy. The Draft EIS should identify the number and capacity of energy facilities that are either operational or under construction and discuss whether the future supply is expected to be adequate to meet growth in demand, given the number of power plants planned. The energy analysis should take into consideration the cumulative impact of other planned projects that will also increase demand on the existing energy supply.

Recommendations:

- Identify the number and capacity of energy facilities that are either operational or under construction and discuss whether the future supply is expected to be adequate to meet growth in demand, given the number of power plants planned.
- Discuss the cumulative impact of other planned projects that will also increase demand on the existing energy supply.

Air Quality

The Draft EIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each fully evaluated alternative.

The proposed Project is located in the South Coast Air Basin and the San Diego Area. The South Coast Air Basin is classified as non-attainment for ozone and particulate matter (PM₁₀ and PM_{2.5}), and the San Diego Area is designated non-attainment for ozone. Because of the air pollution challenges facing both these areas, it is important to reduce emissions of ozone precursors and particulate matter from this Project to the maximum extent.

Recommendations:

- Provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the project (including cumulative and indirect impacts) for each alternative.
- Include a thorough analysis of impacts from the construction and operation of the proposed alternatives. Include monitoring data, any anticipated exceedances of NAAQS, and estimates of all criteria pollutant emissions, including the federal 8-hour ozone standard and the PM_{2.5} standard.

- Disclose the available information about the health risks associated with vehicle emissions, sensitive receptors in the vicinity of the project area, and how the proposed project will affect current emission levels.
- Work with the South Coast Air Quality Management District (SCAQMD), County of San Diego Air Pollution Control District (SDAPCD), Caltrans, the Southern California Association of Governments (SCAG), and the San Diego Association of Governments (SANDAG) to ensure that methods to estimate emissions and anticipated emissions values from the proposed project are consistent with Air Quality Management Plan and Regional Transportation Plan (RTP) conformity determinations.
- Use the most current EPA-approved model to estimate emissions, including re-entrained PM₁₀ emissions and present all methods and assumptions for analyses with pertinent air quality analyses and conclusions.
- Include an identification of potential hotspot impacts, especially where parking lots, idling locomotives, idling buses, and road modifications are proposed.

General Conformity and Transportation Conformity

The proposed Project may require a general conformity determination by FRA. If required, the Draft EIS should include the general conformity determination with related mitigation commitments. FRA and CHSRA should work with SCAQMD and SDAPCD to ensure that anticipated emissions from the proposed project are consistent with the regions' Air Quality Management Plans.

To the extent that the proposed train system will require modification of the existing grade crossings, road network and construction of parking lots and transit facilities, the Draft EIS should identify what elements of this project will require funding or approval by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA). In addition, the Draft EIS should demonstrate that FHWA or FTA-funded or -approved project elements are included in a conforming transportation plan and a transportation improvement program. FRA and CHSRA should work with SCAQMD, SDAPCD, SCAG, and SANDAG to ensure that applicable elements of the proposed project are consistent with future revisions of the RTP. The identification of sensitive receptors, and carbon monoxide and particulate matter hotspot analyses should be included in the Draft EIS, especially where parking lots and road modifications are proposed.

Construction Mitigation Measures

The proposed Project will involve construction and staging along heavily populated sections of the corridor. Because of the multiple receptors along the corridor, FRA and CHSRA should identify and commit to specific requirements to reduce emissions.

The Draft EIS should include SCAQMD and SDAPCD requirements to reduce emissions. In addition to these measures, EPA recommends the following additional measures to reduce the impacts resulting from future construction associated with this Project.

Recommendations:

In light of the serious health impacts associated with PM_{2.5} (fine particulate matter) and diesel exhaust exposure, we recommend that the best available control measures for these pollutants be implemented at all times and recommend that a Construction Emissions Mitigation Plan is incorporated into the Draft EIS. We recommend that all SCAQMD and SDAPCD requirements, and the following additional measures be incorporated into a Construction Emissions Mitigation Plan, where feasible and appropriate, in order to reduce impacts associated with fugitive dust and emissions of PM_{2.5}, diesel exhaust, and mobile source air toxics from construction-related activities:

Fugitive Dust Source Controls:

- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Minimize use, trips, and unnecessary idling of heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: <http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, commit to the best available emissions control technology. Tier 4 engines are available in the 2009-model year and should be used for project construction equipment to the maximum extent feasible. Lacking availability of non-road construction equipment that meets Tier 4 engine standards, FRA/CHSRA should commit to using the best available emissions control technologies on all equipment.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

Administrative controls:

- Specify the means by which impacts to sensitive receptors, such as children, elderly, infirm and others identified in the Draft EIS, will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility. Provide the justification behind not committing to all mitigation measures. Should FRA and CHSRA determine that potential mitigation measures are not economically feasible, the Draft EIS should provide the context behind this decision.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and, where appropriate, use alternative fuels such as natural gas and electric.

Greenhouse Gases

Due to the nature of this Project and the potential greenhouse gases (GHG) benefits that could result, we believe the Project proponents have an opportunity to demonstrate the potential overall GHG benefits of such a project. There are many guidance documents available or expected to be available in the near future to assist with this analysis. EPA is also available to coordinate regarding analysis of GHGs. Please refer to our detailed comments on the HST Project Environmental Analyses Methodologies for further recommendations on the analysis of GHG emissions in the project level EISs.

Additionally, EPA recommends the Draft EIS should ultimately identify the cumulative contributions and reductions to GHG emissions that will result from implementation of the Project. We also recommend that the Draft EIS discuss the potential impacts of climate change on the Project. Finally, the Draft EIS should identify if there are specific mitigation measures needed to 1) protect the Project from the effects of climate change, 2) reduce the Project's adverse air quality effects, and/or 3) promote pollution prevention or environmental stewardship. Any design and operation measures that can be identified as reducing GHGs should be identified in the EIS with an estimate of the GHG emissions reductions that would result if measures were ultimately implemented.

Tunneling Methodology and Impacts

As applicable, the Draft EIS should identify the amount of material to be removed per mile of tunnel and where material will be disposed or stored. Any impacts associated with the transport and storage of fill should be described and mitigated. Discuss the tunneling methodology to be utilized and the corresponding environmental impacts. Identify specific

design measures and options to insure that the full scope of environmental impacts associated with tunneling are considered in project design.

Recommendations:

- Discuss the methodology proposed for any alternative design that involves tunneling, including equipment and planned locations for staging tunnel operations and methods for transportation of tunnel equipment.
- Quantify the environmental impacts associated with the tunneling and required connected actions, for example, amount of material removed per mile tunnel, impacts associated with storage of removed material, road access required, impacts associated with the transport of removed material, etc.
- Discuss the potential impacts of tunneling on the existing transportation network.
- Address the potential for tunneling to affect stream flows, riparian habitat, the direction of lateral movement of water through the soil profile, and the recharge of shallow, unconfined aquifers.
- Estimate the miles of roads required for operation and access for emergency personnel in tunneled areas and the number of temporary roads required for each mile of tunnel construction. Include proposed methods for removal and revegetation of these roads.

Cumulative Impact Analysis

Cumulative impacts are defined in the Council on Environmental Quality's (CEQ) NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such actions (40 CFR 1508.7). The cumulative impacts analysis should provide the context for understanding the magnitude of the impacts of the alternatives by analyzing the impacts of other past, present, and reasonably foreseeable projects or actions and then considering those cumulative impacts in their entirety. These actions include both transportation and non-transportation activities. Where adverse cumulative impacts are identified, the Draft EIS should disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts (CEQ's Forty Most Frequently Asked Questions #19).

Recommendations:

- The cumulative impact analysis should consider transportation and non-transportation projects such as large-scale developments and approved urban planning projects that are reasonably foreseeable and are identified within city and county planning documents.
- The cumulative impact analysis should describe the "identifiable present effects" to various resources attributed to past actions. The purpose of considering past actions is

to determine the current health of resources. This information forms the baseline for assessing potential cumulative impacts and can be used to develop cooperative strategies for resources protection (CEQ's Forty Most Frequently Asked Questions #19). Identify the current condition of the resource as a measure of past impacts. For example, the percentage of wetlands lost to date.

- Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or stasis.
- The cumulative impact analysis should identify potential large, landscape-level statewide and regional impacts, as well as potential large-scale mitigation measures. The analysis should examine landscape-level impacts to the human and natural environment on a statewide and regional scale. The cumulative impact analysis should guide minimization measures and mitigation efforts. Disclose the parties that will be responsible for avoiding, minimizing, and mitigating impacts, as well as a timeline for implementing mitigation measures.
- EPA recommends that FRA and CHSRA use the Caltrans cumulative impacts guidance, which is applicable to cumulative impact analyses for non-road projects. This guidance can be found at http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm.

Growth Inducement Analysis

EPA recommends that FRA and CHSRA make both the methodology and the assumptions in the growth inducement analysis as transparent as possible to the public and decision makers.

Recommendations:

- Identify which land use model will be used, discuss its strengths and weaknesses, and describe why it was selected.
- Identify the assumptions used in the model, the strengths and weaknesses of the assumptions, and why those assumptions were selected. For example, describe which method will be used to allocate growth to analysis zones, its strengths and weaknesses, and why that method was selected.
- Ground truth the results of the land use model by enlisting local expertise involved in land use issues, such as local government officials, land use and transportation planners, home loan officers, and real estate representatives. Use their collective knowledge to validate or modify the results of the land use model.

- Use the results of the growth inducement analysis to inform station locations, and parking lot size and locations, as well as mitigation measures to reduce environmental impacts.
- Use the results of the growth inducement analysis to estimate growth inducement impacts to CWA regulated waters and inform LEDPA identification.
- Identify station locations that are currently zoned for high density development and those that are not. Address potential growth-related mitigation efforts, including incentives and other mechanisms to encourage transit-oriented development, and measures to increase the capacity of city/county high density planning efforts.
- Use FHWA and Caltrans growth-related impacts guidance, which is applicable to growth-related impact analyses for non-road projects. This guidance can be found at [http://www.dot.ca.gov/ser/Growth-related IndirectImpactAnalysis/gri_guidance.htm](http://www.dot.ca.gov/ser/Growth-related%20IndirectImpactAnalysis/gri_guidance.htm).

Environmental Justice

Executive Order 12898 addresses Environmental Justice in minority and low income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process (<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf>).

Recommendations:

- Identify how the proposed alternatives may affect the mobility of low-income or minority populations in the surrounding area.
- Provide specific, appropriate mitigation measures for any anticipated adverse impacts to community members.
- Include opportunities for incorporating public input to promote context sensitive design, especially in Environmental Justice communities.

Invasive Species

The proposed Project may include impacts to vegetation within the existing right-of-way and mitigation is proposed as a result of ground disturbance and tree removal. Executive Order 13112 on Invasive Species calls for the restoration of native plant and tree species.

Recommendation:

- To the extent that this project will entail new landscaping and tree replacement, the mitigation measures should describe how the project will meet the requirements of Executive Order 13112 by using native species. Replacement of trees and revegetation should be coordinated with appropriate city and county urban foresters and native species should be utilized where feasible.

We look forward to maintaining our working relationship with FRA and CHSRA as we continue to coordinate on a proposed HST system for California. If you have any questions, please feel free to contact Connell Dunning, Transportation Team Leader, at 415-947-4161, or Carolyn Mulvihill, the lead reviewer for this project, at 415-947-3554 or mulvihill.carolyn@epa.gov.

Sincerely,



Carolyn Mulvihill
Environmental Review Office

Enclosure: Mitigation Strategies, Bay Area to Central Valley HST Final Program EIR/EIS

cc: Dan Leavitt, California High Speed Rail Authority
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Scott Wilson, California Department of Fish and Game
Ron Kosinski, Caltrans District 7
Ernest Figueroa, Caltrans District 8
Suzanne Glasgow, Caltrans District 11

Resource Area	Impact Area	Mitigation Measure
Traffic and circulation	Traffic and circulation	Require that HST system stations serve as multi-modal transportation hubs providing easy connection to local/regional bus, rail, and transit services, as well as providing bicycle and pedestrian access.
		Require the HST system to be grade-separated from all roadways to allow vehicular traffic to flow without impediment from the HST system.
		Work with local and regional agencies to develop and implement transit-oriented development strategies, as described in Chapter 6, around HST stations.
		Work with local and regional agencies to identify, plan, coordinate, and implement traffic flow improvements around HST station locations during project-level planning. Such improvements may include: <ul style="list-style-type: none"> a. a construction phasing and traffic management plan for construction periods; b. improving capacity of local streets with upgrades in geometrics such as providing standards roadway lane widths, traffic controls, bicycle lanes, shoulders, and sidewalks; c. modifications at intersections, such as signalization and/or capacity improvements (widening for additional left-turn and/or through lanes), and turn prohibitions; d. signal coordination and optimization (including retiming and rephasing); e. designation of one-way street patterns near some station locations; f. truck route designations; and g. coordination with Caltrans regarding nearby highway facilities.
		Work with public transportation providers to coordinate services and to increase service and/or add routes, as necessary, to serve the HST station areas.
		Avoid parking impacts by developing and coordinating implementation at the project-level of parking improvement strategies consistent with local policies, including shared parking, offsite parking with shuttles, parking and curbside use restrictions, parking permit plans for neighborhoods near HST stations, and other parking management strategies.
		Air quality
Coordinate with local and regional public transportation providers to increase opportunities for connection between the HST system and other public transportation services.		
Work with local and regional agencies to implement local street and roadway improvements, including various traffic flow improvements and congestion management techniques, and parking management strategies to reduce localized pollution from traffic related to the HST system.		
Short-term air quality impacts due to construction	Water all active construction areas at least twice daily.	
	Require that all trucks hauling soil, sand, and other loose materials be covered or maintain at least 2 feet of freeboard.	
	Pave, apply water three times daily, or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at active construction sites.	
	Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at active construction sites.	
	Sweep nearby streets daily (with water sweepers) if visible soil materials from HST system construction are carried onto adjacent public streets.	
	Hydroseed or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more).	
	Enclose, cover, water twice daily, or apply nontoxic soil binders to exposed stockpiles of dirt, sand, etc.	
	Limit traffic speeds on unpaved roads to 15 mph.	

Resource Area	Impact Area	Mitigation Measure
		Install sand bags or other erosion control measures to prevent silt runoff to public roads.
		Replant vegetation in disturbed areas as quickly as possible.
		Use alternative fuels for construction equipment when feasible.
		Minimize equipment idling time.
		Maintain properly tuned equipment.
Noise	Increased noise from train operations and construction	Grade separations to eliminate grade crossing related noise.
		Noise barriers, such as sound walls, where there are severe noise impacts.
		Require noise reduction in HST equipment design and track structures design.
		Use of enclosures or walls to surround noisy equipment, and installation of mufflers on engines; substituting quieter equipment or construction methods, minimizing time of operation, and locating equipment farther from sensitive receptors.
		Where not already included, consider placing alignment sections in tunnel or trenches or behind berms where possible and where other measures are not available to reduce significant noise impacts.
		Suspend construction between 7:00 pm and 7:00 am and/or on weekends or holidays in residential areas where there are severe noise impacts.
		In managing construction noise, take into account local sound control and noise level rules, regulations, and ordinances.
		Ensure that each internal combustion engine is equipped with a muffler of a type recommended by the manufacturer.
		Specify the use of the quietest available construction equipment where appropriate and feasible.
		Turn off construction equipment during prolonged periods of nonuse.
	Require contractors to maintain all equipment and to train their equipment operators.	
	Locate noisy stationary equipment away from noise sensitive receptors.	
	Exposure to ground-borne vibration	Specify the use of train and track technologies that minimize ground vibration such as state of the art suspensions, resilient track pads, tie pads, ballast mats, or floating slabs.
		Phase construction activity, use low impact construction techniques, and avoid use of vibrating construction equipment where possible to avoid vibration construction impacts.
Energy	Increased energy use and electricity demand with the HST system	HST stations will be multi-modal hubs providing linkage for various transportation modes, which will contribute to increased efficiency of energy use for intercity trips and by commuters, and the stations will be required to be constructed to meet Title 24 California Code of Regulations energy efficiency standards.
		Design practices will require that the electrically powered HST technology be energy efficient, include regenerative braking to reduce energy consumption, and minimize grade changes in steep terrain to reduce energy consumption.
		Design practices will require that localized impacts be avoided through planning and design of the power distribution system for the HST system.
		Locate HST maintenance and storage facilities within proximity to major stations/termini.
	Energy use during construction of the HST system	Develop and implement a construction energy conservation plan.
		Use energy efficient construction equipment and vehicles.
		Locate construction material production facilities on site or in proximity to project construction sites.

Resource Area	Impact Area	Mitigation Measure
		Develop and implement a program encouraging construction workers to carpool or use public transportation for travel to and from construction sites.
Electromagnetic fields and electromagnetic interference	Exposure of electromagnetic fields to HST system workers, passengers, and nearby residents, schools and other facilities	Use standard design practices for overhead catenary power supply systems and vehicles, including appropriate materials, location and spacing of facilities, and power supply systems to minimize exposure to receptors over distance, and shielding with vegetation and other screening materials.
		Design overhead catenary system, substations, and transmission lines to reduce the electromagnetic fields to a practical minimum.
	Electromagnetic interference with electronic and electrical devices	Design the overhead catenary system, substations, and transmission lines to reduce the electromagnetic fields to a practical minimum.
		Design the project component to minimize arcing and radiation of radiofrequency energy.
		Choose devices generating radio frequency with a high degree of electromagnetic compatibility.
		Where appropriate, add electronic filters to attenuate radio frequency interference.
		Relocate receiving antennas and use antenna models with greater directional gain where appropriate, particularly for sensitive receptors near the HST system.
		Comply with the FCC regulations for intentional radiators, such as the proposed HST wireless systems.
		Establish safety criteria and procedures and personnel practices to avoid exposing employees with implantable medical devices to EMF levels that may cause interference with such implanted biomedical devices.
		Land use
Work with local governments to consider local plans and local access needs, and to apply design practices to limit disruption to communities.		
Work with local governments to establish requirements for station area plans and opportunities for transit-oriented development.		
Work with local governments to enhance multi-modal connections for HST stations.		
Coordinate with cities and counties to ensure that HST facilities will be consistent with land use planning processes and zoning ordinances.		
Provide opportunities for community involvement early in project-level studies.		
Hold design workshops in affected neighborhoods to develop understanding of vehicle, bicycle, and pedestrian linkages in order to preserve those linkages through use of grade-separated crossings and other measures.		
Ensure that connectivity is maintained across the rail corridor (pedestrian/bicycle and vehicular crossings) where necessary to maintain neighborhood integrity.		
Develop facility, landscape, and public art design standards for HST corridors that reflect the character of adjacent affected neighborhoods.		
Maintain high level of visual quality of HST facilities in neighborhood areas by implementing such measures as visual buffers, trees and other landscaping, architectural design, and public artwork.		
Impacts to neighborhoods during construction	Develop a traffic management plan to reduce barrier effects during construction.	
	To the extent feasible, maintain connectivity during construction.	
Agricultural	Conversion of	Avoid farmland whenever feasible during the conceptual design stage of the project.

Resource Area	Impact Area	Mitigation Measure
lands	prime, statewide important, and unique farmlands, and farmlands of local importance, to project uses	Reduce the potential for impacts by sharing existing rail rights-of-way where feasible or by aligning HST features immediately adjacent to existing rail rights-of-way.
		Reduce the potential for impacts by reducing the HST right-of-way width to 50 feet in constrained areas.
		Increase protection of existing important farmlands by securing easements or participating in mitigation banks.
		Coordinate with and support the California Farmland Conservancy Program to secure conservation easements on farmland in geographic areas where the HST project creates impacts.
		Coordinate with private agricultural land trusts, local programs, mitigation banks, and Resource Conservation Districts to identify additional measures to limit important farmland conversion or provide further protection to existing important farmland.
	Severance of prime, statewide important, and unique farmlands, and farmlands of local importance, to project uses	Avoid farmland whenever feasible during the conceptual design stage of the project.
		Minimize severance of agricultural land by constructing underpasses and overpasses at reasonable intervals to provide property access.
		Work with landowners during final design of the system to enable adequate property access.
		Provide appropriate severance payments to landowners.
Aesthetics and visual resources		At the project-level, design proposed facilities that are attractive in their own right and that will integrate well into landscape contexts, so as to reduce potential view blockage, contrast with existing landscape settings, light and shadow effects, and other potential visual impacts.
		Design bridges and elevated guideways with graceful lines and minimal apparent bulk and shading effects.
		Design elevated guideways, stations, and parking structures with sensitivity to the context, using exterior materials, colors, textures, and design details that are compatible with patterns in the surrounding natural and built environment, and that minimize the contrast of the structures with their surroundings.
		Use neutral colors and dulled finishes that minimize reflectivity for catenary support structures, and design them to fit the context of the specific locale.
		Use aesthetically appropriate fencing along rights-of-way, including decorative fencing, where appropriate, and use dark and non-reflective colors for fencing to reduce visual contrast.
		Where at-grade or depressed route segments pass through or along the edge of residential areas or heavily traveled roadways, install landscape treatments along the edge of the right-of-way to provide partial screening and to visually integrate the right-of-way into the residential context.
		Use the minimum amount of night lighting consistent with that necessary for operations and safety.
		Use shielded and hooded outdoor lighting directed to the area where the lighting is required, and use sensors and timers for lights not required to be on all the time.
		Design stations to minimize potential shadow impacts on adjacent pedestrian areas, parks, and residential areas, and site all structures in a way that minimizes shadow effects on sensitive portions of the surrounding area.
		Seed and plant areas outside the operating rail trackbed that are disturbed by cut, fill, or grading to blend with surrounding vegetated areas, where the land will support plants. Use native vegetation in appropriate locations and densities.



Resource Area	Impact Area	Mitigation Measure
		<p>Use strategic plantings of fast-growing trees to provide partial or full screening of elevated guideways where they are close to residential areas, parks, and public open spaces.</p> <p>Where elevated guideways are located down the median strips or along the edge of freeways or major roadways, use appropriate landscaping of the area under the guideway to provide a high level of visual interest. Landscaping in these areas should use attractive shrubs and groundcovers and should emphasize the use of low-growing species to minimize any additional shadow effects or blockage of views.</p> <p>Plan hours of construction operations and locate staging sites to minimize impacts to adjacent residents and businesses.</p>
Public utilities		<p>Make adjustments to the HST alignments and vertical profiles to avoid crossing or using major utility right-of-way or fixed facilities during engineering design.</p> <p>If avoidance is not feasible, in consultation and coordination with the utility owner, relocate or protect in-place transmission lines, substations, and any other affected facilities.</p> <p>For acquisition projects which result in utility relocation, follow the uniformity and equitable treatment policies, and comply with the requirements, of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 for all property necessary for the proposed HST system.</p>
Hazardous materials and wastes		<p>Investigate soils and groundwater for contamination and prepare environmental site assessments when necessary.</p> <p>Design realignment of the HST corridors to avoid identified sites.</p> <p>Relocate HST associated facilities such as stations to avoid identified sites.</p> <p>Remediate identified hazardous materials and hazardous waste contamination.</p> <p>Prior to demolition of buildings for project construction, survey for lead-based paint and asbestos-containing materials.</p> <p>Follow BMPs for testing, treating, and disposing of water, and acquire necessary permits from the regional water quality control board, if ground dewatering is required.</p> <p>When indicated by project-level environmental site assessments, perform Phase II environmental site assessments in conformance with the ASTM Standards related to the Phase II Environmental Site Assessment Process to identify specific mitigation measures.</p> <p>Prepare a Site Management Program/Contingency Plan prior to construction to address known and potential hazardous material issues, including:</p> <ul style="list-style-type: none"> a. measures to address management of contaminated soil and groundwater; b. a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and c. procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered. <p>As part of the second-tier environmental review, consider impacts to the environment on sites identified on the Cortese list (Government Code Section 65962.4) at that time.</p>
Cultural and paleontological resources	Impacts to archaeological resources and traditional cultural properties	<p>Avoid the impact, or when avoidance cannot be accommodated, minimize the scale of the impact.</p> <p>Incorporate the site into parks or open space.</p> <p>Provide data recovery for archaeological resources, which may include excavation of an adequate sample of the site contents so that research questions applicable to the site can be addressed.</p>

Resource Area	Impact Area	Mitigation Measure	
		Develop procedures for fieldwork, identification, evaluation, and determination of potential effects to archaeological resources in consultation with SHPO and Native American tribes. Procedures may include onsite monitoring when sites are known or suspected of containing Native American human remains and be reflected in Memoranda of Agreement with appropriate bodies.	
		Coordinate and consult with tribal representatives.	
	Impacts to historic properties/resources	Avoid the impact through project design. Prepare and utilize a treatment plan for protection of historic properties/resources that will describe methods to preserve, stabilize, shore/underpin, and monitor buildings, structures, and objects.	
		Avoid high vibration construction techniques in sensitive areas.	
		Record and document cultural resources that would be adversely affected by the project to the standards of the Historic American Building Survey or Historic American Engineering Record.	
		Develop design guidelines to ensure sympathetic, compatible, and appropriate designs for new construction.	
		Consult with architectural historians or historical architects to advise on appropriate architectural treatment of the structural design of proposed new structures. Prepare interpretive and/or educational materials and programs regarding the affected historic properties/resources. Materials may include: a popular report, documentary videos, booklets, and interpretive signage.	
		Make interpretive information available to state and local agencies, such as salvage items, historic drawings, interpretive drawings, current and historic photographs, models, and oral histories. Also assist with archiving and digitizing the documentation of the cultural resources affected and disseminating material to the appropriate repositories.	
		Relocate and rehabilitate historic properties/resources that would otherwise be demolished because of the project.	
		Monitor project construction to ensure it conforms to design guidelines and any other treatment procedures agreed to by the parties consulting pursuant to Section 106 of the National Historic Preservation Act. Repair inadvertent damage to historic properties/resources in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties.	
		Salvage selected decorative or architectural elements of the adversely affected historic properties/resources, and retain and incorporate salvaged items into new construction where possible. If reuse is not possible, make salvaged items available for use in interpretive displays near the affected resources or in an appropriate museum.	
		Implement an agreement with appropriate bodies specifying procedures for addressing historic resources which may be affected by the HST system.	
		Impacts to paleontological resources	Educate workers.
			Recover fossils identified during the field reconnaissance.
			Monitor construction.
Develop protocols for handling fossils discovered during construction, such as temporary diversion of construction equipment so that the fossils could be recovered, identified, and prepared for dating, interpreting, and preserving at an established, permanent, accredited research facility.			
Geology and soils	Seismic hazards	Design structures to withstand anticipated ground motion, using design options such as redundancy and ductility.	
		Prevent liquefaction and resulting structural damage and traffic hazards using: <ol style="list-style-type: none"> 1. ground modification techniques such as soil densification; and 2. structural design, such as deep foundations. 	

Resource Area	Impact Area	Mitigation Measure
		Utilize motion sensing instruments to provide ground motion data and a control system to temporarily shut down HST operations during or after an earthquake to reduce risks.
		Design and engineer all structures for earthquake activity using Caltrans Seismic Design Criteria.
		Design and install foundations resistant to soil liquefaction and settlement.
		Identify potential serpentinite bedrock disturbance areas and implement a safety plan.
		Apply Section 19 requirements from the most current Caltrans Standard Specifications to ensure geotechnically stable slopes are planned and created.
		Install passive or active gas venting systems and gas collection systems in areas where subsurface gases are identified.
		Remove corrosive soil and use corrosion protected materials in infrastructure.
		Address erosive soils through soil removal and replacement, geosynthetics, vegetation, and/or riprap, where warranted.
		Remove or moisture condition shrink/swell soils.
		Utilize stone columns, grouting, and deep dynamic compaction in areas of potential liquefaction.
		Utilize buttress berms, flattened slopes, drains, and/or tie-backs in areas of slope instability.
		Avoid settlement through preloading, use of stone columns, deep dynamic compaction, grouting, and/or special foundation designs.
		Surface rupture hazards
	Continue to modify alignments to avoid crossing known or mapped active faults within tunnels.	
	Avoid active faults to the extent possible. Where avoidance is not possible, cross active faults at grade and perpendicular to the fault line.	
	Slope instability	Install temporary and permanent slope reinforcement and protection, based on geotechnical investigations, and review of proposed earthwork and foundation excavation plans.
		Conduct geotechnical inspections during construction to verify that no new unanticipated conditions are encountered.
		Incorporate slope monitoring in final design.
	Difficulty in excavation	Identify areas of potentially difficult excavation to ensure safe practices.
		Focus future geotechnical engineering and geologic investigations in areas of potentially difficult excavation.
		Monitor conditions during and after construction.
		Employ tunnel excavation and lining techniques to ensure safety.
	Hazards related to oil and gas fields	Follow federal and state Occupational Safety and Health Administration regulatory requirements for excavations.
		Consult with other agencies such as the Department of Conservation's Division of Oil and Gas, or the Department of Toxic Substances Control regarding known areas of concern.
		Use safe and explosion-proof equipment during construction.

Resource Area	Impact Area	Mitigation Measure
		Test for gases regularly. Install monitoring systems and alarms in underground construction areas and facilities where subsurface gases are present. Install gas barrier systems.
Hydrology and water resources	Impacts on floodplains	Avoid or minimize construction of facilities within floodplains where feasible. Minimize the footprint of facilities within the floodplain through design changes or the use of aerial structures and tunnels. Restore the floodplain to its prior operation in instances where the floodplain is affected by construction.
	Impacts on surface waters	Use construction methods and facility designs to minimize the potential encroachments onto surface water resources. Minimize sediment transport caused by construction by following BMPs as part of NPDES and SWPPP requirements that will be included in construction permits. BMPs may include measures such as: <ul style="list-style-type: none"> a. providing permeable surfaces where feasible; b. retaining and treating stormwater on site using catch basins and filtering wet basins; c. minimizing the contact of construction materials, equipment, and maintenance supplies with stormwater; d. reducing erosion through soil stabilization, watering for dust control, installing perimeter silt fences, placing rice straw bales, and installing sediment basins; e. maintaining water quality by using infiltration systems, detention systems, retention systems, constructed wetland systems, filtration systems, biofiltration/bioretention systems, grass buffer strips, ponding areas, organic mulch layers, planting soil beds, sand beds, and vegetated systems such as swales and grass filter strips that are designed to convey and treat either fallow flow (swales) or sheelflow (filter strips) runoff. Use methods such as habitat restoration, reconstruction of habitat on site, and habitat replacement off site to minimize surface water quality impacts. Comply with mitigation measures included in permits issued under Sections 404 and 401 of the federal Clean Water Act. Comply with requirements in the SWPPP to reduce pollutants in storm water discharges and the potential for erosion and sedimentation. Comply with requirements of Section 10 of the federal Rivers and Harbors Act for work required around a water body designated as navigable and applicable permit requirements. Comply with the requirements of a state Streambed Alteration Agreement for work along the banks of various surface water bodies. Implement a spill prevention and emergency response plan to handle potential fuel or other spills. Where feasible, avoid significant development of facilities in areas that may have substantial erosion risk, including areas with erosive soils or steep slopes.
	Impacts on groundwater	Minimize development of facilities in areas that may have substantial groundwater discharge or affect recharge. Apply for, obtain, and comply with conditions of applicable waste discharge requirements as part of project-level review. Develop facility designs that are elevated, or at a minimum are permeable, and will not affect recharge potential where construction is required in areas of potentially substantial groundwater discharge or recharge.

Resource Area	Impact Area	Mitigation Measure
		Apply for and obtain a SWPPP for grading, with BMPs that will control release of contaminants near areas of surface water or groundwater recharge. BMPs may include constraining fueling and other sensitive activities to alternative locations, providing drip plans under some equipment, and providing daily checks of vehicle condition.
		Use and retain native materials with high infiltration potential at the ground surface in areas that are critical to infiltration for groundwater recharge.
Biological resources and wetlands	Impacts to sensitive vegetation communities (as defined at the project level)	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Use large diameter tunnels as part of the design to limit surface access needs in tunnels for ventilation or evacuation, as a method to avoid or limit impacts to vegetation and habitat above tunnels.
		Use in-line construction (i.e., use new rail infrastructure as it is built) to transport equipment to/from the construction site and to transport excavated material away from the construction to appropriate re-use or disposal sites to minimize impacts from construction access roads on vegetation/habitat.
		Accomplish necessary geologic exploration in sensitive areas by using helicopters to transport drilling equipment and for site restoration to minimize surface disruption.
		Use and reuse excavated materials within the confines of the project.
		Participate in or contribute to existing or proposed conservation banks or natural management areas, including possible acquisition, preservation, or restoration of habitats.
		Revegetate/restore impacted areas, with a preference for onsite mitigation over offsite, and with a preference for offsite mitigation within the same watershed or in close proximity to the impact where feasible.
		Comply with the Biological Resources Management Plan(s) developed or identified during project-level studies, as reviewed by the USFWS, CDFG, and USACE.
		Conduct preconstruction focused biological surveys.
		Conduct biological construction monitoring.
		Undertake plant relocation, seed collection, plant propagation, and outplanting at suitable mitigation sites.
		Prevent the spread of weeds during construction and operation by identifying areas with existing weed problems and measures to control traffic moving out of those areas such as cleaning construction vehicles or limiting the movement of fill.
	Impacts to wildlife movement corridors	Construct wildlife underpasses, bridges, and/or large culverts to facilitate known wildlife movement corridors.
		Ensure that wildlife crossings are of a design, shape, and size to be sufficiently attractive to encourage wildlife use.
		Provide appropriate vegetation to wildlife overcrossings and undercrossings to afford cover and other species requirements.
Establish functional corridors to provide connectivity to protected land zoned for uses that provide wildlife permeability.		

Resource Area	Impact Area	Mitigation Measure
		Design protective measures for wildlife movement corridors using the following process in consultation with resource agencies: <ol style="list-style-type: none"> a. identify the habitat areas the corridor is designed to connect; b. select several species of interest from the species present in the area; c. evaluate the relevant needs of each selected species; d. for each potential corridor, evaluate how the area will accommodate movement by each species of interest; e. draw the corridors on a map; and f. design a monitoring program.
		Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Use aerial structures or tunnels to allow for unhindered crossing by wildlife.
	Impacts to nonwetland jurisdictional waters	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Return degraded habitat to pre-existing conditions.
		Create new habitat by converting nonwetland habitats into wetland or other aquatic habitat.
		Enhance existing habitats by increasing one or more functions through activities such as plantings or nonnative vegetation eradication.
		Provide for passive revegetation by allowing a disturbed area to revegetate naturally.
		Purchase credits in an existing wetlands or aquatic habitat mitigation bank.
		Provide in-lieu fee payments to an agency or other entity who will provide aquatic habitat conservation or restoration.
	Prefer onsite mitigation over offsite mitigation, and for offsite mitigation, prefer that it be located within the same watershed or as close in proximity to the area of impact as possible.	
	Impacts to wetlands	Utilize existing transportation corridors and rail lines to minimize potential impacts.
		Return degraded habitat to pre-existing conditions.
		Create new habitat by converting nonwetland habitats into wetland or other aquatic habitat.
		Enhance existing habitats by increasing one or more functions through activities such as plantings or nonnative vegetation eradication.
		Provide for passive revegetation by allowing a disturbed area to revegetate naturally.
		Purchase credits in an existing wetlands or aquatic habitat mitigation bank.
		Provide in-lieu fee payments to an agency or other entity who will provide aquatic habitat conservation or restoration.
		Develop and implement measures to address the "no net loss" policy for wetlands.
		Prefer onsite mitigation over offsite mitigation, and for offsite mitigation, prefer that it be located within the same watershed or as close in proximity to the area of impact as possible.
	Impacts to marine and anadromous fishery resources	Utilize existing transportation corridors and rail lines to minimize potential impacts.
Comply with the terms of a Streambed Alteration Agreement for work along banks of surface water bodies.		
Implement a spill prevention and emergency response plan to handle potential fuel or other spills.		
Incorporate biofiltration swales to intercept runoff.		

Resource Area	Impact Area	Mitigation Measure
		Where feasible, avoid significant development of facilities in areas that may have substantial erosion risk, including areas with erosive soils and steep slopes.
	Impacts to special status species	Utilize existing transportation corridors and rail lines to minimize potential impacts. Relocate sensitive species. Conduct preconstruction focused surveys. Conduct biological construction monitoring. Restore suitable breeding and foraging habitat. Purchase credits from an existing mitigation bank. Participate in an existing Habitat Conservation Plan. Phase construction around the breeding season.
Public parks and recreation resources	Impacts to parks and recreational resources	Continue to apply design practices to avoid impacts to park resources, and when avoidance cannot be accommodated, minimize the scale of the impact. Apply measures at the project level to reduce and minimize indirect/proximity impacts as appropriate for the particular sites affected, while avoiding other adverse impacts (e.g., visual), such as noise barriers, visual buffers, and landscaping. Apply measures to modify access to/egress from the recreational resource to reduce impacts to these resources. Design and construct cuts, fill, and aerial structures to avoid and minimize visual impacts to units of the state park system. Incorporate wildlife under- or overcrossings at appropriate intervals as necessary. Where public parklands acquired with public funds will be acquired for nonpark use as part of the HST system, commit as required by law to providing funds for the acquisition of substantially equivalent substitute parkland or to acquiring/providing substitute parkland of comparable characteristics for construction impacts. Restore affected parklands to natural state and replace or restore affected park facilities. If park facilities must be relocated, provide planning studies as well as appropriate design and replacement with minimal impact on park use. Use local native plants for revegetation. Develop and implement construction practices, including scheduling, to limit impacts to wildlife, wildlife corridors, and visitor use areas within public parks. For temporary unavoidable loss of park and recreation facility uses, consider providing compensation.
Cumulative	Impacts on traffic and circulation and travel conditions	The following program-level mitigation strategies can be developed, in consultation with state, federal, regional, and local governments and affected transit agencies, to improve the flow of intercity travel on the primary routes and access to the proposed stations or airports and would reduce this impact: <ol style="list-style-type: none"> 1. Regional strategies will include coordination with Regional Transportation planning and Intelligent Transportation System Strategies. 2. Local improvements could employ TSM/Signal Optimization; local spot widening of curves; and major intersection improvements. The following program-level mitigation strategies can be developed, in consultation with state, federal, regional, and local governments and affected transit agencies, to improve the flow of intercity travel on the primary routes and access to the proposed stations or airports and would reduce this impact: <ol style="list-style-type: none"> 1. Regional strategies would include coordination with Regional Transportation planning and Intelligent Transportation System Strategies. 2. Local improvements could employ TSM/Signal Optimization; local spot widening of curves; and major intersection improvements.

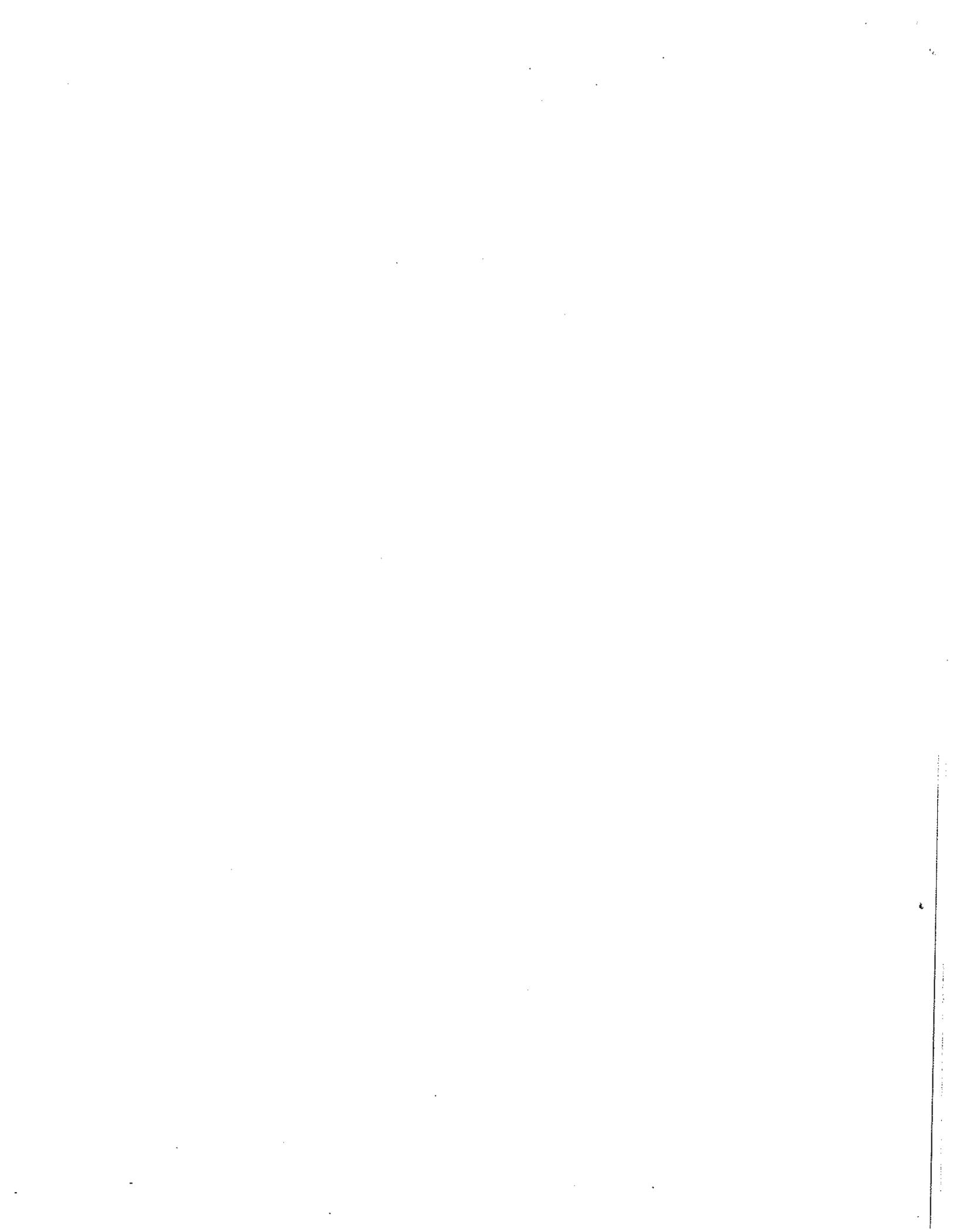
Resource Area	Impact Area	Mitigation Measure
	Impacts on air quality	<p>The project-level mitigation strategies to address localized impacts can include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Increase emission controls from power plants supplying power for the HST alignment. 2. Design the system to utilize energy efficient, state-of-the-art equipment. 3. Promote increased use of public transit, alternative fueled vehicles, and parking for carpools, bicycles, and other alternative transportation methods. 4. Alleviate traffic congestion around passenger station areas. 5. Minimize construction air emissions.
	Impacts on noise and vibration	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices emphasizing the use of tunnels or trenches. 2. Use of electric powered trains, higher quality track interface, and smaller, lighter, and more aerodynamic trainsets. 3. Full grade separations from all roadways. <p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Treatments for insulation of buildings affected by noise and vibration. 2. Sound barrier walls within the right-of-way. 3. Track treatments to minimize train vibrations. 4. Construction mitigation.
	Impacts on land use and planning, communities and neighborhoods, property, and environmental justice	<p>The program-level mitigation strategies for HST alignment contributions to the land use impacts include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way and incorporating strategies for stations to incorporate transit-oriented design. 2. Coordination with cities and counties in each region to ensure that project facilities will be consistent with land use planning processes and zoning ordinances.
	Impacts on agricultural lands	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to avoid agricultural land conversion through maximizing use of existing rights-of-way to minimize encroachment on additional agricultural lands. 2. Utilizing aerial structure or tunnel alignments to allow for vehicular and pedestrian traffic access across the alignment. 3. Reducing the new right-of-way to 50 feet in constrained areas. <p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Securing easements. 2. Participating in mitigation banks. 3. Increasing permanent protection of farmlands at the local planning level. 4. Coordinating with various local, regional, and state agencies support farmland conservation programs.
	Impacts on aesthetics and visual resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices that will incorporate local agency and community input during subsequent project-level environmental review in order to develop context sensitive aesthetic designs and treatments for infrastructure.



Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design of facilities that integrate into landscape contexts, which will reduce potential view blockage, contrast with existing landscape settings, and light and shadow effects.
	Impacts on public utilities	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices that will avoid potential conflicts, at the project-level analysis, to the extent feasible and practical. These practices include design methods to avoid crossing or using utility rights-of-way by modifying both the horizontal and vertical profiles of proposed transportation improvements. Emphasis will be placed on detailed alignment design to avoid potential contribution to cumulative impacts from linear facilities on land use opportunities and to minimize conflicts with existing major fixed public utilities and supporting infrastructure facilities.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Coordination with utility representatives during construction in the vicinity of critical infrastructure will occur.
	Impacts on cultural and paleontological resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Continued consultation with SHPO will occur to define and describe general procedures to be applied in the future for fieldwork, method of analysis, and the development of specific mitigation measures to address effects and impacts to cultural resources, resulting in a programmatic agreement between the Authority, FRA, and SHPO. 2. Consultation with Native American tribes will occur.
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance measures through identification of sensitive resources within the project-level analysis, project design refinement, and careful selection of alignments. 2. Subsequent project-level field studies to verify the location of cultural resources will offer opportunities to avoid or minimize direct impacts on resources, based on the type of project, type of property, and impacts to the resource.
	Impacts on geology and soils	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices will be used while preparing extensive alignment studies to ensure that potential effects related to major geologic hazards such as major fault crossings, oil fields, and landslide areas will be avoided. 2. Mitigation for potential impacts will be developed on a site-specific basis, based on detailed geotechnical studies to address ground shaking, fault crossings, slope stability/landslides, areas of difficult excavation, hazards related to oil and gas fields, and mineral resources.
Impacts on hydrology and water resources	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way to minimize potential impacts on water resources. 	

Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance and minimization measures will be incorporated into the development, design, and implementation phases. 2. Close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, erosion control measures, sediment controlling excavation/fill practices, and other best management practices. 3. Mitigation strategies specific to reconstruction, restoration, or replacement of the resource will occur, in close coordination with state and federal resource agencies, related to flood plains; surface waters, runoff, and erosion; and groundwater.
	Impacts on biological resources and wetlands	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Design practices to maximize use of existing rights-of-way to minimize potential impacts on biological resources and wetlands. <p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Avoidance and minimization measures will be incorporated into the development, design, and implementation phases. 2. Close coordination will occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices. 3. Mitigation strategies specific to reconstruction, restoration, or replacement of the resource will occur, in close coordination with state and federal resource agencies, related to wetlands. 4. Field studies will be conducted to verify the location, in relation to the HST alignments, of sensitive habitat, wildlife movement corridors, and wetlands. These studies will provide further opportunities to minimize and avoid potential impacts on biological resources through changes to the alignment plan and profile in sensitive areas. For example, the inclusion of design features such as elevated track structures over drainages and wetland areas and wildlife movement corridors will minimize potential impacts to wildlife and sensitive species.
	Impacts on Section 4(f) and 6(f) resources (public parks and recreational resources)	<p>The program-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Incorporation of sound barriers (e.g., walls, berms, or trenches), visual buffers/landscaping, and modification of transportation access to/egress from the public lands and recreational resource. 2. Incorporation of design modifications or controls on construction schedules, phasing, and activities.

Resource Area	Impact Area	Mitigation Measure
		<p>The project-level mitigation strategies include the following and would reduce this impact:</p> <ol style="list-style-type: none"> 1. Beautification measures. 2. Replacement of land or structures or their equivalents on or near their existing site(s). 3. Tunneling, cut and cover, and cut and fill of right-of-ways. 4. Treatment of embankments. 5. Planting, screening, creating wildlife corridors, acquisition of land for preservation, and installation of noise barriers. 6. Establishment of pedestrian or bicycle paths. 7. Other potential mitigation strategies identified during the public input process. <p>In the event that HST alignments or facilities are located within or in close proximity to public parks, the following mitigations for natural, cultural, aesthetic, and recreational impacts may be considered to offset the contribution to the cumulative impact, including but not limited to:</p> <ol style="list-style-type: none"> 1. Compensation for temporary and loss of park and recreation use. 2. Recordation of any historic features removed. 3. If necessary, provide alternative shuttle access service to park visitors. 4. Restore directly impacted park lands to a natural state. 5. If any facilities must be relocated, provide planning studies as well as design and appropriate replacement with minimal impact on park use. 6. Inventory and record affected historic structures. Provide appropriate mitigation for adverse effects to historic structures. 7. Require appropriate vehicle cleaning for all construction equipment used near units of the California State Park System to protect against spreading exotic plants or disease. 8. Use local native plants for revegetation. 9. Design and construct cuts, fills, and aerial structures to avoid and minimize visual impact to units of the State Park System. 10. In addressing impacts to wildlife movement corridors and habitat directly related to California State Park System units, consult with the California Department of Parks and Recreation. 11. Incorporate wildlife under- or overcrossings as necessary. 12. Adopt construction practices to protect critical wildlife corridors and visitor use areas within public parks.



U.S. Department of
Homeland Security

United States
Coast Guard



Commander
District Eleven

U.S. Coast Guard Island, Bldg 50-2
Alameda, CA 94501-5100
Staff Symbol: (dpw)
Phone: (510) 437-3514
Fax: (510) 437-5836

16590

Los Angeles to San Diego
Segment

September 24, 2009



California High Speed Rail Authority
LA-SD HST Project
Attn: Dan Leavitt, Deputy Director
925 L Street, STE 1425
Sacramento, CA 95814

Dear Mr. Leavitt:

Please include the Coast Guard Bridge Office concerning the Notice of Preparation of a project Environmental Impact Statement for the section of the California High Speed Rail Authority's proposed California High-Speed Train (HST) System, from the City of Los Angeles to the City of San Diego via the Inland Empire, for all bridge related issues over existing or proposed navigable waters of the United States.

The General Bridge Act of 1946 requires that the location and plans for bridges over navigable waters of the United States be approved by the Commandant, U. S. Coast Guard prior to commencing construction.

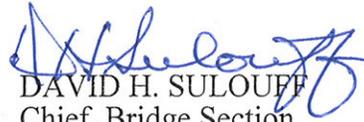
Coast Guard Bridge permitting is subject to the National Environmental Policy Act (NEPA), and the Coast Guard should be invited to participate as a cooperating agency for NEPA, during the development of the draft environmental document for the project.

Applications for bridge permits should be addressed to Commander, Eleventh Coast Guard District, Bridge Section, Bldg 50-2, Coast Guard Island, Alameda, CA 94501. Applications are available on-line at: <http://www.uscg.mil/hq/g-o/g-opt/g-opt.htm>. The application must be supported by sufficient information to permit a thorough assessment of the impact of the bridges and their immediate approaches on navigation and the environment. We recommend discussing the proposed impacts of procedures for constructing, altering or demolishing bridges, in the NEPA document. The NEPA document should also contain data on the number, size and types of vessels using or projected to use the waterway.

16590
September 24, 2009

We appreciate the opportunity to comment on the project in this early stage. You may contact Mr. Carl Hausner by telephone at (510) 437-3515 if additional information is needed.

Sincerely,



DAVID H. SULOUFF
Chief, Bridge Section
Eleventh Coast Guard District
By direction of the District Commander

Copy: USACE, Los Angeles District

D am

CALIFORNIA STATE LANDS COMMISSION100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202**PAUL D. THAYER**, Executive Officer
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922****Contact Phone: (916) 574-1900**
Contact FAX: (916) 574-1885

October 13, 2009

File Ref#: SCH 2009091070

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

Dear Mr. Mehdi:

SUBJECT: Notice of Preparation for the Los Angeles to San Diego Section High-Speed Rail Train Project EIR/EIS

Staff of the California State Lands Commission (CSLC) has reviewed the Notice of Preparation (NOP) for the Los Angeles to San Diego Section High-Speed Rail Train Project Environmental Impact Report/ Environmental Impact Statement (EIR/EIS). Under the California Environmental Quality Act (CEQA), the California High-Speed Rail Authority is the Lead Agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, school lands, and their accompanying Public Trust resources or uses.

As general background, the State of California acquired sovereign ownership of all tidelands, submerged lands, and the beds of navigable waters upon it's admission to the United States in 1850. The State holds these lands for the benefit of all the people of California for statewide Public Trust purposes (waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space). The State's sovereign land interests are under the jurisdiction of the CSLC.

School lands were granted to the State of California under the School Land Grant of 1853. The CSLC, through its State School Lands Management Program, manages approximately 469,000 acres of school lands held in fee ownership by the State and the reserved mineral interests on an additional 790,000± acres where the surfaces estates previously have been sold. In 1984, the State Legislature approved the School Land Bank Act (Act) that created the School Land Bank Fund (SLBF) and appointed the CSLC as trustee of the SLBF. Through the establishment of the Act,

the Legislature directed the CSLC to manage the remaining school lands to provide an economic base for support of the public school system. The CSLC is responsible for developing school lands into a permanent and productive resource base for revenue generating purposes.

Please be advised that use of any sovereign or school lands for any part of the Los Angeles to San Diego Section High-Speed Rail Train Project requires that the applicant first obtain a lease from the CSLC. Based on the information and maps you provided in the NOP, it is impossible to determine if any sovereign lands or school lands lay within the Project area. Therefore, staff of the CSLC is requesting that more detailed project maps be provided for our review as they become available.

The Commission, acting as a Responsible Agency under CEQA, will use the EIR to approve any leases on land within our jurisdiction. Therefore, we ask that the following issues be discussed in the EIR.

- As part of the air quality analysis in the MND, greenhouse gas emissions (GHG) information consistent with the California Global Warming Solutions Act (AB 32) should be included. For each alternative, this would include a determination of the greenhouse gases that would be emitted, a determination of the significance of the impact, and mitigation measures to reduce that impact.
- Any impacts to aquatic, riparian, and terrestrial species should be fully discussed in the EIR, including a determination of the significance of the impact, and mitigation measures to reduce that impact.

Please contact Jim Porter at (916) 574-1849 or by e-mail at porterj@slc.ca.gov for information concerning the Commission's leasing requirements. If you have any questions on the environmental review, please contact Mary Ann Hadden at (916) 574-2274 or by e-mail at haddenm@slc.ca.gov.

Sincerely,



Marina R. Brand, Assistant Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research

M. Hadden, CSLC
J. Porter, CSLC

BOB ALVARADO, Chair
JAMES EARP, Vice Chair
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GOVERNOR



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CALIFORNIA TRANSPORTATION COMMISSION

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(916) 654-4245
<http://www.catc.ca.gov>

November 9, 2009

Mr. Dan Leavitt, Deputy Director
Attn: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Notice of Preparation of an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire

Dear Mr. Leavitt,

The California Transportation Commission (Commission) received the Notice of Preparation (NOP) that a Draft Environmental Impact Report (DEIR)/ Draft Environmental Impact Statement (DEIS) will be prepared by the California High-Speed Rail Authority (Authority) as the Lead Agency for the California Environmental Quality Act (CEQA) for the Los Angeles to San Diego Section via the Inland Empire of the Authority's proposed High Speed Train System. The Federal Railroad Administration will serve as the federal Lead Agency for the federal environmental review process for compliance with the National Environmental Policy Act (NEPA).

The Commission has no comments with respect to the project's purpose and need, the alternatives to be studied, the impacts to be evaluated and the evaluation methods to be used. It is our understanding that sources of funding or other actions under the purview of the Commission are not anticipated for the project at this time. If, in the future, funds or other actions under the purview of the Commission are anticipated, please ensure that notification is provided to the Commission as a Responsible Agency. Consideration of the environmental impacts of a project are required prior to the Commission's allocation of funds for design, right of way or construction activities as well as for the approval of public road connections and route adoptions.

Mr. Dan Leavitt
November 9, 2009
Page 2 of 2

If you have any questions, please contact Susan Bransen, Associate Deputy Director, at (916) 653-2082.

Sincerely,



BIMLA G. RHINEHART
Executive Director

c: Jay Norvell, Chief, Caltrans Environmental Analysis

Leavitt
HSR LA-SD (NOP) for
November 19, 2005
Page 1



State of California • The Resources Agency

Arnold Schwarzenegger, *Governor*

DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001

Ruth Coleman, *Director*

November 19, 2009

Dan Leavitt
Deputy Director,
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento CA, 95814

Re: Comment Letter for Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA

Dear Mr. Leavitt,

The San Diego Coast District of California State Parks (CSP) welcomes the opportunity to comment on the Notice of Preparation for the Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA (NOP). Several issues with regard to the San Diego Coast District require consideration: Careful analysis of potential Impacts to Old Town San Diego State Historic Park and Torrey Pines State Natural Reserve, and design of appropriate minimization, avoidance or mitigation measures.

Old Town San Diego State Historic Park

The EIR/EIS should address potential impacts associated with the HSR project to Old Town San Diego State Historic Park. The HSR alignment occurs directly adjacent to Old Town San Diego SHP within the City of San Diego. Because this area already supports several major transportation facilities (Interstate 5, the San Diego Trolley, Amtrak, the Coaster, Surfliner, and a bus transfer station, the location of the HSR would seem to be appropriate. The main concern with the HSR in this location is the threat to our operational activities, and aesthetic, historic and interpretive resources. Potential impacts that must be addressed include noise, vibration, air pressure, and air quality, as well as traffic delays and public access. Additionally, short-term construction-related impacts including losses of parking and visitation should be addressed. Thoughtful and well-conceived mitigation will be needed to resolve these issues.

Leavitt
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November 19, 2005
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Torrey Pines State Natural Reserve

The Proposed HSR alignment follows and crosses Carroll Canyon which is a tributary to the Los Peñasquitos Lagoon within Torrey Pines State Natural Reserve. The Lagoon is currently threatened by sediment and increased freshwater due to upstream development. The proposed project design should minimize impervious surfaces and strive to eliminate any new sources of urban runoff or sediment. The EIR/EIS should address all potentially significant downstream environmental effects associated with the proposed alignment.

Thank you for the opportunity to comment on the project. If you have further questions or would like elaboration on the above-mentioned issues please contact me at your convenience.

Sincerely,



Ronilee Clark, District Superintendent
California State Parks, San Diego Coast District

CC:

Rich Dennison
Bill Mennell
Therese Muranaka
Jeanne Akin
Reading File

**STATE MINING AND GEOLOGY BOARD**

DEPARTMENT OF CONSERVATION

801 K Street • Suite 2015 • Sacramento, California 95814



PHONE: 916 / 322-1082 • FAX: 916 / 445-0738 • TDD: 916 / 324-2555 • INTERNET: conservation.ca.gov/smgb

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CHERYL BLY-CHESTER, VICE CHAIRBRIAN BACA
JOHN LANE
BENJAMIN LICARIKATHY LUND
ROBERT TEPEL
CHARLIE WYATT

October 15, 2009

Mr. Dan Leavitt
Deputy Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814**RE: Invitation to Serve as Participating Agency on the
Los Angeles to San Diego via the Inland Empire High Speed Train Project EIR/EIS**

Dear Mr. Leavitt:

In response to your invitation, dated September 30, 2009, I accept and welcome the opportunity to serve as a Participating Agency on behalf of the State Mining and Geology Board (SMGB), for the above referenced project. The State Mining and Geology Board may have jurisdiction or authority in regards to certain aspects of the project, does maintains expertise and information relevant to the project, and would plan to comment on the project, if applicable.

I look forward to serving as a Participating Agency on this important project. Should you have any needs at this time, please do not hesitate to contact me.

Sincerely,

Stephen M. Testa
Executive Officer



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

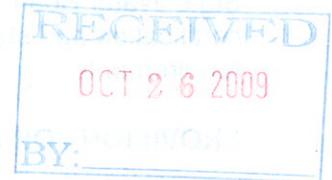
Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5455
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
FAX (916) 341-5463 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

OCT 23 2009



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

Dear Mr. Leavitt,

NOTICE OF PREPARATION (NOP) COMMENTS REGARDING THE PROPOSED CALIFORNIA HIGH-SPEED TRAIN (HST) PROJECT – LOS ANGELES TO SAN DIEGO VIA THE INLAND EMPIRE (SCH# 2009091070)

State Water Resources Control Board (State Water Board) staff has reviewed the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the HST System for the Los Angeles to San Diego (LA-SD) Section. The proposed project has the potential to adversely impact water quality and beneficial uses during construction as well as over the life of the project. Because of these potential effects, the State Water Board requests that the following concerns be addressed in the forthcoming Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS).

The proposed project alignments are located in areas administered by the Los Angeles, Santa Ana, and San Diego Regional Water Quality Control Boards (Regional Water Boards). The size and scope of the proposed HST Project does not allow a comprehensive review of all on-the-ground details for all of the possible routes. This review, therefore, covers several general topics of concern and provides examples of classes of specific concerns that will need to be addressed in a DEIR/EIS and in development of subsequent project implementation plans.

STATE WATER AND REGIONAL WATER BOARD JURISDICTION

Clean Water Act Section 401 requires that anyone proposing to conduct a project that requires a federal permit, or that involves dredge or fill activities that may result in a discharge to surface waters, including wetlands, is required to obtain a Water Quality Certification (Certification) verifying that the project activities will comply with state water quality standards. Since this project spans more than one Regional Water Board jurisdiction, the State Water Board would issue the Certification.

In addition, dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activity. Please note that this permit has provisions specifically relating to linear projects such as the HST. If a single project traverses more than one Regional Water Board jurisdiction, a complete Notice of

Intent package (Notice of Intent, site map, and fee) and Notice of Termination (upon completion of each section), must be filed for each Regional Water Board.

State Water Board staff will work closely with Regional Water Board staff in development of all certification and storm water permit conditions, including mitigation and monitoring requirements.

PROVISION FOR ANALYSIS OF A FULL RANGE OF ALTERNATIVES

The California Water Boards (State and Regional Water Boards collectively) require projects subject to their permitting authority to avoid and minimize impacts to all waters of the State to the maximum extent practicable, and to ensure no net loss of any type of wetlands and their beneficial uses. For this reason, the Water Boards expect that full consideration and analysis of all project alternatives, including the no project alternative, be included in the Draft EIR/EIS.

In the event that unavoidable impacts to waters of the State occur, mitigation for the loss of their functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met.

PROVISION OF FULL INFORMATION ON ALTERNATIVES

The DEIR/EIS must clearly identify selected routes, and must clearly describe and locate all project infrastructure including station locations, roads, substations and all appurtenant structures. The DEIR/EIS must also clearly identify all waters of the State that may be affected by the various project alternatives. This description should distinguish those waters of the State that are also waters of the United States.

CEQA LEAD AND RESPONSIBLE AGENCY CONSULTATION

The lead agency for CEQA compliance should be clearly identified in the DEIR/EIS. That agency should make every effort to ensure that all responsible agencies under CEQA, including the Water Boards and the California Department of Fish and Game, are consulted throughout the preparation of the DEIR/EIS. This consultation should address development of all avoidance, minimization, and compensatory mitigation measures for the project alternatives presented.

AVOIDANCE AND MINIMIZATION MITIGATION MEASURES

Avoidance and minimization of project effects to waters of the State should be a fundamental environmental strategy for the proposed project. For all project alternatives, construction and maintenance activities should be proposed that will avoid disturbance to riparian and wetland vegetation, drainage channels, and intermittent and perennial stream banks, or to any landforms which, if disturbed, might affect water quality or beneficial uses of waters, to the greatest extent feasible. When such avoidance is infeasible, construction and maintenance activities should be specified that would minimize disturbance to the fullest extent possible. Avoidance measures should include site configurations that minimize the number of stream crossings and require natural channel design for all relocated segments of streams. Project design should also include scientifically based buffers between wetlands and streams and any impervious surface.



HYDROLOGY

Potential significant effects to the aquatic resources should be evaluated using a watershed approach. The loss of functions and services of impacted water bodies, including wetlands, should be appraised considering the availability and the condition of aquatic resources in the impacted watershed. To protect existing hydrology, every effort should be made to incorporate "low impact development" design techniques such as limiting impervious surfaces and controlling runoff through ground infiltration methods. For any proposed change to existing flow volume, channel location/size, or rate of discharge, an evaluation should be made of the effects on current patterns, water circulation, normal water fluctuation, and salinity. Consideration should also be given to the potential diversion or obstruction of flow, alterations of bottom contours, or other significant changes in the hydrologic regime. Any potential surface and ground water effects should be evaluated in the DEIR/EIS.

BIOLOGICAL RESOURCES

Development associated with implementation of the proposed HST Project would contribute to the on-going loss of natural and agricultural lands, which currently provide habitat for a variety of federal and State listed special status species, as well as other wildlife and plant resources. Two important types of wildlife habitat are riparian and wetland habitats. These habitats can be threatened by development, erosion, and sedimentation, as well as by poor water quality. The water quality requirements of wildlife pertain to the water directly ingested, the aquatic habitat itself, and the effect of water quality on the production of food materials. Waterfowl habitat is particularly sensitive to changes in water quality. The Project could substantially reduce these habitats and restrict the movement of several species. The DEIR/EIS should fully describe the potential project related impacts to animal and plant species habitat, including wetlands and riparian areas and commit to habitat preservation measures that protect water quality, species movement and habitat needs.

SETTING OF COMPENSATORY MITIGATION REQUIREMENTS

In the event that unavoidable impacts occur, mitigation for the loss of functions and beneficial uses shall be provided. State Water Board staff will work with the project proponents and other regulatory agencies to ensure that this goal is met. The Draft EIR/EIS should discuss likely mitigation approaches for each alternative, including potential types, sites, timing and financial assurances.

INSPECTION AND MONITORING FOR ENVIRONMENTAL COMPLIANCE

Provisions for inspecting and monitoring the project for environmental compliance should be included in the DEIR/EIS. This monitoring effort would be active for the time required to achieve post-construction mitigation success. Qualified, independent inspectors who would have authority to enforce all pertinent environmental guidelines and mitigation measures should conduct this inspection and monitoring effort. The inspection team should be assigned, funded, and equipped to cover the entire project area for all hours and days of operation. This inspection team should be led and/or staffed by qualified persons with experience and training in natural resources, geology, soils, ecology, or related disciplines. The inspection team should also include persons qualified in storm water management, erosion prevention, and erosion control (as evidenced by work experience or certifications such as Certified Professional in Erosion and Sediment Control, or Certified Professional in Storm Water Quality). The



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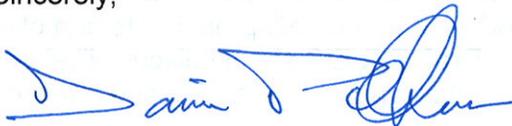
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IN CONCLUSION

State Water Board staff thanks the California High-Speed Rail Authority for this opportunity to comment on this project. Please continue to include our agency in all future correspondence regarding this project. We are available to discuss the project and our comments in detail. For questions or comments, contact Mr. Bill Orme at (916) 341-5464 (borme@waterboards.ca.gov) or Darren Bradford at (916) 341-5558 (dbradford@waterboards.ca.gov)

Sincerely,



Darrin Polhemus
Deputy Director
Division of Water Quality

cc: (See continuation page)



cc: (Continuation page)

cc:

Dave Castanon, Chief
Regulatory Division
U.S. Army Corps of Engineers
Los Angeles District
911 Wilshire Boulevard
Los Angeles, CA 90053-2325

Dave Smith, Chief
Wetlands Regulatory Office
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105

Ed Pert, Regional Manager
Department of Fish and Game
4949 Viewridge Avenue
San Diego, CA 92123

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320 West 4th Street, Suite 200
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California Tower
3737 Main Street, Suite 500
Riverside, CA 92501-3339

John Robertus, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123





Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

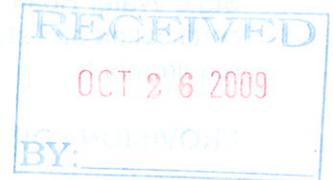
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California High-Speed Rail Authority
925 L Street, Suite 1425
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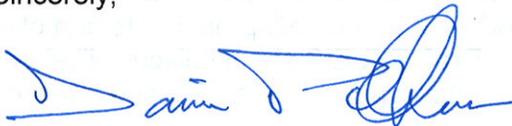
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IN CONCLUSION

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Sincerely,



Darrin Polhemus
Deputy Director
Division of Water Quality

cc: (See continuation page)



cc: (Continuation page)

cc:

Dave Castanon, Chief
Regulatory Division
U.S. Army Corps of Engineers
Los Angeles District
911 Wilshire Boulevard
Los Angeles, CA 90053-2325

Dave Smith, Chief
Wetlands Regulatory Office
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John Robertus, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123



Kris Livingston

From: Bernard Lee [leeb@scag.ca.gov]
Sent: Thursday, November 19, 2009 2:01 PM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire
Attachments: SCAG Comments on NOP (I20090606).pdf

In case you did not receive, resending the original email with the correct subject line.

From: Bernard Lee
Sent: Monday, November 16, 2009 3:20 PM
To: 'comments@hsr.ca.gov'
Subject: SCAG Comments on NOP of a Project EIR/EIS for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA (I20090606)

Dear Mr. Leavitt,

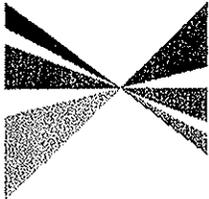
Attached are comments from the Southern California Association of Governments regarding the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA [I20090606].

Please contact me if you have any questions or encounter difficulty opening the attachment.

Thank you,
Bernard

Bernard Lee
Associate Regional Planner
Southern California Association of Governments
Office: 213.236.1895
Fax: 213.236.1963
Email: leeb@scag.ca.gov

 Please consider the environment before printing this email.



ASSOCIATION OF GOVERNMENTS

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www.scag.ca.gov

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Pam O'Connor, Santa Monica

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Jon Edney, El Centro

Policy Committee Chairs

Community, Economic and Human Development
Carl Morehouse, Ventura

Energy & Environment
Keith Hanks, Azusa

Transportation
Mike Ten, South Pasadena

November 16, 2009

Mr. Dan Leavitt
Deputy Director
ATTN: LA-SD HST Project EIR/EIS
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
comments@hsr.ca.gov

RE: SCAG Comments on the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA [I20090606]

Dear Mr. Leavitt,

Thank you for submitting the Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Train Project from Los Angeles to San Diego via the Inland Empire, CA [I20090606] to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is a High-Speed Train along the Union Pacific Railroad Company (UPRR)/Interstate 215/Interstate 15 corridor from Los Angeles to San Diego

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: <http://scag.ca.gov/igr>. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **Please provide a minimum of 45 days for SCAG to review the EIR/EIS and associated plans when these documents are available.** If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1895 or leeb@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Assessment, Housing & EIR

DOCS# 154617

**COMMENTS ON THE NOTICE OF PREPARATION OF A PROJECT
ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT
FOR THE CALIFORNIA HIGH-SPEED TRAIN PROJECT FROM LOS ANGELES
TO SAN DIEGO VIA THE INLAND EMPIRE, CA
[SCAG NO. I20090606]**

PROJECT LOCATION

The project is located along the Union Pacific Railroad Company (UPRR)/Interstate 215/Interstate 15 corridor from Los Angeles to San Diego.

PROJECT DESCRIPTION

In 2001, the Authority and FRA started a tiered environmental review process for the HST System and in 2005, completed the first tier California High-Speed Train Program EIR/EIS (Statewide Program EIR/EIS) and approved the statewide HST System for intercity travel in California between the major metropolitan centers of Sacramento and the San Francisco Bay Area in the north, through the Central Valley, to Los Angeles and San Diego in the south. The approved HST System would be about 800 miles long, with electric propulsion and steel-wheel-on-steel-rail trains capable of maximum operating speeds of 220 miles per hour (mph) on a mostly dedicated system of fully grade-separated, access-controlled, state-of-the-art steel track with safety, signaling, communication, and automated train control systems. In approving the HST System, the Authority and FRA also selected corridors/general alignments and station location options throughout most of the system. In 2008, the Authority and FRA completed a second program EIR/EIS to evaluate and select general alignments and station locations within the broad corridor between and including the Altamont Pass and the Pacheco Pass to connect the Bay Area and Central Valley portions of the HST System.

The preparation of the LA-SD HST Project EIR/EIS will involve the development of preliminary engineering designs and the assessment of potential environmental effects associated with the construction, operation, and maintenance of the HST System, including track and ancillary facilities along the Union Pacific Railroad Company (UPRR)/Interstate 215/Interstate 15 corridor from Los Angeles to San Diego.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The EIR/EIS should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region and subregions are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted City of Los Angeles Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	4,140,516	4,214,082	4,292,139	4,367,538	4,440,017	4,509,435
Households	1,386,658	1,445,177	1,506,564	1,554,478	1,600,754	1,638,823
Employment	1,860,672	1,905,337	1,933,860	1,967,393	2,003,196	2,037,472

Adopted SGVCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,998,852	2,079,788	2,160,039	2,238,951	2,315,243	2,388,057
Households	575,957	601,815	628,329	648,956	668,871	685,034
Employment	809,846	830,252	843,289	858,609	874,968	890,626

Adopted SANBAG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	2,182,049	2,385,761	2,582,773	2,773,938	2,957,754	3,133,797
Households	637,252	718,601	787,138	852,994	914,575	972,565
Employment	810,232	897,493	965,781	1,045,471	1,134,964	1,254,752

Adopted WRCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** Maximize mobility and accessibility for all people and goods in the region.
- RTP G2** Ensure travel safety and reliability for all people and goods in the region.
- RTP G3** Preserve and ensure a sustainable regional transportation system.
- RTP G4** Maximize the productivity of our transportation system.
- RTP G5** Protect the environment, improve air quality and promote energy efficiency.
- RTP G6** Encourage land use and growth patterns that complement our transportation investments.
- RTP G7** Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

- GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2** *Promote developments, which provide a mix of uses.*
- GV P2.3** *Promote "people scaled," walkable communities.*
- GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

- GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2** *Support educational opportunities that promote balanced growth.*
- GV P3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4** *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5** *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here:

http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: <http://www.scag.ca.gov/igr/>.

- Click on **"Demonstrating Your Project's Consistency With SCAG Policies"**
- Scroll down to **"Table of SCAG Policies for IGR"**

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
Etc.	Etc.	Etc.

Kris Livingston

From: Wills, Mark [MWILLS@rcflood.org]
Sent: Friday, November 20, 2009 8:30 AM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire
Attachments: NOP-CalHighSpdRailPrjAuth.pdf

Importance: High

Ladies and Gentlemen:

Please accept the attached comments on behalf of the Riverside County Flood Control & Water Conservation District.

Thank you,
Mark H. Wills
Chief of Regulatory
Riverside County Flood Control
and Water Conservation District
951.955.8411

November 19, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Project Authority
925 L Street
Sacramento, CA 95814

Dear Mr. Leavitt:

Re: Notice of Preparation
LA-SD HST Project EIR/EIS
LA-SD HST Section (Inland Empire)

This letter is written in response to the Notice of Preparation (NOP) for a project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Rail Train (HST) Project from Los Angeles to San Diego (LA-SD) via the Inland Empire. The LA-SD HST Project EIR/EIS tiers off a previously completed Statewide Program EIR/EIS for the California High-Speed Train Program. The NOP indicates that two alternative alignments, the "Corona Option" and the "Riverside Option", are under consideration. The Corona Option generally follows the I-15 freeway corridor and the Riverside Option generally follows the I-215 freeway corridor.

The Riverside County Flood Control and Water Conservation District (District) owns and operates various drainage facilities located along the proposed routes and would likely be required to issue various encroachment permits for the project. As such, the District would act as a Responsible Agency pursuant to the California Environmental Quality Act.

The District has reviewed the NOP and has the following comments:

Floodplain Management / NFIP Compliance

Portions of the proposed project alignments traverse or may otherwise be located within the limits of Special Flood Hazard Areas as designated by the Federal Emergency Management Agency on the currently effective Digital Flood Insurance Rate Maps. The proposed project must comply with National Flood Insurance Program (NFIP) regulations (40CFR Parts 59-60) and local floodplain management ordinances (e.g., County Ordinance No. 458). Note that each of the incorporated cities located along the proposed alignments is responsible for compliance with the FEMA floodplain management regulations within their city limits. For additional information regarding floodplain management or NFIP compliance please contact Mr. David Garcia of the District's Floodplain Management Section at 951.955.1265.

Mr. Dan Leavitt
Re: Notice of Preparation
LA-SD HST Project EIR/EIS
LA-SD HST Section (Inland Empire)

- 2 -

November 19, 2009

Coordination with Existing and Proposed Drainage Facilities

The proposed alignments traverse numerous watersheds and watercourses; therefore, it is anticipated that the proposed project will impact various existing District maintained drainage facilities and/or rights of way that are located within these watersheds and watercourses. The Authority will be required to obtain an encroachment permit for any aspects of the proposed project that would affect existing District facilities and/or rights of way. For additional information regarding encroachment permits please contact Mr. Ed Lotz of the District's Encroachment Permit Section at 951.955.1266.

In addition to existing facilities, the District has also adopted a number of Master Drainage Plans (MDPs) within certain watersheds. The MDPs identify the proposed facilities that are necessary to alleviate existing flooding problems within the MDP area. For additional information regarding the District MDPs, please contact Mr. Dale Anderson at 951.955.1345 or Mr. Edwin Quinonez 951.955.1210.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

The District, along with the incorporated cities and the County of Riverside, are Permittees under the MSHCP. The MSHCP, which is administered by the Western Riverside County Regional Conservation Authority, provides for the long-term conservation of various sensitive species throughout the westerly portion of Riverside County. The District must comply with the provisions of the MSHCP when it issues an encroachment permit or takes other discretionary action.

The Authority will need to demonstrate that the project is consistent with the MSHCP. The EIR/EIS should include an MSHCP consistency report with all of its supporting documents and provide adequate mitigation, if needed, in accordance with all applicable MSHCP requirements. The report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP.

Water Quality / NPDES Stormwater Permitting

It appears the project will require coverage under the statewide National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated With Construction And Land Disturbance Activities (Order No. 2009-0009-DWQ / NPDES No. CAS000002). Additionally, certain waterbodies within the region (Canyon Lake, Lake Elsinore and the Santa Ana River, Reach 3) have been identified on the State's Clean Water Act Section 303(d) listing of impaired waterbodies and Total Maximum Daily Load (TMDL) Waste Load Allocations have been adopted by the Santa Ana Regional Water Quality Control Board.

Mr. Dan Leavitt
Re: Notice of Preparation
LA-SD HST Project EIR/EIS
LA-SD HST Section (Inland Empire)

- 3 -

November 19, 2009

The District, along with the incorporated cities and the County of Riverside, operate and maintain Municipal Separate Storm Sewer Systems (MS4s) pursuant to an NPDES MS4 Permit issued by the SARWQCB [NPDES Permit (R8-2002-0011)]. This permit requires the Permittees to minimize the discharge of pollutants from their respective MS4s to the maximum extent practicable. The project will need to implement an effective combination of site, source and treatment control best management practices to minimize the discharge of pollutants in stormwater and to prevent non-stormwater discharges to the Permittees' MS4s and/or local waterbodies. For additional information regarding the District's Municipal Stormwater Program, please contact Mr. Albert Martinez at 951.955.2901.

Very truly yours,



MARK H. WILLS
Chief of Regulatory Division

cc: David Garcia
Ed Lotz
Dale Anderson
Edwin Quinonez
Albert Martinez

MHW:cw
P8/127969

November 19, 2009

Mr. Dan Leavitt, Deputy Director
California High-Speed Rail Project Authority
925 L Street
Sacramento, CA 95814

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November 19, 2009

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Very truly yours,



MARK H. WILLS
Chief of Regulatory Division

cc: David Garcia
Ed Lotz
Dale Anderson
Edwin Quinonez
Albert Martinez

MHW:cw
P8/127969



Southern California's Leading Transit Advocacy Group

P.O. Box 567 * San Fernando, CA 91341-0567

Voice: 818.362.7997 * Fax: 818.364.2508

www.transitcoalition.org

The Transit Coalition (a project of SEE) is a nonprofit public charity exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code

Friday, November 20, 2009

Dan Leavitt, Deputy Director
California High-Speed Rail Authority
Attn: Los Angeles to San Diego
via the Inland Empire Section EIR/EIS
925 L Street, Suite 1425
Sacramento, CA 95814-3704

Re: LA-SD HST Section via the Inland Empire

Dear Mr. Leavitt:

Thank you for the opportunity to voice our concerns and recommendations during this scoping period.

The Transit Coalition has reviewed the project-level Environmental Impact Report/Environmental Impact Statement for the Inland Empire Section.

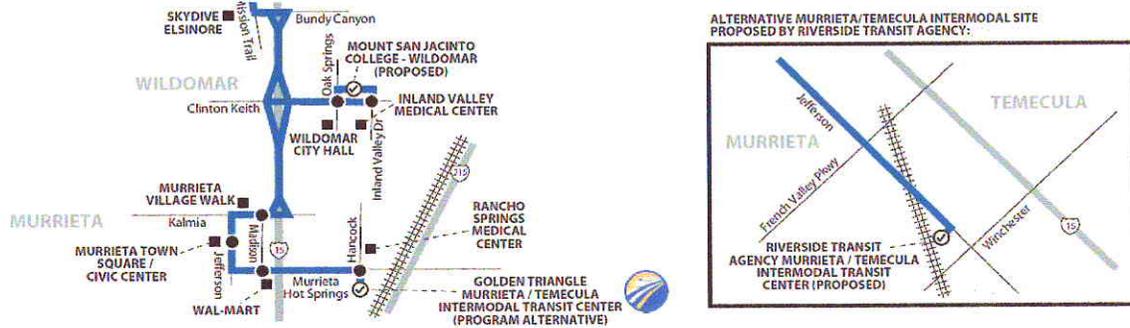
While we praise the California High-Speed Rail Authority for performing such a daunting task, we also wish to share our concerns about the project as proposed in the document. These are expressed in the enclosed document. We believe that the systematic lack of coordination between the CHSRA and local authorities is widespread and real efforts need to be put forth to form strong bonds with local entities. The duplicative nature of many of the planning efforts is not a good use of scarce public funds and leads to unfortunate political ramifications.

We hope that these and other issues will be addressed thoroughly during the preparation of the EIR/EIS. This study must also offer meaningful mitigation strategies for the community and offer integration with existing transit systems and corridors.

Sincerely,

Kenneth S. Alpern, M.D.
Chair, Advisory Board

Recommendations on Project-Level Analysis to California High-Speed Rail Authority Proposed High-Speed Rail Segment through Inland Empire



Better Coordinated Planning: The California High Speed Rail Authority should coordinate their plans with local transportation planners and transit agencies. Integration of the high speed rail system and its transit stations into local transportation projects would keep start-up and operational costs low.

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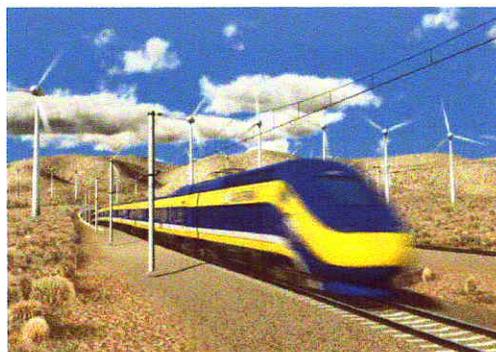
General Comments



The Transit Coalition (TTC) affirmatively supported the passage of Proposition 1A, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century which appeared on the November 2008 ballot in California. TTC officially endorsed the measure which was approved with 52.3% of the vote (based on official November 4 election results for Prop 1A).

California will perhaps be the first state in the United States to benefit from environmentally preferred high-speed rail (HSR) trains common today in Europe and Asia.

We have analyzed the planning progress conducted by the California High-Speed Rail Authority (CHSRA) in regards to the HSR system. We have also thoroughly analyzed the proposed routes through the Inland Empire between Ontario and Escondido. Consideration of our comments can help bring the state-of-the-art HSR system to its full potential with improved quality of life, reduced traffic congestion and pollution, improved transit mobility, less reliance on the automobile, strong job markets, and an operational surplus for the people of the State of California.



Better Coordinated Planning with Local Transit and Transportation Agencies and Local Jurisdictions:

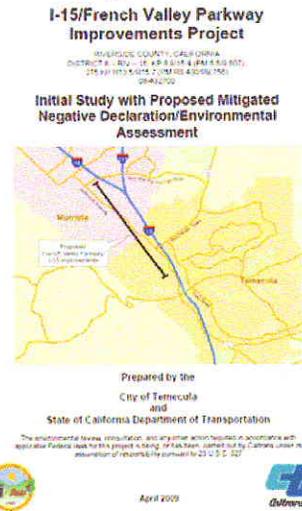
TTC has noted that there appears to be very little coordination between the CHSRA and several local transportation agencies.

For example, The Riverside County Transportation Commission (RCTC) has proposed a major expansion project of the I-215 Freeway between Murrieta and Riverside. The City of Temecula has proposed a **major development of a freeway interchange** at the I-15 Freeway. The Riverside Transit Agency (RTA) is planning an \$8 million regional intermodal transit center one mile south of the proposed Murrieta HSR station.

We have learned that the proposed HSR system is neither addressed in the planning documents of these major projects nor in documents for several other local projects in the region adjacent to the rail line. Having such local projects constructed without the integration of HSR would force the CHSRA to work around these projects. We believe this lack of coordination between these projects will waste a significant amount of taxpayer resources, with the end result being inflated start-up and operational costs for the statewide HSR system.

We strongly urge that the CHSRA consider the following suggestions and integrate them into the CHSRA Business Plan as soon as possible:

1. CHSRA establish contact with the transportation planners of every county, city, transportation agency, and transit operator within reasonable distance of the proposed HSR alignment.
2. CHSRA establish contact with the Ontario International Airport and other transportation providers from the private sector.
3. CHSRA establishes a record of every proposed local transportation and transit project currently in the feasibility study, environmental, or engineering phase within reasonable distance of the proposed HSR



This 320 page Environmental report dated April, 2009 for a major local transportation project in Temecula does not mention the CA HSR rail alignment nor the Murrieta Station.



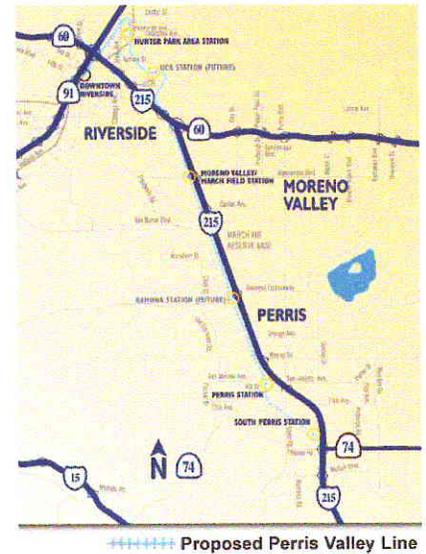
Perris Multi Modal Transit Center

alignment.

4. For each local project taking place within reasonable distance of the proposed HSR alignment, CHSRA establishes point of contact with the project's planning staff.
5. CHSRA works together with the planning staff of such local projects to integrate HSR into its plans, thus reducing redundant or wasteful planning.

For example, by working closely with RCTC, much of the project-level environmental work, engineering, and construction for the HSR segment between Riverside and Murrieta can be integrated or possibly combined with the development process of the proposed "Perris Valley Line" commuter rail project and its long term future extensions.

This would save taxpayers millions of dollars and would considerably cut down on start-up costs and possibly reduce HSR operating expenses.



Noise Impacts from Passing Trains:

We urge that the noise impacts from passing trains be clearly addressed in the project-level analysis and that such impacts be communicated clearly to every affected city and local jurisdiction along the line.



Noise barriers can offset noise from passing HSR trains. Photo by Wikipedia user Michiel1972

Within the Inland Empire, based on data from program-level analysis, passing HSR trains are projected to exceed 150 mph through the Cities of Moreno Valley, Perris, Menifee, Murrieta, Temecula, and Escondido.

Trains at such speeds generate loud noise. We urge that CHSRA disclose all noise impacts to these cities so that proper local preparations, such as developing noise barriers adjacent to the right-of-way, can be planned and developed.

Business Plan Suggestion for the Los Angeles - San Diego Segment:

Priority should be given to existing high demand transportation corridors that do not overlap or duplicate existing passenger rail networks.

For the Los Angeles to San Diego HSR segment, TTC requests that engineering and construction priority is given to route segments which: (1) Currently have a high demand of travel between proposed HSR station cities and (2) would not overlap or duplicate existing passenger rail networks.



We believe that implementation of this suggestion would improve operational performance for the first HSR segments between Los Angeles and San Diego. We believe that this would be more cost effective than prioritizing resources toward gold-plating or duplicating existing passenger rail line corridors.

For example, the I-15 Freeway between southwest Riverside County and downtown San Diego currently caters to a significant commuter base. The freeway does not have a parallel commuter rail line.



Prioritizing the Los Angeles - San Diego HSR segment for this commuter corridor could possibly create productive commuter HSR service as a first stage and would therefore allow private capital to define an affordable HSR link for the remainder of the San Diego to Los Angeles HSR project.

We request that CHSRA consider conducting a study for this scenario as we believe that the commuter demands for this area need to be addressed.

CHSRA would need to address the major commuter demand between Murrieta and Downtown San Diego as part of the Business Plan.

Prioritizing this segment could allow for better revenue and allow for private capital to partially fund the remainder of the line to Los Angeles.

Grade Separations:

We believe that public transportation projects need to be both cost-effective and non-disruptive to the communities they serve, to the highest degree possible, and the proper use of grade separations would help accomplish this goal.



Alternative to Elevated Rail: Concept of a CA HSR train passing through Temecula at-grade at 150 mph next to Interstate 15 within the existing right-of-way. Illustrated are concrete and natural noise barriers and possible toll lanes.

Grade separations will eliminate crossing points between cars and trains, which would enhance safety and speed; however we believe that the HSR right-of-way should remain at ground level to the extent feasible, with individual grade separations. Elevated and trenched segments should be kept as short as possible.

While we do not oppose the development of small segments of elevated HSR tracks, we believe that long segments of elevated HSR tracks or long stretches of double-decking over existing corridors would create a concrete-jungle-like appearance in developed areas and may contribute to blight and possibly higher operating costs.

Coordination with Cities regarding Smart Growth and Other Planned Redevelopment:

We have noted that CHSRA gallery artwork includes massive transit oriented development (TOD) renderings around proposed station stops as well as major redevelopment along public right-of-way corridors.

We at TTC work to improve walkability in Southern California while also promoting pedestrian-friendly street designs and street-level activity. We understand that such development would contribute to a more productive HSR system and better local transit service.

However, we fear that the project-level planning from CHSRA will be based on the *assumption* that the local jurisdictions will change their local capital improvement plans and land-use policies to cater to these changes without any substantive analysis or coordination.



We believe it is unsound to merely assume that cities will adopt smart growth policies. Better local coordination on this matter during project-analysis is urged.



I-15 versus I-215 Project-Level Rail Alternative between Ontario and Murrieta:

We have noted that two project-level alternatives are being considered between the Ontario Airport and Murrieta stations. One alternative would follow the I-15 Freeway, while the other alternative would use the I-215 Freeway. We believe that the final decision regarding the route should be based on coordinated data between CHSRA and the local jurisdictions, resulting from the project-level analysis, that benefits the community, not local politics.

Noticeable Advantages for the I-15 and I-215

Alternatives:

We would like to emphasize that the I-215 alternative offers straighter mileage, a flatter grade, direct connections to the county seat of Riverside County, and may be less expensive to construct. The City of Riverside is also the 12th most populated city in the State of California. The I-15 Alternative may require less track mileage. These advantages should be considered as part of the project-level decision making process.

I-15 / I-215 Alternatives: Our Position

TTC believes it is far too early to endorse either alignment. We suggest that private sector rail engineers, who have implemented HSR in the past, be invited to bid on taking responsibility of this study and analysis.

LA/Ontario Airport Station:

We have a number of concerns that must be addressed during the project-level analysis regarding the program-level proposed station at LA/Ontario International Airport.

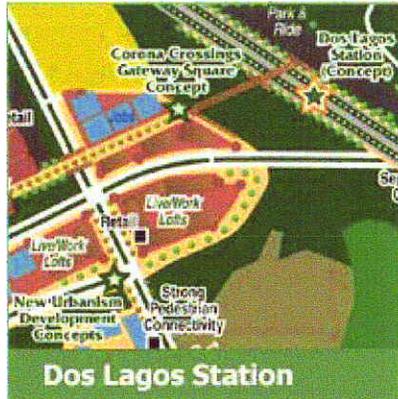


CHSRA should consider a demand analysis of airport and HSR parking so that there will be neither a severe parking shortage nor an oversupply for the station. CHSRA should also evaluate the current demands of the aviation market (both long distance and short haul), analyze the cost time tradeoff for patrons taking short haul airline trips to/from the airport, and consider code-sharing opportunities between airlines and HSR.

The airport also currently has a major ground transportation center on its eastern side. Omnitrans, the local bus transit agency for the area, also utilizes an

existing mall as a bus transfer hub approximately one mile northeast. We urge CHSRA to coordinate plans for this station with both airport ground transportation staff and Omnitrans staff.

Corona / Dos Lagos Station:



We have concerns regarding the proposed project-level location of the Corona Station. The proposal illustrates this station at the southern fringe of the City of Corona near the Dos Lagos area, not the urbanized city center and far from existing commuter rail service and proposed bus rapid transit service planned by the local transit agency.

Should CHSRA planning staff find the I-15 alternative the most feasible, we request that the Corona Station be placed closer to the central portion of the city, adjacent to the Magnolia Avenue corridor or the existing North Main Corona Multi Modal Transit Station if possible.

This will streamline connections for travelers connecting to and from the SR-91 corridor and would also greatly increase the ridership base, provide good access to local mass transit and other modes of transportation, and minimize urban sprawl and impacts in the rural areas south of the city.

Proposed I-15 Segment between Ontario and Corona via Milliken/Hammer Avenue:

We have noted that the I-15 Alternative may utilize the Milliken/Hammer Avenue transportation corridor south of Ontario. We strongly object to this proposal. This corridor passes through several residential and retail areas. Extensive trenching, cut-and-cover segments, and tunneling may be required to settle potential local opposition, not-in-my-backyard (NIMBY) obstructionism, and possible lawsuits regarding visual and noise impacts from passing trains.



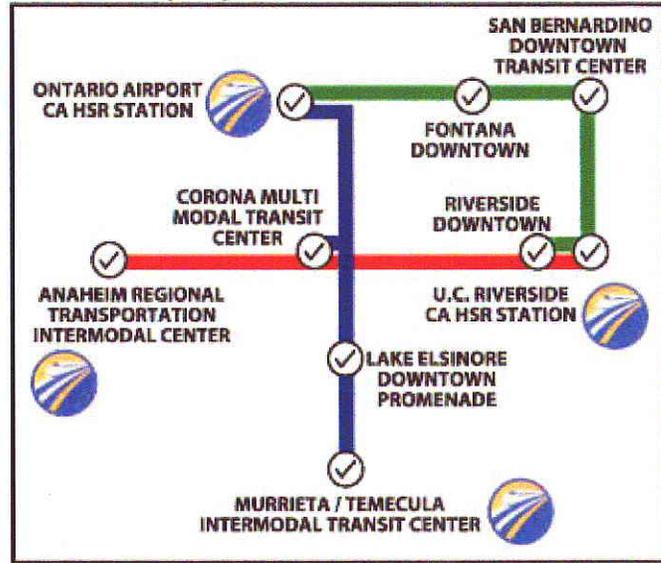
This would seriously inflate engineering and construction costs. We suggest that the I-15 freeway be included as a possible right-of-way alignment between Ontario and Corona for the I-15 Alternative. We also request that the local communities between Ontario and Corona are notified of all noise impacts from passing trains.

Suggested Alternatives for Cities not Selected for HSR stations:

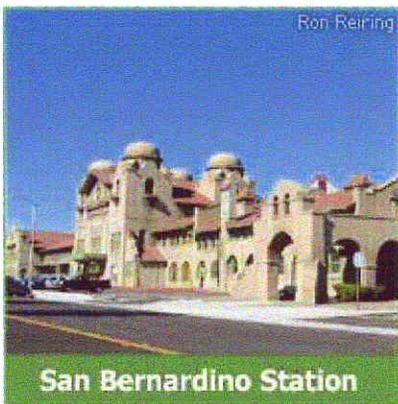
We have noted that both the City of Corona and the City of Riverside are seeking HSR stations in their cities; however, we recognize that only one of these cities will be able to accommodate HSR according to the project-level plans.

Whichever route is selected for HSR, either the I-15 or I-215, the corridor *not* selected should be considered for further study of extended Metrolink commuter rail service to provide a more comprehensive rail network. Moreover, existing high demand commuter rail lines should also be considered for expansion.

Again, we urge CHSRA to coordinate with local planners and work with both of these cities so that the city not chosen for high-speed trains can benefit with upgraded **Metrolink commuter rail and/or bus feeder connections** from their central areas other high-speed rail stations in the network.



Conceptual Rail/Bus feeders connecting to CA HSR: If the I-215 is selected for HSR, extensions of the Metrolink commuter rail network should be considered for the I-15 corridor between Ontario and Murrieta.



San Bernardino Project-Level Proposed Station:

We have noted that this station location is being considered at the project-level. We recognize that a station in San Bernardino would provide for a strong ridership base; however we also believe that this deviation must not cause the total trip length between San Diego and Los Angeles to increase significantly (to remain under 1 hour, 20 minutes) nor cause a serious increase of operational cost or track mileage.

If the inclusion of the San Bernardino stop causes nonstop service travel times on the Los Angeles-San Diego segment to exceed 1 hour, 20 minutes or causes the operational costs or track mileage to be excessively high following studies, we suggest that CHSRA work with local transportation planners within the City of San Bernardino to establish rail/bus feeder connections from the central area of the city to other high-speed rail stations in the network. TTC also supports upgrading the existing Metrolink commuter rail service between San Bernardino and Los Angeles Union Station with better frequency and early-morning to late night service span.



CHSRA should consider a project-level feasibility study for a HSR station closer to Downtown Riverside. Photo: RCTC

Riverside Station:

We have noted that the proposed station at U.C. Riverside (UCR) and the project-level-proposed Moreno Valley Station are both **far from the Downtown Riverside area**. The proposed station at UCR is also in an area where RCTC has proposed developing a commuter rail station. The RCTC proposal has sparked very strong community opposition and not-in-my-backyard (NIMBY) obstructionism. Proposing a HSR station in the UCR area would expose the agency and the project to potential lawsuits.

Since the City of Riverside is the 12th most populated city in the state, we request that CHSRA consider a project-level study and analysis to **relocate the proposed HSR station closer to the downtown area and possibly utilize the SR-60 as an alignment between Riverside and Ontario Airport**. This would considerably reduce HSR track mileage and operational costs, gain better support, and would provide engineering and construction funding for any extra tunneling as necessary. We also understand that Union Pacific Railroad firmly objects to the development of HSR in its right-of-way; using SR-60 may remedy this issue.

We believe that by placing the station closer to the downtown core and shortening the overall track mileage, HSR would attain better ridership at reduced operating costs.

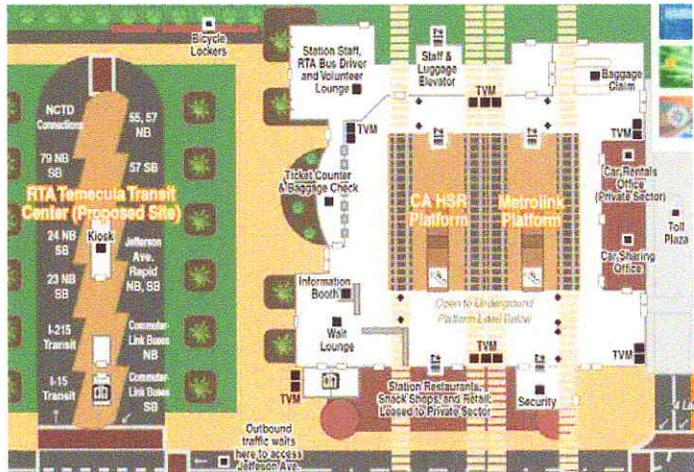
We also strongly request that CHSRA coordinate the development of this station with RCTC, Riverside Transit Agency (RTA), and other local transportation planners. Local planners have proposed adding a multi-modal bus terminal to the existing downtown commuter rail station; this project needs to be coordinated with CHSRA. Program-level reports also indicate that this HSR station would have a very high ridership base of 16,000 daily boardings. We believe that coordinated planning is essential.



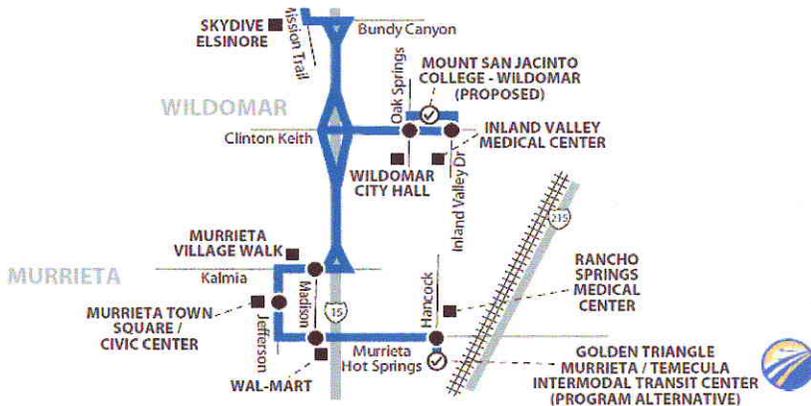
HSR Concept with Shorter Track Mileage: CHSRA should consider a project-level study of a more direct route between Ontario and Riverside. The Riverside HSR station should also be closer to the downtown area.

Murrieta Station:

We believe the Murrieta and Temecula region are both long overdue for upgraded regional transportation alternatives, rapid bus, and rail travel options. Residents of this region commute daily south to jobs in San Diego County via the I-15 freeway. Since this high demand transportation corridor currently lacks commuter trains, HSR trains with commuter runs will yield many benefits for this region that cannot be attained while this transportation corridor remains automobile oriented.

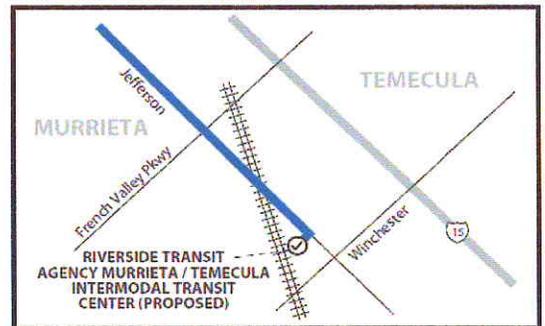


However, we have strong concerns as we have noted a serious lack of local coordination in regards to the planning of this station. At the time of this report, two separate intermodal transit centers, which are each one mile apart, are currently being planned in the Murrieta/Temecula area with positively no coordination.



Proposed Murrieta CA HSR station location with a conceptual feeder transit line via I-15 Freeway

ALTERNATIVE MURRIETA/TEMECULA INTERMODAL SITE PROPOSED BY RIVERSIDE TRANSIT AGENCY:



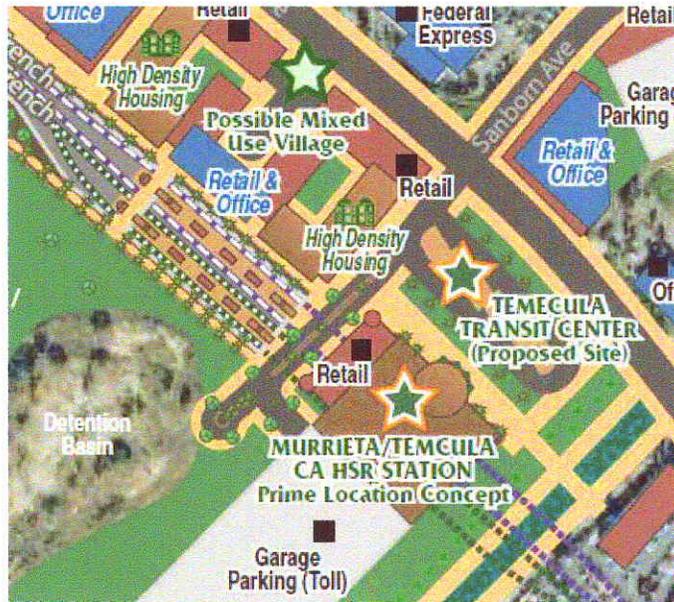
Proposed Riverside Transit Agency Temecula/Murrieta Intermodal Center

We have noted that the land north of the I-15 and I-215 junction is slated to be developed into a mixed-use center with the program-level proposed HSR station, based on data from the City of Murrieta and CHSRA. This HSR station, like other stations, is proposed to be an intermodal rail/bus facility. The city has taken a firm position on the location of this station.

In contrast, we have also noted that the Riverside Transit Agency (RTA) and City of Temecula are working on the development of a future intermodal transit station in Temecula and potential transit-oriented uses approximately one mile south of the program-level proposed HSR station. RTA developed plans for this intermodal transit center in Temecula before the concept for a CA HSR station was proposed in Murrieta. This \$8 million transit center will be a marshalling site for bus rapid transit, commuter buses, local buses, carpools,

and potential commuter rail service. The site of the transit center is secured and portions of its costs have already been funded.

We believe this conflict of planning is due to the lack of coordination between CHSRA and local transportation planners. This is a problem we believe must be resolved immediately. We strenuously urge that the CHSRA coordinate with the Planning Director of the Riverside Transit Agency and RCTC planning staff so that HSR plans can be **integrated into the locally planned RTA intermodal transit center.**

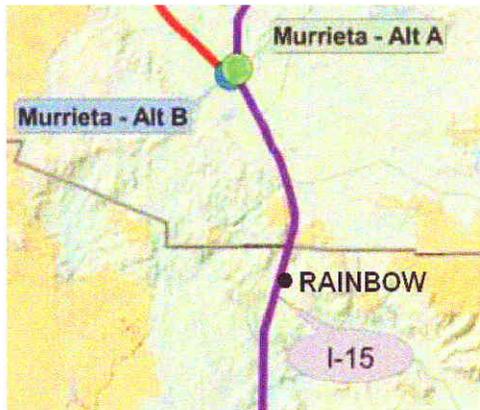


Coordination between CHSRA and local planners will potentially lower start-up and operational costs of both the HSR and local transit systems.

Consensus and coordination between CHSRA, local planners, and cities should be formed in regards to the location and planning of the Murrieta/Temecula intermodal facility which would facilitate CA HSR trains, future commuter rail service, bus rapid transit, local buses, and carpools.

We believe regional consensus and proper coordination will streamline both the CA HSR planning process and the local transit center plans, thus potentially saving millions in taxpayer money from redundant planning.



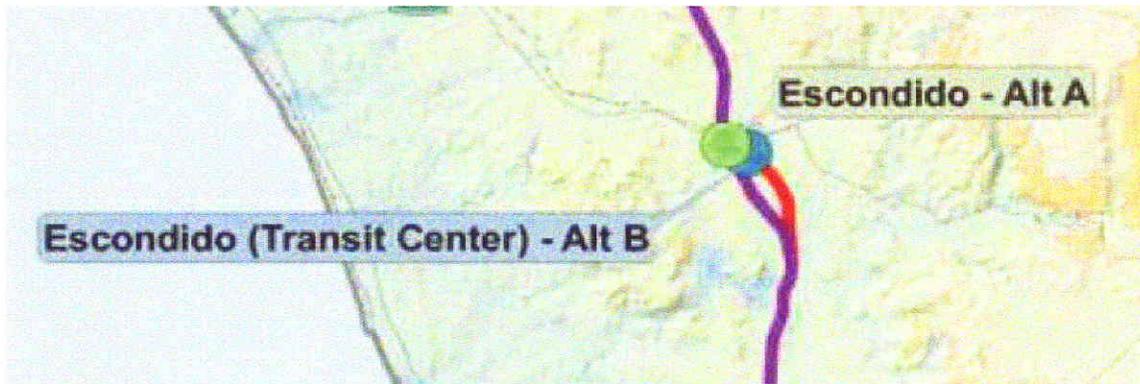


Community of Rainbow:

We have noted that the existing I-15 freeway between the Murrieta and Escondido Stations includes steep grades and bow-shaped bends, most notably within the rural community of Rainbow. While we understand that a straight-line high-speed rail tunnel under Rainbow could be necessary following project-level analysis, we urge that the community impacts from the tunneling remain minimal.

We suggest that the tunneled sections through Rainbow be developed under existing public roadway corridors such as Rainbow Valley Road to the extent feasible. This would allow the rail tunnel features such as construction access shafts, ventilation, and emergency exits to be constructed along existing corridors instead of private property.

Escondido Station:



A station stop at Escondido will yield benefits such as connections to established mass transit services offered by the North County Transit District.

We suggest that, to reduce impacts on residential communities, any feasible deviations through Escondido be developed along existing public roadway, rail, or utility corridors as much as possible. Again, we emphasize that elevated structures remain minimal as possible to reduce visual blight and noise impacts from passing trains. We urge that such impacts are communicated to the City of Escondido and local communities. Solid noise barriers should be included through the residential sections through Escondido.

Addressing the Higher Track Mileage to Highway Mileage Ratio:

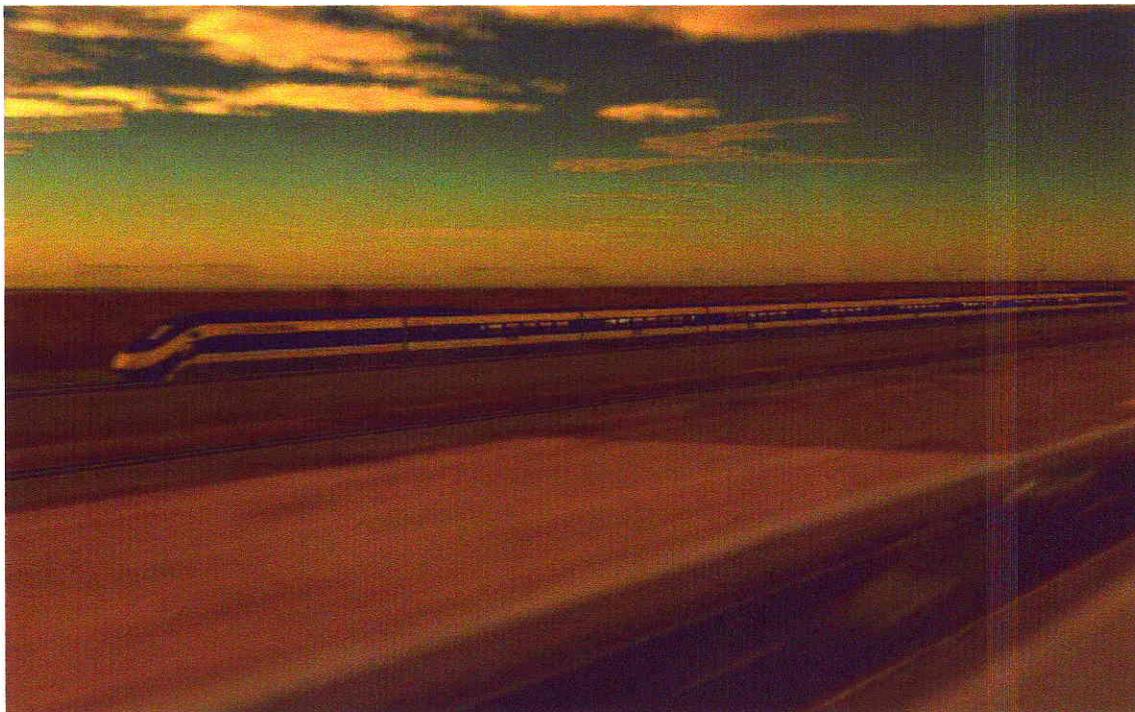


We understand that end-to-end run times between major cities along the entire CA HSR line such as Los Angeles to San Diego are to be met under law. We also understand that higher speeds may justify cases of higher HSR track mileage over highway mileage between major cities.

We, however, request that CHSRA consider as part of the project-level analysis to reduce the overall HSR track mileage as much as possible from the current program-level alignment. We suggest that private sector rail engineers, who have implemented HSR in the past, be invited to bid on taking responsibility of this study and analysis.

Shorter track mileage would result in lower start-up and operating costs. This will also allow the trains to travel below 150 mph through developed areas and would reduce noise impacts, a concept used by European HSR systems.

Conclusion



The Transit Coalition believes overall that coordination between the CHSRA and local transportation planners has significant room for improvement. Consideration of TTC comments will allow the CHSRA to reduce waste of scarce public funds, eliminate unnecessary detours, allow for better private capital, and result in a constructible, funded project.

With proper coordination, fine tuning of route segments, creation of a credible business plan, and following modern European design practice with shorter track mileage, CA HSR could become a state-of-the-art system that will help make California a true Golden State.

“It is time once again, for California to innovate.”

- CHSRA Video Presentation on HSR Trains

Kris Livingston

From: Dan Allen [danallen@alum.mit.edu]
Sent: Friday, November 20, 2009 1:49 PM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire

Greetings --

Where I have seen high-speed rail work (in Europe & Japan) the high-speed stops are served by very good urban and regional transit.

In San Diego we have a third-rate bus system which is seeing declining service frequency with every passing year. The only way significant ridership will be achieved on the California High-Speed Train to and from San Diego will be if the terminals include massive parking structures and new freeway accesses. I don't see those features in your plans, and I doubt that they can be built considering the degree of build-out already in the vicinity of the proposed stations.

I have submitted several other comments on different aspects of the information I picked up at your meetings here and on the website.

Dan Allen
La Jolla

Kris Livingston

From: Carlson, Dwight C HS [dwight.carlson@hs.utc.com]
Sent: Monday, October 05, 2009 9:24 AM
To: HSR Comments
Subject: LA-SD HST section via the inland empire

As a taxpayer I do not want to pay a dime for another \$bloated train that can't even pay for itself.
If you were a private business and had to charge what it actually cost to build and run it and I mean "all the cost" you would be bankrupt.

This is a money wasting boondoggle and I vote a big NO.
Cal is already spending way more than it earns

Kris Livingston

From: Kim Lagsdin [kiml@ucontainer.com]
Sent: Thursday, October 15, 2009 1:33 PM
To: HSR Comments
Subject: LA-SD HST

I live in Rainbow Ca and work down 10 miles south from where I live. I love where I work and where I live. I have specifically chosen the location because it is off the beaten path, as many other people in these neighborhoods. I think the thought of a high speed rail here is absurd. It makes absolutely no sense to do something like that where it will disturb and uproot all of the pre-existing residents. I can not even believe that this is being considered with the multitude of other choices that are available.

*Thanks,
Kimberly Lagsdin
Purchasing Coordinator*

Universal Container, Inc.
Phone: 760-728-1684 Cell: 760-409-2901

Kris Livingston

From: Michael Mainiero [mamainiero@gmail.com]
Sent: Tuesday, October 13, 2009 4:17 PM
To: HSR Comments
Subject: Rail Line

Couldn't the rail line be run over HWY 101

Kris Livingston

From: Carol Stultz [castultz@gmail.com]
Sent: Tuesday, October 20, 2009 6:33 PM
To: HSR Comments
Subject: LA-SD HST Section via the Inland Empire

To Whom it May Concern:

I attended the Public Scoping Meeting at La Jolla on Oct. 13. Here are my comments:

In general I think High Speed Rail for San Diego is great.

Specifically, however, I live in the same block with the University Town Center (UTC) shopping center where a train stop is planned, and having that stop so close to my home is of concern to me. I think it is ok it put it there, but there are many problems that need to be resolved.

I would like to see a legally binding written statement addressing how High Speed Rail is going to eliminate or reduce the effect of these problems to me and my neighbors.

During the Construction phase:

- Dust and dirt in the air, coming in my windows and causing health problems.
- Construction noise – bad enough in the day, unacceptable at night.

Completed Project problems:

- Train noise day and night.
- Excessive traffic due to increased business in this area: all the train riders, all the people picking up and dropping off train riders, increased shoppers due to the central location with increased transportation.
 - This area is already maxed out for traffic. We have been working toward a bridge over Rose Canyon (Regents Road connection) to alleviate this traffic jam (mostly at the corner of Nobel and Genesee) – but to no avail. The southern UTC residents have fought this in the courts for many years, although it has been in our city plans and the money is set aside for it. If the High Speed Rail folks have any influence over getting this bridge built, I would hope that they do so to alleviate the traffic jams we have now and for the increased jams in the future.
 - For this reason, this particular corner of UTC is not a good choice for a major train station.
- Ground shaking from train operation. This can cause extra stress on our home structures.
- Parking:
 - UTC/High Speed Rail needs to provide **enough free parking** to keep train riders, students taking the bus to UCSD, shoppers, and mall workers from parking on our Condo streets.
 - If this problem is not resolved, you will have a major battle with our Condo Association. There is barely enough room for our residents to park now.
- Safety for nearby residents:

- Criminals hanging around the train station and mall will make it unsafe to walk to/from/through the mall or to ride the train or buses.

Sincerely,
Carol Stultz

Kris Livingston

From: Lauren Underwood [clsandiego@att.net]
Sent: Monday, November 16, 2009 8:45 PM
To: HSR Comments
Subject: transportation

What a waste of our cities/states money! Plus destruction to our environment/wildlife. We should wait and live within our means.....

Underwood