Response to Comments

Chapter 6. Individual Comment Letters

Comment Letter I001

I001

-----Original Message-----
From: Richard Mlynarik [mailto:Mly@POBox.COM]
Sent: Tuesday, January 27, 2004 2:09 PM
To: webmaster@www.cahighspeedrail.ca.gov
Subject: Please fix inadequate HTML in HSR DEIS web site

1. All of the links in the site appear to be absolute link (eg "/images/...")

This means that it is extremely inconvenient to download the content of the site and browse it off-line or to browse it over anything but the highest speed connections.

The generating software should either be configured or fixed to present relative links (eg "../../images/") whenever possible -- which is everywhere. There is no excuse for the absolute links.

2. The resolution of all of the maps is completely unacceptable and inadequate for any sort of evaluation the the wonderful and skilled technical work undertaken by the HSRA's consultants. Most of the diagrams in PDF format appear to take NO advantage of the resolution- independent graphical nature of PDF and are merely low-resolution scans with some wrapping about them. I001-1

Given that all the figures and diagrams were created in GIS or Illustration programs it should be a simple matter for a competent web publisher to generate maps and figures and diagrams which combine acceptable (> 200dpi) scan quality (for portions of documents which are images, such as relief shading or orthophoto backgrounds) with resolution-independent and hence meaningful vector graphic information generated directly from the GIS/CAD/technical drawing/illustration software.

This again is not difficult, but just requires attention.

If you do actually wish for informed comment on the program, it will be necessary to present meaningful amounts of information on the site, not just fuzzily scanned generalizations.

Thanks.

5

Response to Comments of Richard Mlynarik, January 27, 2004 (Letter I001)

I001 -01

The Draft Program EIR/EIS was put on the website in a manner that made the document accessible to the public. The absolute links make it easy to navigate between the many sections of the documents and keep file sizes small so they can be quickly uploaded and reviewed. Based on the comments received, most members of the public appear to be most interested in certain geographic areas or resource topics. The Authority believes that the resolution of the graphics is appropriate for the program-level EIR/EIS, and like the document, were done in a way to maximize public accessibility.

Comment Letter I002

I002

From: Geoffrey Kemmerer
748 W. Loma Alta Dr.
Altadena, Ca. 91001
(626)345-0874
rwcck@aol.com

RECEIVED FEB - 5 2004

To: California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, Ca. 95814

To whom it may concern:

I was informed by the Pasadena Star that you are taking feedback about the proposal to install a high speed rail network between San Diego, Los Angeles, and Sacramento. I urge you to look at the advantages of the Japanese maglev technology that is currently in reliability testing. Because the system lifts from the sides of the cars and has trucks (flanged wheels in a rigid carriage) like standard rail systems it could be adapted to use the existing infrastructure within the cities but does not need the high level of track maintenance on the high speed runs that the high speed rail requires. Further advantages of maglev trains are the ability to navigate steeper grades which could eliminate the need for some tunnels and higher speeds which cuts down travel times and makes the system more competitive with air travel.

One note should be made to differentiate between the maglev systems developed by the Germans and Japanese. The German system uses electromagnets, it isn't compatible with existing rail infrastructure and the technology has maxed out. It is impossible to improve it to speeds much greater than the current 300 mph. While the Japanese system uses superconductors and superconductor technology is still in its infancy. Current developments are producing cheaper materials that can maintain much higher magnetic fields than are possible with any other material. This means that the current speeds are the starting point for this technology. NASA is currently looking at using maglev technology to help launch spacecraft by propelling them to speeds of 600 mph or more before the need to use internal fuel. I002-1

Despite the fact that the French TGV has set a speed record of 275 mph it normally operates at 150-175 mph. The Japanese have recently set a speed record of 361 mph and plan to operate at 300 mph. There is no reason to believe that the maglev system couldn't be operated reliably at speeds above the 300 mph in the future so when comparing actual operating speeds the maglev system will give much better travel times.

The cost of installing maglev track is about twice that of regular high speed rail but by combining shorter high speed runs at much greater operating speeds with existing infrastructure a system could be installed for about the same amount of money with the same travel times as high speed rail but with much lower maintenance and operating costs and the ability to upgrade in the future.

My last point to consider is that rail travel has been around since the 1830's, I don't think that the inventers envisioned that they were setting a standard that would be in place for hundreds of years but that is what they did. You are talking about playing I002-2

1

catch-up by installing thirty year old technology that has peaked and locking this state into a transportation standard that will exist decades or more. After money is spent on high speed rail system the investors will not want competition and the citizens won't want to spend money to replace a transportation system that was just installed. It is vary conceivable that maglev technology will achieve the same speeds as aircraft within the next decade and we should not be handicapped by the lack of infrastructure because nobody considered how the decisions being made today will dictate future developments. I002-2 cont

Thank You

Geoffrey Kemmerer

2

Response to Comments of Geoffrey Kemmerer, February 5, 2004 (Letter I002)

I002-01

Please see standard response 2.10.3.

I002-02

Please see standard response 2.12.2.

Comment Letter I003

I003

UNDERGROUND EXPRESS
14 COMMERCIAL BLVD. • SUITE [redacted] • NOVATO, CA 94949 • 415-883-6500 • FAX 415-883-7634

VARIOUS TRANSPORTATION AGENCIES APPEAR TO BE TRYING TO SOLVE A 20TH CENTURY
LEM WITH A 19TH CENTURY SOLUTION.

SENSELESS TO ATTEMPT TO SERVE A DE-CENTRALIZED POPULATION USING A STANDARD
E RAILROAD. IT SIMPLY WILL NOT WORK!

ALL MODULE, (10 OR 12 PASSENGER), CNC HANGING MONORAIL SYSTEM AFFORDS NUMEROUS
NTAGES, SEVERAL OF WHICH ARE:

MUCH SMALLER RIGHTS-OF-WAY, MANY OF WHICH ARE ALREADY PUBLICLY OWNED, E.G.
FREEWAYS' MID STRIPS.

FAR MORE ATTRACTIVE TARE/GROSS RATIOS. I003-1

VASTLY WIDER DENDRITIC DEVELOPMENT POTENTIAL, THEREBY BETTER SERVING DE-
CENTRALIZED POPULATIONS.

MUCH LESS ENVIRONMENTALLY INTRUSIVE; ELECTRICALLY OPERATED,--NO SMOKE OR
EXHAUST.

F A S T E R !

SOLUTIONS TO THE ENGINEERING PROBLEMS ARE WELL WITHIN OUR CURRENT GRASP.

EMBER, WHEN THE MOSCOW-ST. PETERSBURG MONORAIL OPENS, YOU HEARD IT HERE FIRST!

SHELDON MORRIS

Response to Comments of Sheldon Morris, February 9, 2004 (Letter I003)

I003-01

Please see standard response 2.12.2 in regards to electrically powered steel-wheel-on-steel-rail HST technology, and standard responses 2.1.1 and 2.1.2 in regards to the Authority's ridership and revenue forecasts.

In order to relieve capacity constraints of the existing transportation system, an HST system must offer competitive travel times with air transportation and the automobile. Technologies with maximum speeds below 200 mph (320 kph) were considered and rejected as indicated in Section 2.6.6 of the Program EIR/EIS. Foreign HST experience, the experience of the northeast corridor (Boston-New York-Washington, D.C.), HST studies done elsewhere in the U.S. and the Authority's feasibility studies have all shown that to compete with air transportation and generate high ridership and revenue, the intercity HSR travel times between major transportation markets must be below 3 hours.

The co-lead agencies are unaware of any "hanging monorail" systems that operate at high-speeds anywhere in the world in revenue service or on a full-scale test track.

In California, the size of aerial structures is largely dictated by seismic load factors. Therefore, the right-of-way requirements of aerial structures for monorails or guideways (Maglev) would be about the same as those for steel-wheel-on-steel-rail systems.

Comment Letter I004

I004

February 5, 2004

FEB - 9 2004

High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: DEIR Comments and Questions

Attention: Chairman Petrillo, Chairman, and Members of the HSRA

The information meeting about the California High-Speed-Rail system that was held in San Jose on January 29 was a big disappointment. The recently released DEIR raises doubts whether or not it identifies all the significant effects (Ref. CA code 21002.1a) I did not hear a confident HSRA program to achieve the suggested system. Postponing the enabling bond vote makes it more unlikely. It looks like the corporate leaders in autos and aircraft will not share the travel load with rail. I004-1

Executive Director Morshed invited questions and written expression of concerns about the DEIR. CEQA requires that an EIR be adequate, accurate and complete. (The standard for adequacy of EIR is found in CA Code 15150). The Altamont Pass route is a feasible alternative. If it is not included the DEIR may be deemed incomplete. (See Code 21002) I004-2

A thorough peer review by the French TGV engineers would point out that central valley alignments along existing railroad rights-of-way would have tracks through developed urban areas. Significant effects would be more noise and slower travel times. TGV routes do not have these significant effects. Alignments over agricultural land uses would be cheaper to construct because of fewer grade separations and less reconstruction of existing property improvements. I004-3

Tunnel alignments cost much more than at grade construction. They have different impacts on the surface land uses. Going under a public park does not eliminate impacts. The maximum design grade is very significant factor in determining total operating cost. The selected design consultant should be guided by experienced high speed train operations and not become a "taxi driver" causing longer construction times, unforeseen extras and over budget costs. A high cost rail system will not be deemed feasible by the public under current state budget problems. We also lack "corridor preservation" funds." I004-4

Respectfully submitted,

Wayne M. Swan

Wayne M. Swan
Retired Civil Engineer and Planning Consultant
240 Kellogg Avenue, Palo Alto, CA 94301

Response to Comments of Wayne M. Swan, February 9, 2004 (Letter I004)

I004-01

Please see standard response 1.1.105 regarding the difference between program EIRs and project-level EIRs.

I004-02

Please see standard response 2.18.1.

I004-03

Please see Response 2.25.1 in regards to "new" alignments through agricultural lands. While there would be more potential noise impacts for alignments that serve urban populations than a new alignment through agricultural land that avoided urban areas, the travel time differences would be marginal. The Program EIR/EIS describes potential impacts to California's affected environment, which is very different from the environment in Europe or Asia.

I004-04

Tunnel alignments generally cost much more than at-grade construction. Although tunneling cannot completely eliminate surface impacts in all places (e.g., tunnel portals are at the surface), it can greatly reduce them and can leave some places untouched. The effect of the maximum gradient and the length of sustained grades on operating costs have been factored into the operating cost estimates described in Section 4.3.2. The extent (length and steepness) of the gradients implemented on the HST alignments have a direct impact on power usage. The costs of power are estimated to be approximately 18% of the total costs for operating and maintaining the HST system annually.

Comment Letter I005

2/15/2004 9:31 AM FROM: Fax TO: 1 916 322-0827 PAGE: 002 OF 002

I005

ALBERT S. PRATT
"Since 1919"
40470 Brixton Cove
Temecula, CA 92591
Email: sampratt@nctimes.net
(909) 699-8689

California Registration:
Civil Engineer No. 7697
Structural Engineer No. 650

Sunday, February 15, 2004

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

Subject: California High Speed Rail (CHSR)– Comment on EIR/EIS

On the positive side I fully support the project and have monitored the progress of the design almost from its inception.

I will be 85 years old on April 26, 2004. Completion is expected by the year 2020 and I will be 101 years old. This is not a facetious statement as my health is excellent, and the new IRS Life Expectancy Table offers a lower curve of 10 years, but excitingly, an upper curve of 22 years. With this maximum life expectancy possibility I will be able to ride the CHSR for 6 years after completion. I contemplate the possibility that I may need help boarding the train during those 6 years.

I have been immersed in the impact of our national auto culture for over 50 years. It has been continuingly clear during that period that auto production – enhanced by multi billion dollar marketing – has outpaced the ability to provide lane miles of arterials and freeways to accommodate this American love affair with their cars.

The CHSR Project has unbridled political and medial appeal as well as the practical need of high speed rail in our state to serve future transportation needs between our major California population centers. I005-1

The present impact of 50 years of developing auto culture and the inability to provide arterials and freeways to meet the demand (nor will they ever) has resulted in the automobile becoming the greatest Weapon of Mass Destruction (WMD) the world has ever experienced. With lives lost, serious injury and the value of property damage exceeding that of all of the wars we have ever been engaged in since 1776.

The impact today is continuing the loss of life, serious injury, property damage, but is also affecting family life and our economy by the increasing time away from home of the "breadwinners" driving to and from their employment.

The CHSR Project must include immediate massive implementation of local and interurban convenient and affordable public transit design to easily access the CHRS. Our State Legislature contemplated this need in 1989 with the passage of a State Statute Section 65088 of the Government Code.

I again state that I unequivocally support the CHSR with the addition of convenient and affordable local and interurban public transit.

Sincerely yours,

Albert S. Pratt

Response to Comments of Albert S. Pratt, February 15, 2004 (Letter I005)

I005-01

Acknowledged.

Comment Letter I006

FROM : Lipton FAX NO. : Feb. 16 2004 07:44AM P1

I006

Werner J. Lipton
4550 E. Redlands
Fresno, CA 93726-6228

phone 559/229 - 8486
fax 559/229 - 1829

16 February, 2004

California High-Speed Train
Draft Program EIR/EIS Comments
via fax 916/322-0827

To whom it may concern: p. 1/2

We, the undersigned, submit the following comments for consideration:

1. The proposed system should be designed to carry so-called light freight along its entire route. Thus, all alignments (grades and curves) must accomodate this service, which would provide revenue for the system, help relieve road congestion and reduce air pollution. I006-1

2. The alignment should minimally impact towns that will not receive a direct benefit from the service. Thus, the route should follow the Burlington Northern/Santa Fé route between Bakersfield and Fresno. I006-2

3. The Fresno station should be downtown, with an express bypass to the west, aligned for minimal impact on agricultural production, natural water systems and other ecologically important features of the area. An elevated system might accomplish this goal most effectively. I006-3

4. The route from the San Joaquin Valley to the coastal area should avoid park land, even if the cost is higher than alternate routes. Once gone, the park land is gone forever. Costs can be recouped over decades. I006-4

5. There should be no station in Los Banos because it would encourage sprawl development due to commuters from the Bay Area. The land in the area must be preserved for agricultural purposes. Such an influx of people and their cars also would negatively impact air quality in the S. J. Valley. I006-5

FROM : Lipton FAX NO. : Feb. 16 2004 07:45AM P2

High-Speed, Lipton, p. 2/2

6. The cost-benefit analysis, which we assume will be thorough, must include not only dollar denominated factors, but also indirect impacts, such as effects on air quality, noise pollution, traffic-related deaths and injuries prevented, by having fewer cars on the road, etc. I006-6

7. Consideration must be given to the source(s) of power for the system, i.e. are currently operating or planned power plants sufficient to serve the system reliably? If additional power generation is needed to serve the system, who would pay for it? Where would the plants be located? If needed, would they be ready in time? I006-7

8. No further consideration should be given to mag-lev. I006-8

9. The importance of effective and readily accessible linkages between the high-speed system and other modes of transporation, ground and air, need to emphasized in communications with local officials and the public. I006-9

We thank you for your consideration of our suggestions and look forward to a successful effort to build a high-speed train system in California.

Werner J. Lipton Joan Lipton

Response to Comments of Werner Lipton, Joan Lipton, February 16, 2004 (Letter I006)

I006-01

Please see standard response 2.7.3.

I006-02

Acknowledged. Please see standard response 6.15.4.

I006-03

Acknowledged. The Authority has identified the downtown Fresno station as the preferred location for an HST station to serve the Fresno area.

I006-04

Please see standard response 6.3.1.

I006-05

Please see standard response 6.3.1.

I006-06

The Program EIR/EIS does not include a "cost-benefit" analysis. The Authority did include a cost-benefit analysis as part of the feasibility studies that preceded this environmental analysis. This work has been available on the Authority's website (www.cahighspeedrail.ca.gov).

The Program EIR/EIS does include analysis of potential impacts on the environment, including air quality, noise, waters, agricultural lands, etc. as required by CEQA and NEPA.

I006-07

Please see standard response 3.5.3.

I006-08

Acknowledged.

I006-09

Acknowledged.

Comment Letter I007

I007

KEVIN C. WENG
MS - OCEANOGRAPHY

1042 JEWELL AVE
PACIFIC GROVE, CA 93950
TEL: 831-915-0296 FAX: 309-423-4204
KEVIN.CM.WENG@STANFORD.EDU

17 February 2004

Chair Joseph Petrillo and Board Members
California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814
Fax (916) 322-0827

RE: No to Diablo; Yes to Altamont

Dear Mr. Petrillo and Board Members:

Please remove from consideration the two high-speed rail routes that would run through the heart of Henry Coe State Park and the San Luis Reservoir Recreation Area; and include the Altamont Pass option. While I am in favor of a High Speed Rail system for California, the Diablo routes would have unacceptable environmental impacts and do not go in the right direction to service the San Francisco to Sacramento transportation demand. I007-1

Sincerely,

Kevin Weng

FEB. 17. 2004 11:24AM SU HOPKINS MARINE 831-375-0793 NO. 8959 P. 1

Response to Comments of Kevin Weng, February 17, 2004 (Letter I007)

I007-01

Please see standard response 6.3.1.

Comment Letter I008

I008

RECEIVED
FEB 23 2004

02/15/04

Joseph Petrillo, Chair
High Speed Rail Authority
925 L St. Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo,

I'm writing you because I'm very saddened to hear about the proposed routes for a high-speed rail. I think the rail is an excellent and long overdue project. It would greatly reduce air pollution and traffic and create much needed connections among California cities. I lived in Japan for many years and know first-hand how beneficial efficient mass transit can be. We desperately need it, and I would whole-heartedly support it... I 1008-1 if it did not threaten so much ecologically fragile land.

Please do not construct the route through Henry Coe State Park, the Nature Conservancy or Pacheco-San Luis Reservoir areas. These beautiful areas are home to countless animals, plants, birds, + insects that would be endangered or killed. It doesn't make sense to me. It seems to me that one of the main reasons for mass transit is to preserve our natural environment by decreasing I 1008-2 pollution. [illegible]

so ahead and destroy nature with drilling and tunnels and construction for the rail, what will we have gained?

I don't claim to know all the details of the plan, but my assumption is that the Diablo + Pacheco routes are being proposed for budgetary reasons. Eventhough they may be cheaper in the short-term, what about the huge environmental price tag we'll all have to pay in the long run? I 1008-2 cont What benefit will it bring to be able to quickly get from L.A. to Morgan Hill or San Jose if our few remaining pristine wildlife areas will be irrevocably harmed?

Mr. Petrillo, you have the power to greatly influence many people and the position to either protect or destroy California's wildlands and the hundreds of thousands of living creatures that live here. Mr. Petrillo, you and the other members of the board have such an incredible responsibility in front of you — I don't envy that. But I do support and encourage you — to listen to the community, to the Sierra Club, to environmentalists, and to your heart. Please take the time and money needed to explore other more ecologically sound routes (such as Altamont Pass) for the high speed rail. I 1008-3 ~~Sincerely~~

I thank you, not only for how you can help me & other concerned people rest easy, but on behalf of the voiceless creatures depending upon your decisions.

Sincerely
Kathleen Campbell

K. Campbell
260 W. Dunne Ave #11
Morgan Hill, CA 95037

Response to Comments of Kathleen Campbell, February 23, 2004 (Letter I008)

I008-1

Acknowledged.

I008-2

Please see standard response 6.3.1.

I008-3

Please see standard response 2.18.1.

Comment Letter I009

I009

NO HIGH SPEED RAIL ROUTES IN HENRY COE STATE PARK Page 1 of 1

NO HIGH SPEED RAIL ROUTES IN HENRY COE STATE PARK!

Chair Joseph Petrillo and Board Members:

I am in favor of a High Speed Rail system servicing California, provided this can be carried out in an environmentally responsible manner. I understand the California High Speed Rail Authority is considering two high speed rail routes that would run through the heart of Henry Coe State Park, cutting the Orestimba Wilderness in two. Neither of these routes is acceptable. I009-1
Please remove these two routes from consideration.

RECEIVED FEB 23 2004

Signature Rosario F. Morales

Name ROSARIO F. Morales
Address 990 Oak Park Drive
City Morgan Hill State CA Zip 95037
Phone Day 408 846 9964 Eve.

Response to Comments of Rosario Morales, February 23, 2004 (Letter I009)

I009-01

Please see standard response 6.3.1.

Comment Letter I010

I010

Dan

n: Bob Patrie & Toni Hill [rdptwh@cruzio.com]
nt: Tuesday, February 24, 2004 1:14 PM
o: dleavitt@hsr.ca.gov
Subject: GIS data for HSR alignment options

Mr. Leavitt,
I have concerns about the possible High Speed Rail alignments described in the DEIR and their impact on State Parks, State Beaches & State Recreation areas. However, the maps included in the DEIR lack the detail needed for my analysis.

Could you provide me with GIS data (ArcInfo/ArcView) that will allow me to more precicely analyze the routes? I010-1

Thank you
--bob patrie

8 Deer Trail Way
Scotts Valley, CA 95066

(831) 438-0153

1

Response to Comments of Bob Patrie, February 24, 2004 (Letter I010)

I010-01

GIS data was provided by Parsons Brinckerhoff on February 24, 2004 that included the HST alignment options.

Comment Letter I011

I011

120 Camrose Pl.
Walnut Creek, Calif. 94596-6722
Feb. 25, 2004

RECEIVED
FEB 26 2004

Attn: California High Speed Train
Draft Program EIR/EIS Comments
925 L Street
Sacramento, Calif. 95814

Sirs:

The following comments are based on the the environmental studies folder you recently mailed to me:

1) Gilroy is becoming a bedroom community for SF peninsula workers therefore the SF branch should pass through it and follow Hwy 152 to the valley main line bypassing Merced.. Merced is already served by the main line. I011-1

2) To offer a competitive time to LA the main line should be as short as possible therefore the main line should bypass Palmdale and follow I 5. I011-2

3) The reason for duplicate service between LAUPT and Irvine is not clear. Why not run the main electrified route directly to San Diego and the non elecrified route the longer way through Ontario airport ,Temecula, etc. to San Diego? I011-3

4) The multiplicity of stations between LA and San Diego may be politically expedient but it will slow the schedule unless there is local service proposed. The non electrified route through the inland cities could provide this service. I011-4

5) The branches to LAX and Ontario airports would be better served by some form of shuttle using diesel railcars originating at LAX Since there are major airports at Sacramento and the Bay Area there is no need to have high speed trains from the north going directly to either LAX or Ontario. I011-5

6) I have heard rumors that the Sacramento terminal may be located in the southern part of the city instead of at the proposed transportation center at the current Amtrac station. This is not logical as it is absolutely essential that all transportation systems interconnect. Political influence must be kept to a minimum. I011-6

7) A SF terminal should be located at the ferry building and interconnect with Caltrain, BART, Muni, and the ferrys. I011-7

Thank you for the opportunity to comment,

John F Munro

John F. Munro, P.E. (ret.)

Response to Comments of John F. Munro, P.E. (ret.), February 26, 2004 (Letter I011)

I011-01

Please see standard response 6.3.1.

I011-02

Please see standard response 6.23.1.

I011-03

HST construction "directly to San Diego" (either along the LOSSAN rail corridor or I-5) was considered and rejected. The reasons for this conclusion are summarized in Sections 2.6.8 and 2.6.9 of the Program EIR/EIS. Please see standard responses 2.21.1, standard response 2.30.1, and standard response 6.42.1.

I011-04

All the stations locations shown in the Draft Program EIR/EIS document are potential station locations. The co-lead agencies have selected the following preferred HST station locations between Los Angeles and San Diego along the I-215/I-15 corridor: Los Angeles (LAUS), East San Gabriel Valley, Ontario Airport, Riverside, Murrieta, Escondido, University City and San Diego. The HST service would be offered at several levels (express, suburban express, skip-stop, local, etc.). The intermediate stations would be designed with four tracks to allow for express services to bypass local services. Operational analysis suggests that these stations can be effectively served by local services, without slowing the schedule of the express services.

I011-05

Acknowledged. The Authority has identified that the statewide HST system would include service to San Diego (Draft Program EIR/EIS, Section 2.6.8 [A]) and that the only feasible option for direct HST service to San Diego is via Inland Empire (and Ontario Airport) and the I-215/I-15 corridor.

Please see standard response 6.39.1 regarding a potential HST link to LAX. The Authority has identified a HST system that would include direct service to San Diego, and that the I-215/I-15 corridor (via the Inland Empire) is the only practicable alignment to connect Los Angeles and San Diego.

The Ontario Airport HST station along the Los Angeles to San Diego (via Inland Empire) corridor supports the objectives of the HST project by providing an interface with one of the larger airports in southern California. This station would also provide direct HST service to San Bernardino County.

I011-06

Acknowledged. The Authority has identified the Downtown Sacramento site as the preferred HST station location to serve the Sacramento area.

I011-07

This site adjacent to the San Francisco Bay would have major constructability issues and has not been considered by the City of San Francisco or the local and regional transit providers as a potential Transbay Terminal rail transit hub station site. The Draft EIR/EIS identifies potential San Francisco HST station terminus sites at the Transbay Terminal and 4th and King, each of these would provide multimodal interconnections (see page 6-17 of the Draft Program EIR/EIS).

Comment Letter I012

I012

February 28, 2004
Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite1425
Sacramento, Ca. 95814

RECEIVED
MAR - 2 2004

Dear Mr. Petrillo,
I am writing you to express two concerns. The first is that I wholeheartedly support the need for a high-speed rail system in California. At a time when the Bush administration is talking about cutting funds for Amtrak again, this is more important now than ever. Thank you for all your work on this issue. I012-1

The second concern that I have is one about which I feel even stronger. I strongly object to the idea of running the rail system through Henry Coe State Park. The" Diablo Direct" route is one which I believe would cause irreparable damage to one of California's biggest and finest State Parks. The train should not, under any circumstances, go through the park. Coe Park is an amazing wilderness park that should continue to be protected. The " Diablo North" and the " Pacheco" routes also would seriously impact precious wildlands and habitat. I012-2

I have been a resident of the mid San Francisco-peninsula all my life and first experienced the beauty and wonder of Coe park more than 30 years ago as a young Boy Scout. I love the fact that it still exists virtually unchanged since that time. Coe is the second largest State Park (after Anza Borrego). My great grandfather, Charles B. Wing was one of the original founders of the California State Park System. Even back around the turn of the last century, he and others realized the need to protect and preserve some large portions of California in its natural state. The State Park System and other wilderness areas in California are an extremely important part of my life. Boring tunnels through the mountains and building the subsequent roads would forever change this beautiful wild place.

I strongly urge you to consider inclusion of the Altamont Pass route in your environmental review process. This route would more closely follow the existing highly developed transportation corridor. I feel this routes make the most sense both environmentally and economically. Thank you for your time and consideration. I012-3

Yours truly, Phillip A. Browne
Phillip A. Browne
67 Santa Maria Ave., Portola Valley, Ca. 94028

Response to Comments of Phillip A. Browne, March 2, 2004 (Letter I012)

I012-01

Acknowledged.

I012-02

Please see standard response 6.3.1.

I012-03

Please see standard response 2.18.1.

Comment Letter I013

I013

RECEIVED
MAR - 8 2004

7 March, 2004,
SAN Leandro, CA.
JAMES G Dalrymple

Calif. HIGH Speed Rail Authority

Gentlemen, In response to your invitation for comments on EIR\EIS and attracted by your request for possible new technologies. I offer the following, Wheel\Rail technology dates back about 150 years, For low and moderate speed service it is OK,. But, for high speed it is absolutely inappropriate, For many years Magnetic Levitation has been considered as the alternative. However, Maglev theory has far outweighed its reality. Consider these many years passed and millions of dollars invested, there is not a single Maglev revenue system in service. Some are still being worked on in ASIA and in Europe.

I offer a plan for Ultra High Speed Rail that is far superior to both Wheel\Rail and Maglev, .

My system will utilize all the operational functions of Maglev except for the magnetic levitation. The train cars will glide over rails topped with a plastic material thick enough to support the cars and of a quality similar to that used for dry bearings.(for one, Teflon\ steel whose coefficient of friction is very low) A train equipped with ski- like runners will allow the unit to attain speeds almost unlimited. The simplicity of this design will provide the following advantages: I013-1

1. Almost unlimited speed.
2. Reduced weight ---no trucks with wheels, motors and their associated hardware.
3. Efficient use of electrical power. No electromagnets.
4, Can be locked into the rail structure for maximum safety.
5. This system can be developed sooner and at less cost than any other.
6. High reliability can exceed that of both alternatives.
7. The technology for propulsion and train control developed for Maglev can be applied directly to this train system.
8. Quiet operation. Can be perfectly silent

I have presented these thoughts to the Authority some time ago but they were dismissed because wheel/rail was the preferred mode. I hope to have you reconsider and put Cal. High Speed Rail into the 21st century and ahead of all others.

Let's get it right!

Copy To FRA

Sincerely
James G. Dalrymple James G Dalrymple
1536 137th Ave
San Leandro CA 94578
Phone (510) 357- 3840.

Response to Comments of James G. Dalrymple, March 8, 2004 (Letter I013)

I013-01

The preferred technology identified in the Draft EIR/EIS for the proposed HST system is electrically-powered steel-wheel-on-steel-rail train technology. Maglev technology was considered and rejected from further investigation. Please see standard response 2.12.2 in regards to electrically powered steel-wheel-on-steel-rail HST technology, and standard response 2.10.3 in regards to the Authority's decision that the HST technology must be capable of sharing tracks with other existing services.

No HST system operates at high-speeds anywhere in the world in revenue service or on a full-scale test track where "train cars will glide over rails topped with a plastic material." The Authority has proposed the implementation of a statewide HST system using technology which has been proven in commercial service, rather than proposing further research and development for new technology which has not yet been developed for commercial service.

Comment Letter I014

I014

The Future is Now!

Support Our New Transportation

RECEIVED
MAR - 8 2004

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

From: Bertha Vega (Wallace) Hansen
PO BOX 1972
Fresno, CA 93718-1972

As a member of the Public Transportion, I am requesting that The Future of our new Transportation is to built a High-Speed Train System. Why can't we built a single lane on the hills of Grape Vines where we have seen vehicles where they can't move, on on account of the snow during the winter season. I feel that how much it cost us taxs-payer to built a tannuel where we don't know if we can afford it. Please review my comments that if we were to get some public review, and get the public to get interest, we would see that would be the best of our goals that we are looking for. I014-1

Thankyou for taking some time to see and supporting our Transportation that has become an essential part of California Economic Development and future transportation needs.

Bertha V. Hansen
Bertha V. Hansen
3-3-04

Member of
Public-Transportaion
Steering Committee

Response to Comments of Bertha Vega (Wallace) Hansen, March 8, 2004 (Letter I014)

I014-01

Acknowledged.

Comment Letter I015

03/10/2004 14:02 4088484246 PAGE 01

I015

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net
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March 10, 2004

RECEIVED MAR 10 2004

TELECOPIER: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report

Dear Mr. Morshed,

Thank you for allowing members of the public to comment on HSRA's EIR, which I read at Gilroy's Public Library. It was good seeing you again outside the Capitol in Sacramento

Identity of Author. I am a member of SBC Safe Kids Coalition and Citizens for Reliable And Safe Highways (CRASH), and COG's Rail Advisory Committee, the Legislation, Arbitration, Intermodal and Freight Claims Committees of the Transportation Lawyers Association, the Association for Transportation Law, Logistics & Policy, Conference of Freight Counsel, and a candidate for the American Society of Transportation and Logistics, and other professional organizations in our community, our State and our Nation. I have 41 year experience in the transportation industry here in the South Bay Area and Central California Region. I have had the good fortune to do post-doctoral study of transportation law and policy at the Mineta Institute at SJSU, TRB at Georgetown University, and the Library of Congress. My comments are merely my own, however, and not submitted on behalf of RAC, TLA, ATLLP, AST&L, CFC, or any organization to which I belong, but are only my own ideas as a post-doctoral student of transportation law and policy. I015-1

Background. I appeared before HSRC five times and made public comments (SF, LA, Fresno, Bakersfield and San Jose). Please refer to my previous letters to your predecessor Mr. Leavitt, and to Honorable Quentin Kopp, Honorable Edward Jordan, and Honorable Michael Tennenbaum (see copies enclosed).

Summary. Despite the shortcomings of private sector transportation, the history of the last century proves that nationalized industries, e.g., transport, spell certain defeat and doom for nations that adopt public-sector, nationalized transportation. While carriage of passengers by rail is desirable, creating a public-sector Frankenstein is a cure worse than the illness. Maybe socialized countries like France, Germany, Sweden, etc., have enough history and residents invested in governmental solutions, but American ideals of freedom, independence, democracy and capitalism should not be

03/10/2004 14:02 4088484246 PAGE 02

sacrificed to the False God of Socialism. From rickshaws to bullet trains to lunar escalators, private sector solutions, like our existing railroads, i.e., UP, CSX, BN-ATSF, etc., are what our government should be creating and encouraging. Mistakes like Amtrak, BART, Lite Rail, etc., only burden the taxpayers with ill-considered socialist philosophy. Marx, Engels, Lenin, Trotsky and Stalin were wrong in their day, and their ideas are wrong for America.

As I said to HSRC, if you put enough UPS, Fedex, and Postal Service tonnage on HSRA's trains, then you would not need to ask the taxpayers for a dime. Your idea for a Soviet-style horizontal elevator, funded by taxes, is something that Californians don't need and cannot afford. Like Wells Fargo, HSRA's idea could work if you combined freight revenues with passenger fares. All the externalities that Senator Costa mentioned are insufficient justification to place this albatross on future generations. I015-1 cont

Comment. I here restate my opposition to you as I presented at five of HSRC's meetings, and direct your attention to my paper, which I wrote while doing post-doctoral study at the Mineta Institute at SJSU, "ISTEA Reauthorization and the National Transportation Policy," 25 ***Transportation Law Journal***, pp. 87-*et seq.* (1997), which was published in shortened version as "ISTEA Reauthorization and the National Transportation Policy: Overlooked Externalities and Forgotten Felt Necessities," ***Transportation Lawyer*** (Dec. 1997). The fundamental unsoundness of your HSRA plan for California's bullet train is best understood in comparison with the critical thinking of JFK School of Government and Harvard University Professors José A. Gómez-Ibáñez and John R. Meyer, *Going Private: The International Experience with Transport Privatization* (Wash, D.C.: Brookings Institution, 1993), and also John D. Donahue, *The Privatization Decision: Public Ends, Private Means* (New York: Basic Books, 1989). It is time for us to join the world-wide "privatization revolution," not build more government. If we defeated the USSR, then why should we adopt their failed economic philosophy.

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl.
cc: Editor Gilroy ***Dispatch***
cc: HSRA Members via Mehdi Morshed

Comment Letter I015 Continued

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February 16, 1996

The Honorable Quentin Kopp
CALIFORNIA STATE SENATE
2057 Capitol Building
Sacramento, CA 95814

Re: California Transportation Policy

Dear Senator Kopp,

While the need for high speed passenger trains in California, and the entire Nation, is obvious to any student of transportation, it appears to me that the HSR Commission is completely ignoring the only viable alternative to providing them.

Instead of using the existing railroads, staying with private enterprise, which past generations bequeathed to us, the Commission seems to be hypnotized by socialism. At a time when privatization around the world is correcting the mistakes of publicly-owned transportation, e.g., Australia, Canada, New Zealand, England, Western Europe, etc., the Commission seems to be falling under the fatal attraction of a ruinous fiscal belief that cost does not matter.

Do we have the ability to learn from our history? Will we ignore it and be condemned to follow the course of the Soviet Union? IISTPS Executive Director Ron Diridon, addressing the students at SJS, said that transportation decisions hinge on three things, "Finance, finance, finance." Rather, I believe it hinges on policy, because the latter predetermines the former.

The legislative findings in SCR 6 are undoubtedly true, but the solution currently being proposed by the Commission is a nightmare, which, if brought into existence, will certainly plunge us down the path followed by the Soviet Union.

Why not consider changing policy to attain the same goal? Why seek to ruin California's economy in a search for "finance," when by adherence to the nation's transportation policy, and its rail transportation policy, we could have bullet trains without spending tax dollars? If this country had adhered to these national policies since the end of WWII, would we have seen thousands of miles of

track abandoned? Would we have invested untold billions in the creation of the interstate highway system? Would we be addicted to automobiles today? Are we in denial about our addiction, which blinds us to our violation of our own national transportation policies?

If the law said: (1) freeze truck lengths, (2) prohibit triples, (3) return weight limits to something that would not break concrete freeways, (4) reverse the intercity freight trend since WWII, then how much less money would we need for such things as: (1) highway maintenance, (2) fuel, (3) injury, death, property damage expenses? If policy were made by wiser men than we seem to have had in charge since the end of WWII, would we have (1) cleaner air, (2) less highway congestion, (3) lower health care costs?

If the government is in control, why not set transportation policy and tell each mode what it was going to do based on decisions favorable to the people? If we can move freight profitably, but not passengers, then why not mix the two in one revenue stream to attain satisfactory corporate profit levels? Divorcing rail passenger from rail freight in 1970 was a big policy mistake, and some in Congress seem to have recognized that now by enacting legislation requiring Amtrak to break-even in seven years. Of course, without the freight revenues it can never do so in the face of highway and airline competition, and the vast federal subsidies given to those modes.

The solution lies in equal treatment by government of the different modes, and in freight revenue subsidizing the unprofitable passenger fares, just as earlier generations, who faced these same decisions, learned. While it might come as a shock to the Commission's staff and members, we <u>have</u> railroads. The trouble is that we ignore them and have favored their competitors with billions of dollars of subsidies. Our policy makers apparently prefer our citizens to use four times as much fuel to move our freight, and to sit on congested freeways, rather than establish transportation policy which capitalizes on the inherent advantages of the railroads. Amazingly, the stated policy is already in the statutes, but in practice we do not follow it! Why?

The Commission's current study suffers from myopic concentration on a fantasy, rather than realistic appreciation for the wisdom of earlier generations. Why are the Commissioners not investigating the obvious solution of using our railroads to accomplish this goal? French and Japanese transit systems, like

Comment Letter I015 Continued

those in this Country, operate at a huge loss, requiring taxpayer subsidies of ever more scarce tax dollars.

Instead of trying to imagine millions and billions of dollars, this needs to be put in terms that are understandable, and revealed to the voters for what it is. For example, when Amtrak was formed in 1970 it was cheaper to send a passenger from LA to NY by taxi, and pay the cabby a $100 tip, than to send him by Amtrak. When METRO was built in Washington, D.C., it was cheaper for each rider to be furnished with a Mercedes than to ride public transit. For BART, the riders could have two BMW's and the taxpayers were better off.

Of course, these solutions are just as stupid as the ones our decision makers and planners gave us. The arrogance of today is to forget the wisdom of the past. Who gained by selling those cars, building those interstate highways?

Harvey Levine's seminal work, National Transportation Policy: A Study of Studies, ought to be required reading for both the Commissioners and the staff, not to mention our decision makers.

When we needed a transcontinental railroad, did we opt for government-owned railroads? Whenever WWI's demands caused nationalization of the railroads, did we keep them that way? Does government owned business work in the long run? Do we want to go the same way as the Soviet Union?

No!

When I testified 2/2/96 before the Commission in Fresno, I showed them the Harvard doctoral dissertation by John D. Donahue, The Privatization Decision (1989), and reminded them of the Wall Street Journal special edition on privatization that was published in October. I said that if they were a board of directors of a corporation then they would have been terminated. They did not effectively cross-examine the experts brought before them by their own staff. They did not realize that the "profits" displayed by the French Officials were for a trunk line route, and that the truth is that system-wide the French experience is no better than that of the best American public transit system. They are considering borrowing billions to create a line that will require $800 million annually just to service the debt (bonds) it creates! There can be no doubt that Big Brother's slogan pales in comparison with this proposal: "WAR IS PEACE, FREEDOM IS SLAVERY, IGNORANCE IS STRENGTH."

As I said to Mr. Mineta, we are, I believe, about half nationalized and half free-enterprise in transportation. Can this situation last? It is not unlike an earlier period in our history:

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. A house divided against itself cannot stand."

At this point, too, we are at a crucial stage of evolution in the nation's history: We are a house divided.

The Lincoln administration decided that our railroads would be privately owned, with construction financed by government-backed securities. Today we appear to have rejected the policy of free-enterprise ownership because we continually create "authorities" and "agencies" to own and operate our rail passenger mode. The same is true with bus transportation. Now I hear that Amtrak will be moving freight. We have abandoned not only thousands of miles of rail, but as a nation we have also abandoned the policy of private ownership of transportation. Our elected officials boast about what they have done, but not one of them will tell you how much it costs per passenger (or per passenger-mile) to transport people by bus or rail. Deregulation during the past 15 years has rendered the private transportation sector a virtual graveyard. So where are we, and where are we going? How can we have nationalized industry and reduce the budget deficit?

To paraphrase Mr. Lincoln, if we could first know where we are, and "whither we are tending," we could better judge what to do, and how to do it. Our national transportation policy was initiated with the "avowed object" and confident promise of creating a sound national transportation system. Under the operation of that policy,

Comment Letter I015 Continued

one national goal is to make the county competitive on the global arena. In my opinion, it will not happen until a crisis shall have been reached and passed.

Today we are at a point where we are half slave to public ownership of transportation, and half free-enterprise. The trend, however, runs counter to private ownership. Reversing the trend becomes increasingly difficult as we commit vast resources of our society to nationalized modes.

Again to paraphrase, I believe that the nation's transportation system "cannot endure permanently half slave and half free." I do not expect the nation will be dissolved; I do not expect the house to fall; but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of nationalization will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike in all modes of transportation.

We will then have arrived at the stage of development, and an experience similar to that of the demise of the Soviet Union must ultimately follow because government-owned industry does not work in the long-run. Great Britain and other western European countries, Canada, Australia and New Zealand are all privatizing previously nationalized industries because they have realized the truth in this. Nevertheless, our elected representatives push for more government-owned transportation modes each passing year.

Today we could send six passengers by limousine from Gilroy to San Jose cheaper than it costs us to send them on Caltrain. Yet if private industry moved those passengers and a fair share of the available freight tonnage, the burden on the taxpayers would lessen, road congestion, health care costs, and air pollution would decline. Local government would enjoy another source of tax revenue.

Since WWII, creation of the interstate highway system has diverted a greater percentage of intercity freight traffic away from the rails each passing year. Separating freight from passengers on the railroads was a decision rejecting earlier generations' investments, and plunging us along a course toward Soviet-style industry, and we know how well that system worked.

I keep asking our elected officials: If government ownership of industry failed in the Soviet Union, then why are we trying it? promoting it? How can America compete in "global markets" if it is saddled with deadweight nationalized transportation modes?

The Emperor has no clothes! We cannot afford to borrow billions to build a rail passenger line that loses millions each year. This is especially true when we have an existing alternative that will not cost the taxpayers any money at all. All it takes is someone strong enough to enforce the nation's transportation policies that are already on the books. We need not reinvent government to accomplish this goal, but rather, merely keep this a government of, by, and for the people.

Thank you for giving me an opportunity to make this comment. My formal response to the Commission will follow as soon as I complete it.

Respectfully yours,

JOSEPH P. THOMPSON

Encl.
cc: Hon. Henry Mello
cc: Hon. Dean R. Dunphy
cc: Hon. Peter Frusetta
cc: Commissioners
cc: Executive Director Daniel S. Leavitt
cc: Rod Diridon, IISTPS
c:\trans\kopp.lt1

Comment Letter I015 Continued

Hon. Quentin Kopp
February 16, 1996
page 6

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cc: Hon. Henry Mello
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c:\trans\kopp.lt1

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January 20, 1998

TELECOPIER: 916-323-5440

Mr. Daniel S. Leavitt, Executive Director
High Speed Rail Authority
P. O. BOX 942874, MS-74
Sacramento, CA 94274-0001

Re: Transportation Policy & California HSR

Dear Mr. Leavitt,

Thank you for the letter dated Jan. 8, 1998 addressed "Stakeholder," regarding the HSRA's meetings tomorrow 1/21 and 1/22/98. Unfortunately, due to previous litigation burdens I am not able to attend, but I would like to continue to receive notice of future meetings. As a "stakeholder," and an interested transportation student, who attended three of the HSRC's public meetings and spoke during the "public outreach" sessions, please convey my message to all the members of the HSRA, especially the Chairman, and assure them that I believe that their work to be of unparalleled importance for the future of this State. I pray that the HSRA members will adhere to Governor Wilson's private sector philosophy espoused in his new book, ***California Competes***. Even though I cannot be at your meeting, I would like to have my recent articles from ***Transportation Lawyer*** and the University of Denver's ***Transportation Law Journal*** included in the public outreach response. I have previously furnished a copy of the shorter one to you and to Senator Kopp, and another copy is being mailed to you today. Thank you for giving me this opportunity to participate in your vital endeavor for California's future. ***Caveat Viator!***

Sincerely yours,

JOSEPH P. THOMPSON, ESQ.

Encl.

Comment Letter I015 Continued

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May 14, 1998

TELECOPIER: 916-323-5440

The Honorable Edward G. Jordan, Chairman
High Speed Rail Authority
980 Ninth Street, Suite 2450
P. O. BOX 942874, MS-74
Sacramento, CA 94274-0001

Re: Transportation Policy & California HSR

Dear Mr. Jordan,

On behalf of "stakeholders" everywhere, I want to thank you and your fellow members for convening the HSRA's most recent meeting in San Jose, which, as you know, is the largest city in North America without an intermodal facility (see my letter to Secretary Slater enclosed). As I said to the HSRC in Fresno after Senator Costa's inspiring remarks, the HSRA takes its place in history amongst an established tradition of well-meaning, similar commissions, whose wisdom and follies Professor Levine so accurately described in ***National Transportation Policy: A Study of Studies*** (1978). Silicon Valley exemplifies the best and the worst in transportation policy dominated by public sector planners, and ought to serve as a clear lesson for you and the other members of the HSRA as you embark upon your historic quest to build HSR in California. As I said to you at the last meeting of the HSRC in San Francisco, there can be no doubting the noble endeavor you pursue when gauged by the President's last words to John Hay as he left for Ford's Theater.

I sincerely hope that my paper that I gave to you and the other members, "ISTEA Reauthorization and the National Transportation Policy," ***Transportation Law Journal***, Vol. 25, No. 1 (1997), and the shorter version, "ISTEA Reauthorization and the National Transportation Policy: Overlooked Externalities and Forgotten Felt Necessities," ***Transportation Lawyer*** (Dec. 1997), will aid you in perceiving the historic position that you occupy. Moreover, I was encouraged by the members receptiveness at my recommendation that, as part of your next educational session in

Bakersfield, they study Harvard University Professors Meyer and Gomez-Ibanez Brookings Institution multinational report, ***Going Private: The International Experience with Transport Privatization*** (1993), which I showed to you. A serious examination of the vital issues you face will not omit their timely, revealing work. If you do you must agree with me that the most crucial question for the Authority is the same one that our former Mayor and Congressman from San Jose posed in 1995, shortly before he left office and his chairmanship of the House Subcommittee on Surface Transportation.

I urge the Authority members to consider well Mr. Mineta's stirring words to the students at the International Institute for Surface Transportation Policy Studies (IISTPS) at San Jose State University, quoted in my paper. His conclusion, reached after long tenure on transportation and public works committees in the House, was that the most crucial question in transportation today is: "*What should government do, and what should it leave to others?*" His conclusion is reflected in Harvard Professor John D. Donahue's seminal work, ***The Privatization Decision: Public Ends, Private Means*** (1989), which is also cited in my paper.

Also, in your deliberations I urge you to consider the address given to the IISTPS students last summer here in San Jose by Congressman James Oberstar, who exhorted the students to look to our Pacific Rim neighbors' transportation activities for inspiration in the study of transportation policy for this Nation. I especially urge you to look at the recent history of our nearest Pacific Rim neighbor, and consider the dire consequences for this Nation if you and others like you take us down the same road that the Soviet planners took (see my letter to Congressman Oberstar enclosed).

As I said to you in San Jose, Senator Kopp's remarks at your investiture ceremonies in San Francisco on Nov. 13th, recalling the effort of the Big Four to create the Central Pacific, brought to mind Matthew Josephson's enduring ***Robber Barons*** (1934), wherein he relates the "P.R." campaign by Governor Stanford and his partners, Messrs. Crocker, Hopkins, and Huntington (see my letter to Senator Kopp enclosed). Where is the wisdom in trying to sell a fatally-flawed philosophy to the voters in California when recent history has proven that sustainable solutions must rely on the private sector, not Soviet-style fiascoes. Look at the success of the Internet after it left government ownership. I am enclosing my reply to Senator Kopp, who wrote to me saying that the private sector would not give California a Bullet Train, and I urge you to make it part of your record so that

Comment Letter I015 Continued

Hon. Edward G. Jordan
High Speed Rail Authority
May 14, 1998
page 3

historians may know that you had a glimpse of a future to which your errors might condemn future generations (see enclosed play, ***To the Panoche Station***, which was written when you were considering routing the HSR over Panoche Pass).

As you know, the genesis of Conrail shows us how politics can subsume transportation policy, just as the gang rape of the National Transportation Policy and the disintegration of the Interstate Commerce Commission do. Maybe there is no other option for a democracy than to endure what Mr. Justice Holmes called "the felt necessities of the time." But you must never forget President Lincoln's immortal words of advice to policy-makers like you and your fellow members: "Only we ourselves can cause our demise as a Nation." When you travel to other countries, peer deeply, and look beyond their Bullet Trains, and see their crushing tax burdens that their nationalized industries impose on their citizens. Ask yourselves if you want future generations of Americans and its incomparable enterprise and ingenuity encumbered by similar socialized notions. Ask yourselves: "If we defeated the USSR, why would we adopt their economic philosophy?" You cannot deny the existence of the world-wide privatization revolution, and the economic justification for the denationalization in transport in Canada, Mexico, Great Britain, Australia, New Zealand, and many other nations. As you consider how to create a sustainable high speed rail system in California, you must consider the historical background upon which we now stand. Rather than sponsoring a P.R. campaign to sell a fatal dose of socialism to the voters in California, I urge you to learn from history, and consider such multinational studies as the one by Professors Ott and Hartley, ***Privatization and Economic Efficiency: A Comparative Analysis of Developed and Developing Countries*** (1991). I believe that California deserves no less from you in your planning this great transportation system.

I look forward to participating in the educational meeting that you hold in Bakersfield on the 20th of this month.

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl.
cc: HSRA Members

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June 14, 1999

TELECOPIER: 916-323-5440
The Honorable Michael Tennenbaum, Chairman
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Transportation Policy & California HSR

Dear Mr. Tennenbaum,

Congratulations on your elevation to the position of Chairman of the HSRA. Please add these remarks to the next "public comment" section of your next meeting in Los Angeles on the 18th.

In response to your new route option over our local Pass east of Gilroy, I have revised ***To the Panoche Station***, and now name it ***To the Pacheco Station***. Apologies are still owed to the author of ***To the Finland Station***, the construction estimate was revised upward to match your latest dream (or nightmare, depending upon whether you receive or pay the subsidies), but everything else stayed unchanged. I did, however, kick the date from 2096 to 2099, to keep the century spacing with today. The goods news for socialist transit planners is still there: "RIDERSHIP" numbers are way up. The bad news for the riders is still there: HSRA's BULLET TRAIN has not shown-up for a long time. (Perhaps it was the planning: infrastructure erected on socialism=the Soviet model for failure.) Have you read Solzhenitsyn's ***The Gulag Archipelago*** (1973), especially their futility running the Russian railroads with Soviet planners at the helm in chapter 2, "The History of our Sewage Disposal System"? What will history say about our generation: We defeated the USSR, and then adopted their economic philosophy? This is my reply to Senator Kopp's remark: "If the private sector won't build it, then the public sector will." You ought to convene your next meeting beside the plaque outside the Visitors' Center on the top of San Luis Reservoir, and require all supporters of the Soviet-style Bullet Train to read it aloud a hundred times, in unison. Then, you ought to ask for a moment of silence to remember all the small businesses that the socialist transit planners kill-off in the next century. ***Caveat Viator!***

Respectfully yours,
JOSEPH P. THOMPSON, ESQ.

Encl.
cc: Editor Hollister ***Free Lance***
cc: HSRA Members via Mehdi Morshed & Dan Leavitt

Comment Letter I015 Continued

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Feb. 28, 2000

TELECOPIER: 916-322-0827
The Honorable Michael Tennenbaum, Chairman
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Transportation Policy & California HSR

Dear Mr. Tennenbaum,

Thank you for sending me the announcement about your business plan. Could you have Dan Leavitt mail me a copy? I'm curious to see if you are still planning a Soviet-style horizontal elevator, or whether you have decided to stay with capitalism, reject socialism, and run a railroad. I hope that you are not still trying to deceive the public into thinking that the public-sector can outperform the private sector in transportation. I hope that you are not planning to saddle California with the same socialistic HSR as we have witnessed in Japan, France and Germany.

As I said to the HSRC five separate times, if we defeated the USSR, what makes you think that we can make their failed economic philosophy work here in California?

Were you comfortable with all the socialist transit "gurus" at the VTA in San Jose? I suspect that you felt right at home with their socialist transit "senior planners," who would tax us into the same fate as befell the USSR. SCA-3 is just the start down the road to ruin. Will your PR "blitzkrieg" distort the truth in transportation? I hope not, but from what I have seen of the Politico-Transit Alliance, they will make the Robber Barons look like altar boys, and bring George Orwell's utopia to future generations of Californians. What will history say about your work? Please add my remarks to your public record, just so future historians know that you were warned. What will you nationalize next: farms, newspapers, retailing? ***Caveat Viator!***

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl.
cc: Editor San Jose ***Mercury***
cc: HSRA Members via Mehdi Morshed & Dan Leavitt

TO THE PACHECO STATION
(with apologies to Edmund G. Wilson)
A Play in One Act
by
Joseph P. Thompson, Esq.

Act I
Scene One - A Spring Day, 2099
Pacheco Pass Bullet Train Station

Dramatis Personae

Boris Zlotoff, a passenger.
Elmer Schiekelgruber, passenger.

Enter a passenger carrying his baggage, and gets into a seemingly endless line of people waiting for the train. In the background, graffiti covers all of the concrete walls of the dark, dilapidated station.

BORIS

Hello Comrade Schiekelgruber.

ELMER

(Putting down his baggage and rubbing his beard.) Hello Comrade Zlotoff. I see you've found yourself a razor, you lucky dog. Where did you find it?

BORIS

(Quietly.) Well, of course I will not admit it, but I always told you, it's "who" you know, not "what." Besides, if I told then my source may dry-up on me.

ELMER

I suppose it is one of your contacts at the Ministry of Truth! Why are you so lucky?

BORIS

Comrade, please! Try to be a little circumspect! Well, if the train doesn't come today, all my contacts at the Ministry are going to evaporate. Dammit, they promised that it would run today!

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Comment Letter I015 Continued

ELMER

How long have you been waiting in line?

BORIS

About two hours now. After waiting all day yesterday I'm a bit desperate to say the least! The Boss is expecting me at the Ministry. I've just got to get there.

ELMER

(Looking out over the audience.) I wonder what the view was like here a hundred years ago--before they built the Bullet Train through the pass?

BORIS

Or better yet, what about two hundred years ago when the miners opened-up the New Idria Mine? They must have been a sturdy bunch to survive out here.

ELMER

Dirty capitalist diggers be damned! But at least they had razors! Say, when do you think it all turned against their kind?

BORIS

What do you mean?

ELMER

Their dirty capitalist system--whenever did it start to changeover to ours?

BORIS

(Looking both ways and over his shoulder.) Well, you know, at the Ministry of Truth I re-wrote a few stories about the initial phases of this damned Bullet Train System, so that its early successes would not contrast with the mess we have today. It may have actually been the crucial turning point from the old system to ours.

ELMER

You mean that this Train was running successfully once?

2

BORIS

(Again looking over his shoulder.) Yes, in the early days after it was built, about 2010. Back then it was running daily and right on time with the published schedules!

ELMER

Remarkable!

BORIS

Well, anyway, it was when Comrade Peter Frusetta was the People's representative, or "Assemblyman," as they were then called. Apparently, from what I read, he and other assemblymen accepted the notion as "partnership" with the federal government. It was built with taxpayers' money--more than twice the original estimate of $24 billion. Before the groundbreaking ceremony, they predicted that it would only lose $800 million a year.

ELMER

You mean it was worse than that?

BORIS

Well, like all the earlier efforts, they underestimated costs and overestimated revenues. It actually lost twice as much as that when it was new!

ELMER

No wonder we are stuck here!

BORIS

Comrade! Patience! I have it on very good authority that today we will see the Bullet Train arrive.

ELMER

Sorry. It's just that I'm sick and tired of everything decaying and decrepit.

BORIS

Steady now. How about if I loan you my new razor--just once--so that you can have a shave?

3

Comment Letter I015 Continued

That'll make you feel better.

ELMER

Thanks, I'd like that. What was this fellow Frusetta like, anyhow? I assume he was from these parts?

BORIS

Yes, in fact he was a local rancher and cattleman. Ran on the strength of his independence--a big, warm and friendly man, I've read.

ELMER

(Looking furtively around and over his shoulder.) With the demise of the Soviet Union, you would've guessed that Frusetta and his fellows would have been less inclined to opt for nationalized industry?

BORIS

(Looking scared and furtively around them.) Friend! (Whispering.) Do be careful what you say--you may be overheard!

ELMER

Nobody's paying any attention-they're all asleep on their feet!

BORIS

You can never be too careful! The monitors may scan your direction at the wrong moment. Your lips may be read!

ELMER

Okay. Okay. I know. I will. It's just that I'm so damned frustrated. Nothing works. And this damned Bullet Train is the last straw.

BORIS

Patience, Comrade. Here, take this razor and go and have a close shave in the restrooms. There's no hot water, but I'm sure you're tired of that dirty beard.

ELMER

4

Thanks. Yes I am. You are a dear friend! Tell me more about Comrade Frusetta's generation.

BORIS

Well, strictly off-the-record, it wasn't too long after the break-up of the Old Soviet Union, about the turn of the last century. Soviet America, or "America," as it was then called, bought into the notion that government ownership of business was a good thing. Even though other countries were denationalizing their industries, they envisioned a "partnership" of state, local and federal governments providing the citizens' basic needs.

ELMER

But I thought you said that Comrade Frusetta was independent minded?

BORIS

Well, apparently he was, but he was sold on the idea and ignored history. They always do.

ELMER

No sign of the Train--I think I'll go have that shave with your new razor--I can't wait any longer.

BORIS

Go ahead. With the post-earthquake slow-orders keeping the Train's speed down to 5-6 MPH, I'll see it long before it pulls into the Station and if I spot it I'll come and get you.

ELMER

Yes. I'll go and shave--cannot remember my last one! But when I come back, tell me more about Peter Frusetta.

BORIS

More? That's it! That's everything that history has on him so far as I can determine. But we do owe him and his fellows a lot--where would we be today without him?

c:\jpt\trans\pacheco

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Comment Letter I015 Continued

ISTEA Reauthorization and the National Transportation Policy

A paper presented to the 68th Annual Meeting of the
Association for Transportation Law, Logistics & Policy
Santa Fe, New Mexico
June 25, 1997

by

Joseph P. Thompson, Esq.

Member:
Association for Transportation Law, Logistics & Policy
Transportation Lawyers Association

Candidate:
American Society of Transportation & Logistics

In memory of the late
Dr. Martin T. Farris, Certified Emeritus Member, AST&L
Professor of Transportation, Arizona State University

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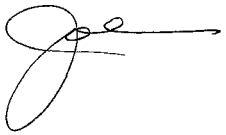

ISTEA Reauthorization and the National Transportation Policy

Near the end of a long and distinguished career of public service, shortly before his retirement from Congress, the Honorable Norman Y. Mineta, then Chairman of the Surface Transportation Subcommittee, said at the 1995 Annual Dinner of the International Institute for Surface Transportation Policy Studies at San Jose State University, "The crucial question in transportation today is: What should government do? And what should it leave to others?" Mr. Mineta thus framed the paramount transportation policy issue facing us as we begin a new century. The answer we give to Mr. Mineta's **"Crucial Question"** will undoubtedly affect the course that the Nation pursues well into the future. Soon, reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991, Pub.L. 102-240 ("ISTEA"), either by enactment of the Administration's bill, the National Economic Crossroads Transportation Efficiency Act of 1997 ("NEXTEA"), or one of the other proposals now before the Congress, will reveal how we embark upon the new century answering the Crucial Question. This paper will explore how the answer we give to the Crucial Question with ISTEA reauthorization legislation comports with the national transportation policy.

The Past as Prologue

Mr. Justice Holmes' conclusion toward the end of the last century in *The Common Law* that, "The life of the law has not been logic: it has been experience," has new meaning in the field of transportation law and policy. What Mr. Justice Holmes called the "felt necessities of the time" may be seen in each generation's framing and answering of what they perceive to be the crucial questions of their time. Does Abraham Lincoln's analogy of "A House Divided" have renewed application today when we find ourselves half slave to publicly owned transportation and half free enterprise? Will this generation's answer to the Crucial Question propel us toward the former or return us to the latter? Indeed finding ourselves at a "crossroads," will we opt for traditional capitalism, or something else?

The National Transportation Policy

It is said that physicists are searching for the Grand Unified Theory (GUT) to explain all the laws of the universe. I believe that we in transportation ought to be seeking the Grand Unified Transportation Theory (GUTT) to heal the artificial division that exists in American transportation policy today and to return us to our free enterprise roots. Saying that we have a National Transportation Policy (NTP) is like saying we have a Rule Against Hearsay. In Title 49 there are currently five transportation policies: Rail Transportation Policy, §10101; National Transportation Policy, §13101; Air Commerce and Safety Policy, §40101; National Mass Transportation Policy, §5301; and National Intermodal Transportation System Policy, §5501. Additionally, the U.S. Dept. of Transportation (USDOT) published its National Freight Transportation Policy in the *Federal Register* on Jan. 6, 1997.[1]

History of the National Transportation Policy

Professor Farris traced our NTP to the Treaty of Paris in 1763 and the passage of the Northwest Ordinance in 1787.[2] Free enterprise capitalism was the key to our transportation industry growth, with Adam Smith's "Invisible Hand" receiving occasional support from the taxpayers for turnpikes, canals

[1]49 U.S.C. §§5301 (mass transit), 5501 (intermodal), 10101 (rail), 13101 (truck), and 40101 (air). The "findings and purposes" for promoting commercial space transportation read like policy-making. 49 U.S.C. §70101(a),(b).

[2]Martin T. Farris & Paul T. McElhiney, eds., *Modern Transportation Selected Readings* (Houghton Mifflin Co., 2d ed.; 1973), "National Transportation Policy: Fact or Fiction?" p. 425 (hereafter FARRIS).

Comment Letter I015 Continued

and railroads. When the excesses of human nature grew unacceptable, during the age of the Robber Barons, regulation by government was the response of generations to those "felt necessities of the time." Private ownership of industry, however, was retained, except for those natural monopolies like water, sewer and power. Uniquely, America rejected the notion that the government would own our transportation industries.[3] Although the railroads were nationalized during WWI, even one of our most gifted orators, William Jennings Bryan, could not convince the American people that the "Plumb Plan" of joint federal-state ownership was preferable to privatization.[4] Despite its many faults, the American people chose capitalism rather than switching to statism or socialism. The Transportation Act of 1940 was the first express transportation policy by Congress. However, almost each session of Congress since has added to or altered transportation policy, yielding a result that one should expect when political decision-making seeks solutions pleasing every transportation need of a diverse, growing population. Consequently, the NTP is taught to transportation students as "somewhat vague" and containing "numerous conflicting provisions."[5] As Professors Coyle, Bardi and Novack conclude in their transportation textbook:

> The federal government's policy toward transportation is a composite of these federal laws, rules, funding programs, and regulatory agencies; however, there is no unified federal transportation policy statement or goal that guides the federal government's actions.
>
> In addition to the Congress and the president, there are more than 60 federal agencies and 30 congressional committees involved in setting transportation policy. There are two independent regulatory agencies that interpret transport law, establish operating rules, and set policy. Lastly, the Justice Department interprets statutes involving transportation and reconciles differences between the carriers and the public. Each of these groups has made decisions that have affected the development of transportation.[6]

Whether in war or peace, the NTP reflected rising concern with transportation problems in the United States and in other developed nations.[7]

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[3] See, generally, Harvey A. Levine, *National Transportation Policy: A Study of Studies* (Lexington: Lexington Books, 1978), especially, Ch. 1 "National Transportation Policy;" and Ch. 4 "Policy Overview," and "Nature of Transportation Subsidies," and Ch. 5, "Research/Policy Connection;" Philip D. Locklin, *Economics of Transportation* (5th ed., Homewood: Richard D. Irwin, Inc., 1960), Ch. 2 "The Transportation System of the United States;" Dudley F. Pegrum, *Transportation Economics and Public Policy* (Homewood: Richard D. Irwin, Inc., 1963), Ch. 3 "Development of Transportation in the United States;" and Ch. 16 "Transportation as a National Problem;" and Ch. 20 "Regulation and Administration in Transport Policy;" Roy J. Sampson and Martin T. Farris *Domestic Transportation: Practice, Theory and Policy* (3d ed., Boston: Houghton Mifflin, 1975); George W. Wilson *Economic Analysis of Intercity Freight Transportation* (Bloomington: Indiana U. Press, 1980); Donald F. Wood and James C. Johnson, *Contemporary Transportation* (Tulsa: PPC Books, 1980), Ch. 1 "Transportation and the Economy;" Ch. 2 "Government as a Provider of Transportation Services and Facilities;"

[4] Robert W. Cherny, *A Righteous Cause, The Life of William Jennings Bryan* (Norman, Ok: University of Oklahoma Press, 1994), p. 159.

[5] John J. Coyle, et al., *Transportation* (West Pub.Co., St. Paul: 4th ed. 1994), Ch.4, "Transportation Policy," p. 104, 108 (hereafter COYLE).

[6] COYLE, p. 104.

[7] David Banister and Peter Hall, *Transport and Public Policy Planning* (London: Mansell Pub., Ltd., 1981); Joseph Berechman *Public Transit Economics and Deregulation Policy* (Amsterdam: Elsevier Science Pub., B.V., 1993); K.J. Button and D. Gillingwater, *Future*

2

Evolving Transportation Policy

Of the many commentators, Professor James C. Nelson has given us enlightening perspective on the NTP's evolution.[8] Writing during the Kennedy administration, Professor Nelson said "recent studies of regulatory agencies and public policy in transportation attest eloquently to the continuing public interest in the long-standing issue of the appropriate role for government in the transportation sector of the economy." At that point in time he saw "little legislative action," but that was quickly changed as Congress tackled mass transit problems. However, Professor Nelson did raise the "Crucial Question" by saying, "[t]he question of the proper role of the government in the allocation of traffic and resources in transport" was worthy of "a general review and evaluation." He saw two roles for government in transportation, promotion and regulation.

> In the United States, government shares with private enterprise the risks and costs of providing transport in a mixed system of public and private enterprise. Government usually participates by furnishing the basic ways (and some terminals) while private enterprise conducts carrier operations over public facilities. Mixed enterprise is characteristic of air, highway and water transport but not of pipeline and railway transport. As most countries operate railway under public enterprise, this country's mix of private and public enterprise is unique.

The Crucial Question presented itself time and again in the post-war era, and so many studies were made that studies of the studies appeared.[9] Every aspect of transportation has been examined and re-examined. Reflecting its importance to the economy and society, commissions and committees have devoted forests of paper and vast resources to this endeavor. Regardless of the report or study, they all recognize the role of federal tax dollars on our transportation systems.[10]

Transport Policy (London: Croom Helm, Ltd., 1986); Paul W. Devore *Introduction to Transportation* (Worcester: Davis Pub. 1983); George M. Guess, ed., *Public Policy and Transit System Management* (NY: Greenwood Press, 1990) (hereafter GUESS); David W. Jones, Jr., *Urban Transit Policy: An Economic and Political History* (Englewood Cliffs, NJ: Prentice-Hall, 1985) (hereafter JONES); John B. Lansing *Transportation and Economic Policy* (New York: Free Press, 1966); Aurelio Menendez *Estimating Capital and Operating Costs in Urban Transportation Planning* (Westport, Ct.: Praeger, 1993); A.W.J. Thompson & L.C. Hunter, *The Nationalized Transport Industries* (Heinemann Educational Books, London, 1973).

[8] James C. Nelson, "Government's Role Toward Transportation," *Transportation Journal* (Summer 1962), reprinted in Martin T. Farris & Paul T. McElhiney, eds., *Modern Transportation Selected Readings* (Houghton Mifflin Co., Boston: 2d ed. 1973), p. 416-424 (hereafter NELSON).

[9] Harvey A. Levine, *National Transportation Policy: A Study of Studies* (Lexington: Lexington Books, 1978), Ch. 2 "Chronology of Research Studies" (hereafter LEVINE).

[10] GUESS, pp. 1-2. Professor Guess concludes that "federal aid remains the dominant force in shaping activities by state and local transit agencies" but "the incentives provided are often irrational from the perspectives of efficiency and effectiveness." *Id.* See, also, David W. Jones, Jr., *Urban Transit Policy: An Economic and Political History* (Englewood Cliffs, NJ: Prentice-Hall, 1985). Professor Jones concludes that federal subsidies have "not stabilized the industry and that compound changes in transit's basic way of doing business are necessary if mass transit is to play a significant role in the future of urban transportation. . . . Subsidy for transit is necessary and appropriate, but endlessly increasing subsidy is both inappropriate and unrealistic. It is time, in short, to consider the reorganization alternative--as difficult and painful as it may be."

3

Comment Letter I015 Continued

Transportation Subsidies and Policy

Call it aid, grants, assistance, tax breaks, or subsidies, there is little difference from a policy perspective. However, since "subsidy" has become a dirty word, we seldom see it used. Instead, "private- public partnership" has emerged as a popular buzzword to make. How do transportation subsidies distort our transportation systems? First, however, can we agree on a definition of "subsidy"? It has been authoritatively said about subsidies:[11]

> One remarkable attribute of Government subsidies is the capacity of the very words themselves to conjure up marvelously diverse images in different minds. To most economists the subsidy is a useful fiscal instrument whose major purpose is to improve the private sector's allocation of resources among their alternative uses. To many laymen, on the other hand, subsidies are an elusive and worrisome phenomenon, frequently hidden from the general view and often suspected of being used more for private gain than for the public good. These widely divergent viewpoints appear to come mainly from differing perceptions of the efficiency with which private markets function. To the laissez-faire enthusiast there is little or no legitimate role for subsidies since, as he sees the world, free markets do the best job of organizing production to satisfy present and future consumer demands. Others, worried about the lack of strong competitive pressures for efficiency in concentrated markets and perceiving pervasive externalities, both beneficial and harmful, which are not taken into account by private business, actively support extensive Government intervention, through subsidies and other means, in the operation of private markets.

And, another highly respected economist said in the same study:[12]

> Congress is not always adequately equipped to evaluate expenditure programs; the device of holding hearings is far from being a complete substitute for objective evaluation. **All too often hearings are dominated by the special interests who expect to benefit from them rather than by those who have to pay for them**; thus representatives of nonfarm sectors are rarely heard by the congressional committees on agriculture. . . . Another reason why special benefit programs need particular attention is the inertia in our political system, which tends to preserve such programs long after their initial justification (if indeed there was one) has disappeared. These **programs tend to create vested interests, whose anguished cries of ruin at the slightest suggestion of reform are usually loud enough to drown out the voice of reason**. Even if a program is widely conceded to be unsatisfactory, Congress is likely to let sleeping dogs lie by extending it unchanged rather than reforming it; the recent extension of the Sugar Act is one example. The laxity of our rules concerning political contributions may well aggravate the problem of inertia. [emphasis added]

The Taxpayers' Ideal Subsidy

These definitions of "subsidy" are as sound today as they were when those economists testified to the Joint Economic Committee of the Congress. Inducing private sector behavior with transportation subsidies has long been a feature of American politics and government. For the individual a particular subsidy may be "good" or "bad," depending on whether he pays for it or receives it. But for the Nation, a particular subsidy may diminish an "inherent advantage" of one mode of transportation to the advantage of a competing mode. We need to ask: Who actually benefits from the subsidy? The Grandfather of all transportation subsidies may have been the land grants to the railroads. In this case it was we taxpayers who enjoyed profits. Professor Nelson described the fiscal ramifications of the land

[11]U.S. Congress, Joint Economic Committee, *The Economics of Federal Subsidy Programs* (Wash., D.C.: USGPO, 1972), p. 1, George F. Break (Prof.Econ., U.C.-Berkeley), "Subsidies as an Instrument for Achieving Public Economy Goals."

[12]*Id.*, Hendrick S. Houthakker (Prof. Economics, Harvard), "The Control of Special Benefit Programs," p. 8.

grants to the railroads, and other subsidies, in exchange for reduced freight rates (under former Section 22 of the Interstate Commerce Act) for government freight and military passengers. By June 30, 1943, the rail rate breaks for the taxpayers were estimated to be $580 million, "a sum several times the value of the granted land at the time land grants were awarded and in excess of the sums derived by the railroads from the grants."[13] Thus, this precedent-setting transportation subsidy proved that the taxpayers could actually profit from a Congressional deal to promote transportation, *viz.*, infrastructure improvements. In other words, with private sector profit motives allowed to control, the promoters and the taxpayers (investors) both made huge profits. Have we learned from our history? Did subsequent Congressmen make equally advantageous agreements for later generations of taxpayers?

Subsidies Distort Transportation Industry Results

Before the railroad land grant subsidies, canals had been constructed by state agencies and operated with tolls recovering capital and operating costs. But just as highway subsidies would later affect the railroads' profitability, since about 1880, by which time the railroads had largely superseded the canals, the federal and state governments have provided improved waterways entirely free of user charges except on the St. Lawrence Seaway. Like a house of cards, tinkering with one card inevitably affects the whole transportation structure.

Even earlier, private turnpikes furnished main highways on a commercial basis; but, since 1850, highways have been provided by state and local governments, with ever-increasing federal aid (since 1916) for construction of limited federal-aid systems and with user fee support in the modern period.[14] Finally, the federal government early undertook to provide the civil airways and facilities, with the synergistic benefits accruing to the airlines. As he concluded, "Over the years, tremendous sums have been spent by government in making way and terminal facilities available for use by private carriers; in giving direct subsidies to certain classes of carriers; and in engaging in expensive scientific research, and development for national security, making as a by-product much valuable technology available to the air carriers without charge to them."[15]

> The national purposes for giving financial assistance to transport development are relevant to evaluation. Clearly, railroad grants had the unique national objective of stimulating initial settlement of undeveloped lands in the West by rapid development of a new transport technique, greatly reducing long-distance costs and increasing service speeds. Air transport aids sought improved postal communication, rapid introduction of a new technology, adequate equipment, aircraft manufacturing facilities and skilled personnel for national defense. Federal highway aid had improvement of rural postal services and stimulation of interstate commerce as its principal purposes; in addition, an underlying national defense interest has existed in a highly developed system of interstate highways adequate for the needs of commerce and the military. State highway investment largely has been in response to the way-service demands of a rapidly multiplying ownership of motor vehicles. The principal objectives for inland waterway improvement, including the no-toll policy, have been to give landlocked areas lower freight rates and to furnish additional competition for the railroads. The overall historical record indicates that perhaps the strongest motive for federal transport subsidies has been to bring about, more rapidly than otherwise would occur, the economic and social benefits of improvements in transport service and of lowered transport costs when entirely new transport technology became available. This was true

[13]NELSON, p. 423, fn. 3.

[14]Federal transportation outlays for all modes increased from $23.961 billion in 1980 to $39.064 billion in 1994, measured in current dollars. Bureau of Transportation Statistics, *National Transportation Statistics 1997* (Wash., D.C.: USDOT/BTS Dec. 1996), p. 98.

[15]NELSON, p. 418.

Comment Letter I015 Continued

of federal aids for highway and air transport development. That motive also stimulated the land grants to railroads, but with the significant difference that a century ago far greater emphasis was necessarily placed on land settlement and resource development in pioneering areas. The introduction of modern air, highway and waterway transport came long after the railroads had already opened up most of the remote and under-developed regions of this country. The grant of subsidies to those modes was intended to exploit their technologies at a faster rate than market demand could accomplish so that the economy might earlier have the new types of services and competitive transport.[16]

Professor Nelson also concluded that as a broad generalization, the American system of mixed enterprise in transport has worked tolerably well. He said that it has produced a fully-developed, large-scale, multiservice and essentially competitive transport system that is the envy of most countries. Of course, when he wrote the United States was not the world's largest debtor nation!

In general, he stated, the promotional policies accomplished their purposes and the government has made a truly important contribution to the American transport system. But as government promotion also has created excess facilities and inefficient transport, this by no means implies that the best and most efficient system has resulted. Nor does it mean that past policies necessarily should be continued indefinitely.[17]

But, looking objectively at the justification for continuing subsidies to domestic transport, it seems clear that most historical reasons for subsidies have disappeared long ago. There is, he said, no present need for land grants to stimulate initial development of railways. Also, motor transport is now a mature and thriving industry, operating over highways with high-type surfaces throughout the land. Although expanding traffic and urban congestion obviously require highway expansion, plainly there is no longer any need for public subsidies to introduce the advantages of motor transport to the American economy! He believed that most needed highway development would come as rapidly as can be economically justified in response to effective demand on the basis of appropriate user fees and tolls. The quick additions of modern highways in congested areas by state-owned toll road authorities suggest that the required facilities would come sooner on a full commercial basis than under existing so-called free-road policies.

Air transport, he said, should no longer be regarded as an infant industry in need of developmental subsidies, except for non-economic subsidization of local and metropolitan airlines to give rural and urban communities more advantages of the air age. The rapid introduction of airline technology did not cease, nor even slacken, with cessation of air-mail subsidies to the trunk lines. He predicted that placing user fees on the civil airways over a period of time would not seriously impede beneficial innovations.

The traffic growth experienced by barge lines on well-located waterways suggests that free channel and lock services are no longer essential to intensive use of inland waterways. Since the traffic on marginal waterways does not rise to efficient levels without user fees, serious questions can be asked concerning the economic justification of continued investment in such waterways.[18]

Professor Nelson believed that the beneficial general results of this country's policy of stimulating economic development through encouraging adequate, efficient and competitive transport with subsidies have long ago been achieved. Today, he said, the problem of transport policy is radically different than during the 1830-1930 period. He also said, "Insufficient attention has been given to this fact in formulating transport policies in recent years."

[16]NELSON, p. 418.

[17]NELSON, p. 418.

[18]*Id.*

The transport problem today, and in the foreseeable future, is to promote the right economic development of each of the five contending agencies, including coordinated services by two or more modes. The primary aim of policy can no longer be to foster initial economic development of the western regions, nor even to hasten the introduction of new transport industries by means of subsidies. This is not to say that transport modes now not visualized will never be invented. Rather, present-day policymakers face well-defined and critical questions growing out of the existing relations among carriers, the current promotional and regulatory policies, and the competitive structure of transport. Thus, it would seem wholly unreasonable to leave the question of what subsidies may be desirable for promoting rapid development of a new transport mode until someone invents it and operations appear to be practicable.[19]

The Past Government Role: Regulation

The remaining general problem of government relations to transport is how best to promote adequate and efficient transport by self-sustaining modes, all paying appropriately adjusted user fees or providing their own way.[20] The concept of "self-sustaining modes" of transportation has, however, come to mean two completely different things, depending on whether the carrier is in the public or private sector. In the corporate form a carrier can seek out a variety of sources of income in the marketplace, whereas the public sector carrier lacks the freedom to engage in commercial activities. So, since farebox revenues are usually a small portion of total costs of operation (and a smaller portion of overall expenses), taxpayers subsidies are thought to be the only way to keep the operation moving. However, as recent calls for freight revenue for Amtrack reveal, if the public sector carriers were returned to the private sector, and enough other revenue attracted, e.g., freight revenues, then the need for taxpayers subsidies would diminish or cease altogether.

It is when we answer the Crucial Question by saying that transportation must solve social problems (e.g., Welfare to Work; Spare the Air; Rebuilding America) that we justify continued taxpayer subsidies.[21]

Professor Nelson asked: "How, then, can the role of government in transport be adjusted to serve a more economic purpose?" And he answered the Crucial Question in this way:

> Is it assumed that government's role is ideal when it encourages provision of essential transport at the least total costs, including social costs.
>
> Over the long run, the role of government can become more economic only to the extent that promotional and regulatory policies are designed to be fully consistent with achieving maximum overall economy in transport and high standards of efficiency in each of the several modes. The national transport problem of today is not to stimulate an initial supply of efficient techniques of transport nor to encourage development of vast underdeveloped land resources, but rather it consists of facilitating the right economic development of each mode of transport, including the essential public way and terminal facilities. Consequently, in the promotional sphere government should not continue subsidy after its economically valid purposes have been accomplished. And so

[19]*NELSON*, p. 419.

[20]*Id.* For an overall, in depth discussion of the implications of deregulation of the transportation industry, see, Paul S. Dempsey, *The Social and Economic Consequences of Deregulation: The Transportation Industry in Transition* (New York: Quorum Books, 1989).

[21] According to an excellent study by Professor Don H. Pickrell, Harvard University, and Transportation Systems Center, U.S. Department of Transportation, Cambridge, Mass., transit subsidies are rapidly increasing to cover growing transit systems' operating losses all across the Nation. Don H. Pickrell, "Rising Deficits and the Uses of Transit Subsidies in the United States," *Journal of Transport Economics and Policy* (Sept., 1985), pp. 281-298.

Comment Letter I015 Continued

much of the nation's capital is involved in public transport investments that they should be limited by fully economic investment criteria and by universal user fees, properly adjusted to the conditions of utilization and to require all transport alternatives and resource costs involved to be considered in expanding public transport facilities.[22]

After WWII a series of detailed government reports analyzed how we failed in practice to attain the goals of the NTP.[23] Professor Farris identified two types of NTP: "informal institutional policy" and "formal statutory policy."[24] In a detailed analysis which is equally valid today, he concluded that the NTP is incomplete and inconsistent and contains indefinable terms.[25] He concluded:

> Undoubtedly the national transportation policy is a *fiction*. As stated in the declaration, it has many shortcomings. It is incomplete, inconsistent, and indefinable. From the point of view of containing generally acceptable ideas, the declaration of national transportation policy is a *fact*. It does contain acceptable goals and it does establish ideals to be sought. Although one may be critical of the goals and ideals, it is a fact that they are indeed present in the declaration. In a word, national transportation policy is both a fact *and* a fiction.[26]

Written when the USDOT was new, Professor Farris accurately predicted that "the executive branch will assume a larger and more forceful role than in the past."[27] Since then, the Crucial Question has been answered time and again by increasing the federal government's role in transportation.[28] For

[22]*NELSON*, p. 422.

[23]The "Sawyer Report" of the U.S. Dept. of Commerce, *Issues Involved in a Unified and Coordinated Federal Program for Transportation* (Wash., D.C.: USGPO 1949); the "Weeks Report" (sometimes called the Cabinet Committee Report), Presidential Advisory Committee on Transportation Policy and Organization, *A Report to the President on Revision of Federal Transportation Policy* (Wash, D.C.: USGPO 1955); the "Mueller Report," U.S. Dept. of Commerce, *Federal Transportation Policy and Program* (March 1960); and the "Doyle Report," prepared for the U.S. Senate, Committee on Interstate and Foreign Commerce, 87th Cong., 1st Sess., by the Special Study Group on Transportation Policies in the United States, *National Transportation Policy* (Wash, D.C.: USGPO 1961).

[24]FARRIS, p. 425.

[25]*Id.*, p. 427-431.

[26]*Id.*, p. 432.

[27]*Id.*, p. 425.

[28]Federal preemption by Congressional action (e.g., Airline Deregulation Act of 1978, Pub.L. No. 91-504, 92 Stat. 1705, Trucking Industry Regulatory Reform Act of 1994, Pub.L. No. 103-311, 108 Stat. 1683, Federal Aviation Administration Authorization Act of 1994, Pub.L. No. 103-305, 108 Stat. 1604, and the Interstate Commerce Commission Termination Act of 1995, Pub.L. No. 104-88, 109 Stat. 803), and Supreme Court construction of the Commerce Clause, the Supremacy Clause, and the Tenth Amendment, have exploded the myth of "private-public partnerships" and "state-federal partnerships" in transportation today. 49 *U.S.C.* §§14501, 41713; *Morales v. Trans World Airlines*, 504 U.S. 374 (1992), *American Airlines v. Wolens*, 513 U.S. 219 (1995), *Kelley v. U.S.*, 69 F.3d 1503 (10th Cir. 1995), *cert. denied*, ___ U.S. ___, 116 S.Ct. 1566, 134 L.Ed.2d 665 (1996); see, generally, Robert E. McFarland, "Section 601 Redux," 4 *The Transportation Lawyer* 23 (1995), and "The Preemption of Tort and Other Common Causes of Action Against Air, Motor, and Rail Carriers," 24 *Transportation Law Journal* 155 (1997); "Federal Preemption of State Consumer

example, the President's Executive Order No. 12893, Jan 26, 1994,[29] requires the agencies to "seek private sector participation in infrastructure investment and management," but reliance on taxes, rather than user fees, e.g., farebox revenues (the passengers' "co-pay" in current parlance) is the choice our elected representatives make as they promise to satisfy everyone's transportation needs. Meanwhile, these criticisms of the NTP remain accurate.[30] There are so many exceptions made to the NTP in the demands of our political process that we honor it more in the breach than the observance.[31] We give lip service to the goal, but reveal our selfish selves by our conduct. Our elected representatives summon us to attack the "federal pot of funds." Ironically, we demand unlimited transportation services at the same time that we demand that government balance its budget. How can we have both? Are we in effect a society "trapped in a preoccupation with the public rather than the private" in seeking transportation problem solutions?[32]

Intermodal Surface Transportation Efficiency Act

ISTEA "broke new ground" in how America's States and metropolitan regions approach transportation planning and investment decision-making, according to the USDOT.[33] According to President George Bush, it was a "jobs" bill, as he said at the ISTEA signing ceremony.[34] ISTEA's hallmarks may be found in its "Declaration of Policy," the very first paragraph of which states:

Fraud Regulations: American Airlines, Inc. v. Wolens, 115 S.Ct. 817 (1995), 18 *Harvard Journal of Law & Public Policy* 903 (1996).

[29]*Executive Order No. 12893,* Jan. 26, 1994, "Principles of Federal Infrastructure Investments," §2(c): Private Sector Participation. "Agencies shall seek private sector participation in infrastructure investment and management. Innovative public-private initiatives can bring about greater private sector participation in the ownership, financing, construction, and operation of the infrastructure programs referred to in section 1 of this order. Consistent with the public interest, agencies should work with State and local entities to minimize legal and regulatory barriers to private sector participation in the provision of infrastructure facilities and services." No definition of "public-private initiatives" is found, or how they may differ from "private-public partnerships."

[30]George Eads, "Economists versus Regulators," *Perspectives on Federal Transportation Policy* (Wash, D.C.: American Enterprise Institute for Public Policy Research, 1975), pp. 101-109. Professor Eads' "conviction" is that "the market, though imperfect, works better than the sort of regulation society is likely to get, barring commissions composed of omnipotent, omniscient, benevolent dictators." Id., p. 108. See, also, Thomas A. Till, "National Transportation Policy: The Need for a Clear Concept," *Proceedings: Fifteenth Annual Meeting Transportation Research Forum* (Oxford, Ind.: Richard B. Cross Co., 1974), pp. 18-22; and Herman Mertins, Jr., *National Transportation Policy in Transition* (Lexington, Mass.: D.C. Heath & Co., 1972), Ch. 8 "Perspective on National Transportation Policy."

[31]Donald L. Barlett and James B. Steele, *America: What Went Wrong?* (Kansas City: Andrews & McMeel, 1992), Ch. 6 "The High Cost of Deregulation," p. 105.

[32]Robin Paul Malloy, *Planning for Serfdom: Legal Economic Discourse and Downtown Development* (Philadelphia, Pa.: U. Penn. Press, 1991), p. 1 (hereafter MALLOY).

[33]USDOT, Report on the U.S. Dept. of Transportation's Outreach on Reauthorization of the Intermodal Surface Transportation Efficiency Act, *How to Keep America Moving: ISTEA-Transportation for the 21st Century*, Jan. 20, 1997, p. 1.

[34]*Traffic World*, Dec. 9, 1991, p. 4.

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> It is the policy of the United States Government to develop a National Intermodal Transportation System that is economically efficient, environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner.[35]

As Professor Farris recognized, the internal inconsistency of the NTP of trying to be economically efficient while satisfying all of the transportation expectations of every person in the Nation continues to make impossible an acceptable answer to Mr. Mineta's Crucial Question. Advocates of competing modes and needs want the available funds spent on their "felt necessities" and not those of someone else. Transportation thus becomes a means to an end, e.g., urban redevelopment, air pollution mitigation, unemployment reduction, infrastructure improvement, etc. Transferring "social costs" to transportation systems to solve myriad social problems and achieve non-transport goals distorts the reality of transportation.[36] Taxpayers want to know what the government is doing taking over the responsibility for unprofitable transportation systems when a free enterprise solution exists in an equitable division of freight revenues between the various modes.[37]

"ISTEA, NEXTEA, BESTEA, HOTTEA, or Jim Jones' Koolaid"

NEXTEA seeks to "continue the successful federal role in developing a national intermodal surface transportation system through programs that ensure the safe and efficient movement of people and goods, improve economic productivity, preserve the environment, and strengthen partnerships among all levels of the government and the private sector."[38] Of course, if by "success" you mean increasing tax burdens to finance nationalized industry, then NEXTEA could become a "successful" successor to ISTEA. The public debate on ISTEA reauthorization curiously omits mention of the Crucial Question. The "web of alliances and interests"[39] clash with coalitions in what *Traffic World* describes as a "titanic struggle" over the federal Pot 'o Funds to be appropriated in the "mother of all transportation bills."[40] Each coalition accuses the other of being "self-serving," while touting their own proposal as best for the public. However, all of them urge greater government subsidies, and therefore, higher tax burdens. Underlying this struggle lies the Crucial Question and the internal inconsistencies in the NTP. The "Divided House" of transportation policy continues to worsen as ever larger taxpayer subsidies (ISTEA-type "investments") are required to fund what would otherwise be bankrupt businesses. It seems as if an "Iron Curtain" has been erected by those advocates of taxpayer funded transportation, creating an

[35]49 U.S.C. §5501(a).

[36]Patrick O'Sullivan, *Transport Policy: Geographic, Economic and Planning Aspects* (Totawa, NJ: Barnes & Noble Books, 1980), Ch. 4 "Transport Problems and Policies," pp. 82-107. The author calls nationalization a form of "constitutional intervention" and a "widely anathematized fate worse than death for private enterprise." It has, however, often been seen as a solution "sought eagerly by owners anxious to convert the failing yield of an ailing enterprise into the secure return of government bonds offered in compensation for their ancient property." Id., p. 108.

[37]Robert Heilbroner & Lester Thurow, *Economics Explained* (New York: Simon & Schuster rev. 1994), Ch. 8 "The Economics of the Public Sector," and "Private v. Public Debts," p. 114.

[38]S. 468, 105th Cong., 1st Sess., March 18, 1997, p. 1. The full text is found on the Internet at **http://ftp.loc.gov/pub/thomas/c105/s468.rcs.txt.** A section-by-section analysis is also available. One coalition, the Surface Transportation Policy Project has written at Website at **http://www.istea.org.**

[39]*Congressional Quarterly*, March 8, 1997, p. 583.

[40]*Traffic World*, March 24, 1997, p. 6-7.

artificial barrier between nationalized transportation and free enterprise transportation. While a privatization revolution is occurring around the world, private sector transportation in the United States is being consumed by politically fueled notions of public ownership which history has shown are not sustainable over the long haul.[41] Metropolitan Planning Organization (MPO) transportation planners say that they are prohibited from even considering private transportation options. Why argue the "Question of Money"[42] when we should be focusing on a sustainable NTP? How can we justify our NTP if we fail to debate Mr. Mineta's Crucial Question? Mr. Justice Douglas said, "there is no free speech in the full meaning of the term unless there is freedom to challenge the very postulates on which the existing regime rests."[43] Some say that we cannot question public ownership of transportation, and any mention of it is "off limits." Artificial barriers to truth, insulating the "untouchables" of their adherents, precludes our ability to attain our goals, warps the notion of the "public interest" to something short of it, deflects tax dollars for private gain, and traps us behind a politicized Iron Curtain and in a "House Divided" against ourselves. Mr. Justice Douglas reminds us of John Stuart Mill's famous logic:

> But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.[44]

Our debate on ISTEA reauthorization, and the NTP, must first answer the Crucial Question because until we decide if we want the public sector or the private sector to handle our transportation needs we are going to suffer the ills of fundamentally inconsistent policy and conflicting goals, and all the adverse financial consequences which follow from them.[45] If we fail to have a sound foundation upon which to erect our transportation systems, why should our fate not be the same as that of the Soviet Union? A debate which does not address the primary issue, which skirts the Crucial Question, is not what we should expect in America.[46]

To those who say they refuse to discuss the Crucial Question, we should reply in President Jefferson's philosophy, stoutly maintained by generations of Americans over the years that "Truth is the proper and sufficient antagonist to error." On January 16, 1787, he wrote:

> I am persuaded myself that the good sense of the people will always be found to be the best army. They may be led astray for a moment, but will soon correct themselves. The people are the only censors of their governors; and even their errors will tend to keep them to the true principles of the institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people, is to give them

[41]John D. Donahue, *The Privatization Decision: Public Ends, Private Means* (New York: Basic Books, 1989).

[42]*Traffic World,* May 19, 1997, p. 11.

[43]William O. Douglas, *The Right of the People* (1958), Ch. 1, "The Philosophy of the First Amendment," p. 9 (hereafter DOUGLAS).

[44]DOUGLAS, p. 14.

[45]See, e.g., *Suburban Trails, Inc. v. New Jersey Transit Corp.*, 620 F.Supp. 1383 (D.N.J. 1985), and also *Westport Taxi Service, Inc. v. Adams*, 571 F.2d 697 (2d Cir. 1978), *cert. denied*, 439 U.S. 829 (1978)(cited by Paul Stephen Dempsey and William E. Thoms, *Law and Economic Regulation in Transportation* (New York: Quorum Books 1986), p. 322-327.

[46]DOUGLAS, p. 9.

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full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.[47]

We debate everything else in the NTP, e.g., how to raise the taxes, where the subsidies will go, what demonstration projects will each Congressman win for his district, but we won't touch Mr. Mineta's Crucial Question. NEXTEA proposes to encourage "private sector participation" in accomplishing ISTEA's goals.[48] While the world is experiencing a privatization revolution,[49] we torture ourselves about balancing the federal budget while we encumber ourselves with nationalized transportation.

"Ask Not What You Can Do For Your Country; What Can Your Country Do for You"

As a philosophy of government, ISTEA is diametrically opposite to that contained in President Kennedy's Inaugural Address, Jan. 20, 1961. Our democratic split personality, legislative hypocrisy, akin to subsidizing tobacco farmers while financing lung cancer research, appears to be a primary philosophy underlying ISTEA. We raise a double standard, saying as we deregulate transportation that only market conditions will set prices, while subsidies to public sector carriers continually increase. Each of the currently pending proposals include the unstated presumption that publicly-owned transportation industries are acceptable. These are (1) the Administration's National Economic Crossroads Transportation Efficiency Act (NEXTEA), S.468, H.R.1268; (2) the Streamlined Transportation Efficiency Program for the 21st Century (STEP 21) by Sen. John W. Warner, R-Va., and Rep. Tom DeLay, R-Tex., S.335, H.R.674; (3) the Surface Transportation Authorization and Regulatory Streamlining Act (STARS 2000), by Sen. Max Baucus, D.-Mont., S.532; and (4) the ISTEA Reauthorization Act, by Sen. John H. Chafee, R-R.I., S.586. According to the Federal Highway Administration estimates, the following sums are the average yearly federal subsidies that we will spend under these four proposals, compared with ISTEA[50]:

ISTEA	$18,221,367,000
NEXTEA	$20,063,973,000
STEP 21	$25,516,563,000
STARS 2000	$25,895,529,000
S.586	$24,327,204,000

A late entry is "BESTEA," the "Building Efficient Surface Transportation and Equity Act," proposed by House Transportation Infrastructure Committee Chairman Bud Shuster (R-Pa.). Which portions, if any, of these competing bills passes and then emerges unscathed from Conference Committee remains in doubt as this is written. The simultaneous outcry is that America must invest in its infrastructure and

[47]DOUGLAS, p. 11.

[48]49 U.S.C. §5303; S. 468, p. 81. See, Letter from Transportation Secretary Rodney Slater to Speaker of the House Newt Gingrich, March 12, 1997, transmitting the Administration's bill to the Congress, found at the Internet site for NEXTEA (see footnote 37).

[49]*Wall Street Journal,* Oct. 2, 1995, pp. R1-4. See, generally, José A. Gómez-Ibáñez and John R. Meyer, *Going Private: The International Experience with Transport Privatization* (Wash, D.C.: Brookings Institution, 1993), Ch. 2, "The Privatization-Regulation Cycle" (hereafter GOING PRIVATE).

[50]*Congressional Quarterly,* May 10, 1997, p. 1067.

balance its budget. If we default to a nationalized industry platform, premised upon tax revenues to fund operations, how can we do both? If nationalized housing did not succeed, why should we expect nationalized transportation to be successful? There are, of course, many proper things that government should do for transportation.[51] But, "what should it leave to others?"

Rickshaws, Lunar Escalator and Bullet Trains

Recent history has shown that planning by Big Brother, with the adhesion of the federal government, and even with the support of a totalitarian dictatorship, is not sustainable over the long run. Only Adam Smith's "Invisible Hand" has emerged as the supreme, although imperfect, platform for successful social structure.[52] Transportation policy as a vehicle for accomplishing other social goals distorts transportation efficiency, yielding problems which the Invisible Hand would have avoided.[53] If transportation is used to achieve our Manifest Destiny, or to promote national security, then you will have trains through buffalo grazing lands and Defense Highways to move MX Missiles. Solving inner city decay, air pollution, unemployment, infrastructure entropy, poverty, discrimination, or tax iniquities are all admirable social goals, but adding the cost of doing so to passenger and freight fares distorts the truth about transportation. There is a difference between what we can do and what we ought to do. If we gave rickshaws to the unemployed we might get some people out of their cars and reduce the welfare rolls, but would that be acceptable in a democracy? If we ignored the cost and built a lunar escalator for sightseers and vacationers, we might please builders, engineers and the tourist industry but what offset would there be in terms of increased tax burdens on small business? If the rider's "co-pay" (farebox contribution) covers only 2% of the fully amortized costs of his trip on the Bullet Train, then 98% must be coming from the rest of us. The rider may think he has transportation freedom, but it is only at the price of enslaving his society.

Political Means Transportation Policy vs. Marketplace

Professor Robin Paul Malloy has suggested a result of such policy. In defense of liberty, human dignity, and freedom, Professor Malloy has set forth a theory of law, economics, and the state which applies as well as to transportation as it does to urban development.[54] Focusing on social distortions in urban planning when citizens face wrestling with The 800 Pound Gorilla called City Hall, Professor Malloy shows us what can happen whenever public ownership prevails over private ownership of property.

Just as monopolies can be bad for consumers of gasoline or cameras, so too can they be bad for individuals when a coercive power is a person (a parent over a child for instance), a group (the mafia or a collusion of chemical companies), or the state itself. A capitalist system of private

[51]General Accounting Office, Report to Congressional Committees, *Surface Transportation: Research Funding, Federal Role, and Emerging Issues* (Sept. 1996), p. 3. The GAO found that the USDOT provided $2.9 billion for surface transportation research programs from fiscal 1992 through fiscal 1996, which was about 2% of the Department's total budget for surface transportation programs. About $2.1 billion went to FHWA, which allocated nearly half of the funds for the Intelligent Transportation Systems program's projects. The GAO has also reported to Congress on the benefits of attracting investment funds from the private sector. GAO Report to Congressional Requesters, *State Infrastructure Banks: A Mechanism to Expand Federal Transportation Financing* (Oct. 1996).

[52]GOING PRIVATE, p. 281. The case studies "provide strong evidence of private sector cost reductions in labor-intensive services."

[53]"Nationalizing of Railroads: A Mistake America Cannot Afford to Make," *Traffic World,* March 31, 1975, pp. 71-72 (Part I), and June 30, 1975, pp. 72-74 (Part II).

[54]MALLOY, p. 39.

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ownership is, therefore, an essential element of a free society, because it is the only context in which the necessary balance between public and private can be maintained.[55]

According to Professor Malloy, competing sources of power are essential for the preservation of an environment favorable to creativity, freedom, and spontaneous social order. He identifies marketplace competition as the essential element and the adverse affects upon it made by public ownership.

> When the product is government, competition means protecting the individual from the tyranny of the state while providing an institutional means, via government, for protecting the individual from private coercion. But as a competitive construct this model tells us something more. It says that there will be constant conflict between the competitive roles or boundaries of the private versus the public domain. Concepts such as public/private partnerships tend to break down and destroy these boundaries. The breakdown of such boundaries is detrimental because tension can produce positive externalities. As in the commercial marketplace, however, losing the will or means to compete can leave one increasingly at the mercy of other, more powerful players.[56]

He concludes that in the Nation today we have witnessed a loss of both will and means in the private sector because our values have changed or are being changed as we look to political means and the "expansion of the state" to accomplish goals like urban development.[57] We are witnessing, he concludes, "the inevitable progression toward statism."

> Without a commitment to a strong private sector as a counterbalance to the public sector, the power of the state is unlikely to be adequately restrained. Thus, the impersonal and spontaneous social order of the marketplace will give way to the pervasive intrusion of state planning and increasing reliance on the political rather than the economic means for the allocation of rights and resources in our society. Such a process of setting the political means over the economic means results in the elevation of personal status over impersonal market outcomes and leads to a new age of serfdom in which *individual* rights are subservient to the group, institutional, and organizational claims of the state.[58]

ISTEA Goals v. Marketplace

Accepted learning for graduate business students holds that too much expenditure on nonwealth creating activities by government may lower the capacity of a nation to create wealth out of which the former activities are financed.[59] Thus, our push toward statism and nationalized transportation undermines our ISTEA goal of enabling the United States to "compete in the global economy."[60] So, if we opt for public sector solutions, i.e., nationalization, we fall into the trap of mortgaging our children's future so that we can have "cheap" transportation now. What is likely to follow from such a

[55]MALLOY, p. 32.

[56]MALLOY at p. 34.

[57]MALLOY, p. 35.

[58]MALLOY, p. 37.

[59]Dunning, *Multinational Enterprises and the Global Economy* (Addison-Wesley Pub., 1993). Professor Dunning concludes, "The fact of the globalization of business and the implications this has for the competitiveness of countries, may then force some societies to reappraise their orders of priorities of resource allocation--particularly between wealth-creating and other activities." *Id.*, at p. 529.

[60]49 U.S.C. §5501(a).

policy? Professors Gómez-Ibáñez and Meyer have shown that in both developed and developing countries, a "fairly similar cycle of private and public involvement" was found to occur in stages identified as follows:

1. Entrepreneurial
2. Consolidation
3. Regulation of fares and franchises
4. Decline in profitability
5. Withdrawal of capital and services
6. Public takeover
7. Public subsidies
8. Declining efficiency
9. Dilemma of subsidy cuts, fare increases, and service cuts
10. Privatization

A House Divided Against Itself Cannot Stand

The double standard we have accepted for transportation in the United States has created a "House Divided." We tell the private sector that they must be deregulated; no more government "Nanny" to protect carriers. Let insolvency reap its grisly toll. Bankruptcy Court waits with open doors. *Laissez faire* and *caveat viator!* Concurrently, no subsidy is spared for the public sector carriers. Transportation "entitlements" mean that the taxpayers will give everyone a "free" ride (or nearly so). Can we exist with both? Massive numbers of bankruptcies are acceptable in the private sector, while the taxpayers offer passengers "free" transit, e.g., "Free Light Rail Shuttle." Taxpayers as "investors" in transportation "industry" accept systems that are insolvent from conception. Have we defeated the Soviet Union only to adopt their mistakes?

Where Are We Heading?

Executive Order No. 12893 directs the agencies to carefully examine all of the factors that our infrastructure investments cause in the economy and society. Section 2(a)(5) states:

> (5) Analyses should consider not only quantifiable measures of benefits and costs, but also qualitative measures reflecting values that are not readily quantified.

Economists and planners urge decisions based upon concrete results of past operations, or sound predictions of future events based upon scientific analyses. Planned urban development has become the entrenched model form of government. But we need to ask what "values that are not readily quantified" by economists and planners are being ignored as we plunge ahead with statism and nationalization of transportation systems in the United States. We need to re-think our policies in terms of our capitalistic roots. A new unit of measurement designated as the equivalent of our heritage of freedom, which we may call the "Jefferson," ought to be required of our infrastructure investment decision-makers under the President's Executive Order. The significance of this precious "not readily quantified" value is seen in Abraham Lincoln's tale of his first transportation enterprise. The institution of private property is the paramount characteristic of capitalism. This vital fact is the most crucial element of our successful economic philosophy, and has had immeasurable impact on our historical survival as a democracy. Lincoln certainly thought so.

> For the rest of his life, Lincoln remembered the day he earned his first dollar. It opened up for him the possibilities of heading out on his own, not just to survive but to succeed.
>
> "You never heard, did you, how I earned my first dollar? I was about eighteen years of age. I was contemplating my new flatboat, when two men came down to the shore in carriages with trunks. "Will you," said one of them, "take us and our trunks out to the steamer?" I was very glad to have the chance of earning something. I supposed that each of them would give me two or three bits. I sculled them out to the steamboat.

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Each of them took from his pocket a silver half-dollar, and threw it on the floor of my boat. I could scarcely believe my eyes as I picked up the money. You may think it was a very little thing, but it was a most important incident in my life. I could scarcely believe that I, a poor boy, had earned a dollar in less than a day--that by honest work I had earned a dollar. The world seemed wider and fairer before me. I was a more hopeful and confident being from that time."[61]

Conclusion

How many "flatboatmen," transportation "Horatio Algers," future free enterprise transportation leaders, and private sector transportation entrepreneurs among the living, and in future generations of Americans, will we deny ourselves by accepting statism and nationalization of our transportation industries? What value should we place upon each one of them? Yes, difficult to quantify, but can we afford to ignore it as we formulate our NTP? How would the President have answered Mr. Mineta's Crucial Question? The American people must insist that our government adhere to both the letter and to the spirit of the President's Executive Order in our NTP for the next century. Let's put the "Jefferson" into our cost-benefit analysis for infrastructure investments at all three levels of our government so that we may achieve the correct answer to the **Crucial Question.**

[61]Phillip B. Kundhardt, Jr., et al., *Lincoln: An Illustrated Biography* (New York: Knopf, 1992), p. 43. What did free enterprise transportation teach the President about free government? See, Honore Morrow, *Great Captain* (New York: Wm. Morrow & Co., 1927), pp. 392-94.

Response to Comments of Joseph P. Thompson, March 10, 2004 (Letter I015)

I015-01

If the HST project is to move forward in California, the Authority believes that the private sector will contribute to its financing. The Authority supports private-sector participation in the implementation and operations of HST in California to the greatest degree possible. In its June 2000 Business Plan, the Authority states, "the public's investment should be limited to that which is necessary to ensure the construction of the basic system" and "private-sector funding to construct major elements of the system would be both practicable and advisable" (Introduction Letter to Governor and Legislature). The Authority's considerable research into global experience in the development of high-speed ground transportation does not support the notion that the proposed HST could be completely privately financed and it would be unrealistic to promote such an approach in California.

Feasibility studies by both the Commission (1993-1996) and the Authority (1997-2000) showed that while HST in California could operate at a revenue surplus, most of the capital costs of the initial system would have to be publicly financed. Both the Commission and the Authority investigated the potential for freight services that would be compatible with the HST passenger services. These investigations concluded that while freight services on the HST tracks could operate at a surplus, the revenue contribution from such freight would be small in comparison to passenger services. The Authority's June 2000 Business Plan assumed an operating income from freight of about $10 million by 2020, and more than $16 million by 2030 (Financial Plan, PFM, November 2, 1999).

Although the Program EIR/EIS is focused on intercity passenger travel, the Authority has envisioned the HST Alternative as having the potential to carry express freight. Section 2.6.3 of the Draft Program EIR/EIS, *Potential for Freight Services,* states that "the proposed HST system could be used to carry small packages, parcels, letters, or any other freight that would not exceed typical passenger loads. This service could be provided in either specialized freight cars on passenger trains or on dedicated lightweight freight trains. In either case, the lightweight freight vehicles would be required to have the same performance characteristics as the passenger equipment. This type of freight could be accommodated without adjustment to the passenger operational plan or modification to the passenger stations and therefore was included in the funding scenario described in the Business Plan." Section 2.6.3 of the Draft Program EIR/EIS also recognizes that a high-speed freight service might also be provided on specialized, medium-weight freight trains.

It would not be practicable for the private sector to completely finance and implement HST in California and in the United States. Every effort to date to build an HST system solely reliant on private sector financing in the United States has failed because the rate of return on investment for the private sector simply has not been enough to outweigh the billions of dollars needed to create and to implement a system. Currently, the United States has extensive highway and air transportation networks which offer relatively low-cost intercity transportation anywhere in the nation.

Comment Letter I016

I016

3-18-04

Dear Sir,

We urge you to consider an Altamont Pass route for high speed rail.

Henry Coe State Park should be preserved

Thank you.

Mr and Mrs. R. Cossins

I016-1

I016-2

Mr & Mrs Robert Cossins
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Sacramento, CA 95814

95814+3704

Response to Comments of Mr. and Mrs. Robert Cossins, March 16, 2004 (Letter I016)

I016-01

Please see standard response 2.18.1.

I016-02

Please see standard response 6.3.1.

Comment Letter I017

03/22/2004 15:38 9166311110 KIM ROSANIA PAGE 01

I017

RECEIVED MAR 22 2004

March 22, 2004

Joseph E. Petrillo
Chairman
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

We are aware that the High-Speed Rail Authority Board will hold public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of the Central Valley Rails to Trails Foundation (CVRTF) to create a much-needed trail on the CCTC corridor. Your support for the alternative downtown route is requested.

Local residents and business leaders have been working to create the CCTC trail since the year 2000, and the Cities of Galt and Elk Grove have weighed-in in support of the trail. Foundations and local recreation groups have helped raise funds to increase community awareness and participation in the creation of this much-needed trail. [I017-1]

Based on a recent survey conducted by CVRTF, property owners adjacent to the CCTC corridor also support usage as a trail for non-motorized recreation and have become accustomed to the rails being unused. Many new residential neighborhoods have been developed immediately adjacent to the CCTC corridor since it was last used about six years ago. In contrast, the alternative downtown route presently supports active rail lines and would pose a less dramatic impact on natural resources, residents and businesses along the corridor, besides the obvious benefit of running into the center of downtown Sacramento.

We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Andrea Birdsall

Andrea Birdsall
7833 Hurst Court
Sacramento, CA 95829

APR-07-2004 18:16 CA Dept of Education 916 319 0156 P.02/02

March 22, 2004

Fran Florez
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

Dear Ms. Florez:

We are aware that the High-Speed Rail Authority Board will hold public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of the Central Valley Rails to Trails Foundation (CVRTF) to create a much-needed trail on the CCTC corridor. Your support for the alternative downtown route is requested.

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Based on a recent survey conducted by CVRTF, property owners adjacent to the CCTC corridor also support usage as a trail for non-motorized recreation and have become accustomed to the rails being unused. Many new residential neighborhoods have been developed immediately adjacent to the CCTC corridor since it was last used about six years ago. In contrast, the alternative downtown route presently supports active rail lines and would pose a less dramatic impact on natural resources, residents and businesses along the corridor, besides the obvious benefit of running into the center of downtown Sacramento.

We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Andrea Birdsall
7833 Hurst Court
Sacramento, CA 95829

TOTAL P.02

Response to Comments of Andrea Birdsall, March 22, 2004 (Letter I017)

I017-01

Please see standard response 6.12.1.

Comment Letter I018

I018

March 19, 2004

RECEIVED
MAR 22 2004

Mr. Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Mr. Petrillo:

Please reconsider the Altamont Pass route for the high speed train. We must conserve the undeveloped and protected land of the Diablo Range. We have no intact ecosystems to spare. Your actions will last many lifetimes and determine the future for wild California. I018-1

Carole Farina

Carole Farina
2998 McGarvey Ave.
Redwood City, CA 94061

Response to Comments of Carole Farina, March 22, 2004 (Letter I018)

I018-01

Please see standard response 2.18.1.

Comment Letter I019

I019

439 Chateau LaSalle Dr.
San Jose, CA 95111

RECEIVED
MAR 22 2004

March 18, 2004

High Speed Rail Authority
925 L St.
Suite 1425
Sacramento, CA
95814

Attn: California High-Speed Train, Draft Program EIR/EIS Comments, May 14, 2004 deadline

Dear Committee Head:

We are writing at the request of the Loma Prieta Chapter of the Sierra Club to urgently request you to include the Altamont route in your considerations to locate a high-speed rail connecting the Central Valley and the Bay Area. We are asking you to vote against a rail through Coe Park and the northern part of the Hamilton Range. I019-1

It is difficult to comment on the unthinkable routes that have been proposed and favored. We, as residents of California, are puzzled as to the logic of cutting through California's precious and, in some cases, protected wildernesses!

California land has meaning – and sprawl, unchained development, and over population injure us in the long run. These must be done with a nod to our wild lands. Hundreds of Californians use these lands for camping, biking, birding, recreating, and simply riding in the car on a Sunday to regain spiritual strength from an increasingly terrible and divided country. I019-2

You would spend *years* cultivating tracks, tearing up *any* area, building construction camps, and creating an unsightly scenario for us who admired our ranges and wild lands for their intangible benefits and beauty and worked to save them.

No conservation area hard won, as it is in California, should fall to this type of "progress" because it is not progress; it is giving in to those voices that are undemocratic and perhaps reside east of us. Wrong, morally wrong. Forget "liberal." This is serious common sense. We wonder how much of a voice U.S. Rep. Pombo (R-Tracy), for instance, has had in this effort to avoid including the Altamont Pass. How wrong headed could one be! We understand that the Sierra Club cannot learn why the Pass has been taken off the board. Is this America, the land of open access to information? Not the one we knew. I019-3

We prefer a route, which bypasses Henry Coe State Park and the Diablo Range. We insist on the re-inclusion of the Altamont Pass. I019-4

No undeveloped and protected lands should fall to this proposed rail system.

As for doing environmental impact statements, it would make it an aimless activity, as you certainly would be impacting the environment. Is there a way not to?

The area east of the Bay Area, the Tracy area, has nothing going for it, in wild lands, but it does have intense development and building of houses, even proposed new towns or village centers; a rail would fit. And nowhere else.

In addition note that this proposed density for Tracy calls for having a high-speed rail in it vicinity, hooking to the Bay Area through crowded Dublin and Pleasanton and those entire metropolitan area south from the Sunol Valley on down to San Jose! I019-5

Thank you for listening. We hope you do.

We pray you take heed, and remember the spirit of Ansel Adams, a true Californian. We hope you take heed before an irrefutable mistake is made.

Regards,

Carolyn A. Straub
Stephen L. McHenry

Response to Comments of Carolyn A. Straub and Stephen L. McHenry, March 22, 2004 (Letter I019)

I019-01

Please see standard response 2.18.1.

I019-02

Please see standard response 6.3.1.

I019-03

Please see standard response 2.18.1.

I019-04

Please see standard response 2.18.1.

I019-05

Please see standard response 6.3.1.

Comment Letter I020

I020

California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814
(916) 324-1541

March 22, 2004

RECEIVED
MAR 23 2004

Attention: Carrie Pourvahidi (Deputy Director)

RE: Proposed High Speed Rail Train
Central California Traction Company rail corridor

Dear Ms. Pourvahidi:

I am OPPOSED to the addition of a high speed rail train running through our neighborhood at Calvine and Vineyard (near Bradshaw) that has been proposed.

When we purchased our home in this neighborhood, we were told they did not know "exactly" what was planned for the corridor running behind our home, but that it would probably be a conservation trail, bike trail, etc. Had we known there was a proposed high-speed rail train, we would never have bought this home. We do not want to live near high-tension wires, etc. because of health concerns. Nor do we want to live near a high-speed train that could pose a safety hazard to our children or families in the neighborhood. I0120-

We want our children to be safe, our neighborhood to be safe and quiet. To install a high speed rail train would threaten the peaceful nature of this area. It would be better suited to place this train in a business area or commerce area more to the west of this area. That would make more sense than to place it in a residential neighborhood!

Would you want a high speed rail train placed directly in your residential neighborhood? These trains are to help people commute to work or travel, and should be placed off the freeway where people can more easily gain access and have a place to park their vehicles.

We support CVRTF's plans to create a safe recreational trail along the corridor for biking, walking, and horseback riding and that will also create a more comfortable habitat for wildlife.

Please reconsider this decision!

Sincerely,

David Heberling
8276 Country Ranch Drive
Sacramento, CA 95829-8143

Response to Comments of David Heberling, March 23, 2004 (Letter I020)

I020-01

Please see standard response 6.12.1.

Comment Letter I021

I021

California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814
(916) 324-1541

March 22, 2004

RECEIVED
MAR 23 2004

Attention: Carrie Pourvahidi (Deputy Director)

RE: Proposed High Speed Rail Train
Central California Traction Company rail corridor

Dear Ms. Pourvahidi:

I am OPPOSED to the addition of a high speed rail train running through our neighborhood at Calvine and Vineyard (near Bradshaw) that has been proposed.

When we purchased our home in this neighborhood, we were told they did not know "exactly" what was planned for the corridor running behind our home, but that it would probably be a conservation trail, bike trail, etc. Had we known there was a proposed high-speed rail train, we would never have bought this home. We do not want to live near high-tension wires, etc. because of health concerns. Nor do we want to live near a high-speed train that could pose a safety hazard to our children or families in the neighborhood.

We want our children to be safe, our neighborhood to be safe and quiet. To install a high speed rail train would threaten the peaceful nature of this area. It would be better suited to place this train in a business area or commerce area more to the west of this area. That would make more sense than to place it in a residential neighborhood! I021-1

Would you want a high speed rail train placed directly in your residential neighborhood? These trains are to help people commute to work or travel, and should be placed off the freeway where people can more easily gain access and have a place to park their vehicles.

We support CVRTF's plans to create a safe recreational trail along the corridor for biking, walking, and horseback riding and that will also create a more comfortable habitat for wildlife.

Please reconsider this decision!

Sincerely,

Patti Heberling
8276 Country Ranch Drive
Sacramento, CA 95829-8143

Response to Comments of Patti Heberling, March 23, 2004 (Letter I021)

I021-01

Please see standard response 6.12.1.

Comment Letter I022

I022

RICHARD & LUCILLE SEELEY

3924 El Caminito Street
La Crescenta, CA 91214

(818) 248-1793

MAR 24 2004

March 21, 2004

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

Gentlemen:

Thank you for forwarding a copy of the EIR/EIS Summary to me. I have only two comments to make and they are as follows:

1) I believe that, in the interest of speed or time traveled, some of the smaller cities will have to be bypassed. For that reason, I would advocate for the elimination of the Palmdale and Gilroy route options to maintain the basic function of HIGH SPEED rail. I022-1

2) Since Maglev is now fully workable, I would hope that this high speed rail project will be able, over time, to be retrofitted for Maglev! I022-2

Keep up your great work. I only hope I will live long enough to see this project operate along, perhaps, with other rail projects statewide. Thank you.

Sincerely,

Richard Seeley

Response to Comments of Richard Seeley, March 23, 2004 (Letter I022)

I022-01

Please see standard response 6.23.1 and standard response 6.3.1.

I022-02

Please see standard response 2.10.3.

Comment Letter I023

I023

RECEIVED
MAR 25 2004

Richard Barton
10479 Corfu Drive
Elk Grove, Ca 95624
March 23, 2004

Joseph E. Petrillo
Chairman
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

We are aware that the High-Speed Rail Authority Board will hold public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of the Central Valley Rails to Trails Foundation (CVRTF) to create a much-needed trail on the CCTC corridor. Your support for the alternative downtown route is requested.

Local residents and business leaders have been working to create the CCTC trail since the year 2000, and the Cities of Galt and Elk Grove have weighed-in in support of the trail. Foundations and local recreation groups have helped raise funds to increase community awareness and participation in the creation of this much-needed trail.

I023-1

Based on a recent survey conducted by CVRTF, property owners adjacent to the CCTC corridor also support usage as a trail for non-motorized recreation and have become accustomed to the rails being unused. Many new residential neighborhoods have been developed immediately adjacent to the CCTC corridor since it was last used about six years ago. In contrast, the alternative downtown route presently supports active rail lines and would pose a less dramatic impact on natural resources, residents and businesses along the corridor, besides the obvious benefit of running into the center of downtown Sacramento.

We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Richard Barton

Response to Comments of Richard Barton, March 25, 2004 (Letter I023)

I023-01

Please see standard response 6.12.1.

Comment Letter I024

I024

High-speed Rail Authority
5 Street Suite 1425
ramento, CA, 95814

RECEIVED
MAR 26 2004

ar Dan Leavitt/Carne Parvahidi:

am writing concerning the trains running through the Henry
e forest areas. If the high-speed rail authority runs
ains in this affected area, they could render it as unsuitable
- park land.

ternatives include building tunnels to lessen the impact,
doubling the parks size in compromise. But with the
ain running through the park regularly, the idea of preservation I024-1
ould be crippled. If the high-speed rail authority
events the route, we can create example for other
rks in the future.

ank you for your time.

Sincerely, Erica Bigler

Michael E
Diane Bigler

A Bay Area Resident

Response to Comments of Erica Bigler, March 26, 2004 (Letter I024)

I024-01

Please see standard response 6.3.1. The Authority will not pursue alignment options through Henry Coe State Park.

Comment Letter I025

I025

Mr. John T. Maybury 2/26/04

Derail the Pork Barrel Express. No high-speed train without good planning. Use Altamont crossing.

John Maybury

RECEIVED MAR 29 2004

John Maybury
1302 Rosita Rd
Pacifica CA 94044-4336

The Nature Conservancy
SAVING THE LAST GREAT PLACES ON EARTH

I025-1

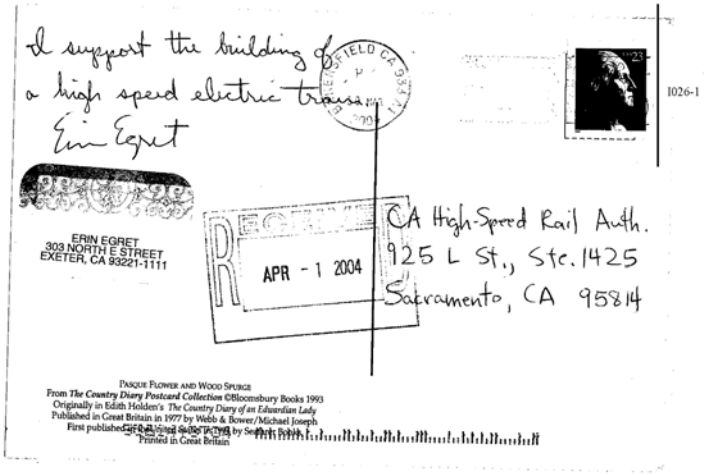
Response to Comments of John Maybury, March 29, 2004 (Letter I025)

I025-01

Please see standard response 2.18.1.

Comment Letter I026

I026


I026-1

I support the building of a high speed electric trains.
Erin Egret

ERIN EGRET
303 NORTH E STREET
EXETER, CA 93221-1111

REGRETS
APR - 1 2004

CA High-Speed Rail Auth.
925 L St., Ste. 1425
Sacramento, CA 95814

PASQUE FLOWER AND WOOD SPURGE
From *The Country Diary Postcard Collection* ©Bloomsbury Books 1993
Originally in Edith Holden's *The Country Diary of an Edwardian Lady*
Published in Great Britain in 1977 by Webb & Bower/Michael Joseph
First published in [illegible] by [illegible]
Printed in Great Britain

Response to Comments of Erin Egret, April 1, 2004 (Letter I026)

I026-1

Acknowledged.

Comment Letter I027

I027

Robert and Lisa Grubb
9888 Cosumnes Rd.
Wilton, Ca 95693

RECEIVED
APR - 7 2004

March 31, 2004

California High-Speed Train
Draft Program EIR/EIS Comments
925 L St., Suite 1425
Sacramento, CA 95814

To Whom It May Concern:

I am writing concerning the proposed high-speed rail line, which will go through the community of Wilton. We are categorically AGAINST any such proposal, which would allow for a high-speed line through Wilton. Wilton is a quiet rural community that is rapidly being encroached upon by development and growth. A rail line of this sort would add noise, congestion and a big-city atmosphere that we are trying to avoid.

We are concerned about the disregard for the wishes of the people of our community, and would like to see the planners and bureaucratic decision-makers give us some respect. We already have the JTS development going in on Clay Station Road, Grant Line Road is approved for a 6 lane expansion, Dillard Road is on the 25 year plan as a 4 lane highway and the mall in Elk Grove is back on the planning books. All of these things add up to the rapid destruction of a quiet rural community. I027-1

Please do your part to protect our way of life and vote NO on the high-speed rail line.

Sincerely,

Robert & Lisa Grubb

Robert and Lisa Grubb

Response to Comments of Robert and Lisa Grubb, March 31, 2004 (Letter I027)

I027-1

Please see standard response 6.12.1.

Comment Letter I028

I028

Rick W. Johnson
P.O. Box 981
Inverness, CA 94937

RECEIVED
APR - 7 2004

April 2, 2004

Mr. Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

I am opposed to routing the High Speed Rail system through the Diablo Range. I believe that the Altamont pass route makes the most sense in terms of reaching population centers and having the minimum environmental impact. Please include the Altamont Pass alternative in the EIR, and I do hope the Authority drops the Diablo Range alternatives. The Diablo range is remote, and much of the proposed routes have sensitive habitat as well as designated wilderness. I cannot imagine any benefits from the new rail system could justify doing such environmental harm. I028-1

The Pacheco pass route is nearly as bad since it will increase sprawl. Instead of solving transportation problems, the new rail system routed through Pacheco will create more problems than it solves.

Thank you for your attention to this matter.

Sincerely,

Rick W. Johnson

Response to Comments of Rick W. Johnson, April 7, 2004 (Letter I028)

I028-1

Please see standard response 2.18.1.

Comment Letter I029

I029

RECEIVED
APR 15 2004

April 14 2004
Camilla Molinari
959 Terrace Dr.
Los altos Ca
94024

Joseph Petrillo Chair
High Speed Rail Authority
925 L. Street, Suite 1425
Sacramento, CA 95814

Gentlemen:

I urgently request that the proposed route through Henry Coe Park be removed from consideration. The altamont Pass would lessen serious impact on the environment and wildlife, which has become increasingly endangered with new encroachment. I1029-1

Thank you for your serious attention to this problem - Altamont Pass would be a kinder solution -

Sincerely
Camilla Molinari

Response to Comments of Camilla Molinari, April 14, 2004 (Letter I029)

I029-1

Please see standard response 6.3.1.

Comment Letter I030

I030

CHEESEMANS' ECOLOGY SAFARIS
Doug Cheeseman, Zoologist & Wildlife Photographer
Gail Cheeseman, Naturalist - Birder
Ted Cheeseman, Conservation Biologist
20800 Kittredge Road
Saratoga, California 95070-6322, USA
Phone: (408) 741-5330 locally
1-800-527-5330; Fax (408) 741-0358
email: cheesemans@aol.com
http://www.cheesemans.com

RECEIVED APR 20 2004

Africa
Australia
New Zealand
South America
Central America
Whale Trips
Antarctica
Alaska
Arctic

April 14, 2004

HSRA
Attn: Calif. High-Speed Train
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Members of the HSRA,

Please vote against routing the rail line through undeveloped areas in the Hamilton Range. A high speed rail can be placed along an already developed route following Highway 152 through Pacheco Pass.

Putting a high transit corridor down Miner Road and through San Antonio Valley would amount to total "ecological ignorance". We hope that the Members of the HSRA are ecologically literate and understand why it is too destructive to valuable native flora and fauna to choose any other route than the already existing Highway 152 and the Altamont route. I030-1

Both through Coe Park and through the northern part of the Hamilton Range are unacceptable in our opinion. We hope that you agree.

Sincerely yours,
Gail + Doug Cheeseman

Response to Comments of Gail and Doug Cheeseman, April 14, 2004 (Letter I030)

I030-1

Please see standard response 6.3.1.

Comment Letter I031

I031

April 15, 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Authority,

"The Draft Program EIR/EIS identifies all alignment and station options for the proposed 700-mile-long high-speed train system." Really? What happened to the Altamont crossing option?

Although I may be coming late to this project and may have missed the explanation of why the Altamont crossing is unsuitable, I still want to know why. It seems like an obvious fit looking at a map. If it has been ruled out, I would expect to see the reasoning somewhere. Without an explanation, it appears that you're "lying by omission". I031-1

Please, so I'm not left with the wrong impression, tell me why the Altamont crossing option is not listed in this draft EIR. Please send you response to me at the following.

Thanks,

Robert S. Means

Robert S. Means
1421 Yellowstone Avenue
Milpitas, CA 95035-6913
408-262-0420 rob.means@electric-bikes.com

Response to Comments of Robert S. Means, April 15, 2004 (Letter I031)

I031-1

Please see standard response 2.18.1.

Comment Letter I032

I032

April 15, 2004

RECEIVED
APR 20 2004

Joseph E. Petrillo, Chairman
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

We are aware that the High-Speed Rail Authority Board has held public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. We support the testimony that was provided by the Central Valley Rails to Trails Foundation (CVRTF) and ask that you support the downtown alignment proposed for the Sacramento to Stockton segment.

Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of CVRTF to create a much-needed trail on the CCTC corridor.

Local residents and business leaders have been working to create the CCTC trail since the year 2000, and the Cities of Galt and Elk Grove have weighed-in in support of the trail. Foundations and local recreation groups have helped raise funds to increase community awareness and participation in the creation of this much-needed trail. I032-1

Property owners adjacent to the CCTC corridor also support usage as a trail for non-motorized recreation and have become accustomed to the rails being unused. I personally have to cross these tracks three times to get home. Many new residential neighborhoods have been developed immediately adjacent to the CCTC corridor since it was last used about six years ago. In contrast, the alternative downtown route presently supports active rail lines and would pose a less dramatic impact on natural resources, residents and businesses along the corridor, besides the obvious benefit of running into the center of downtown Sacramento.

We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Henry D. Pezzoni
Wilton, CA

Response to Comments of Henry D. Pezzetti, April 15, 2004 (Letter I032)

I032-1

Please see standard response 6.12.1.

Comment Letter I033

I033

April 15, 2004

Joseph E. Petrillo
Chairman
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

RECEIVED
APR 20 2004

Dear Chairman Petrillo:

We are aware that the High-Speed Rail Authority Board has held public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. We support the testimony that was provided by the Central Valley Rails to Trails Foundation (CVRTF) and ask that you support the downtown alignment proposed for the Sacramento to Stockton segment.

Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of CVRTF to create a much-needed trail on the CCTC corridor.

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We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Jim & Quincey Roxburgh
10970 Saint James Lane
Wilton, CA 95693

Response to Comments of Jim and Quincey Roxburgh, April 15, 2004 (Letter I033)

I033-1

Please see standard response 6.12.1.

Comment Letter I034

I034

Licensed by the CA Board for Professional Engineers and Land Surveyors
MICHAEL B. SONNEN, Consulting Engineer
1327 San Pablo Avenue
Redlands, California 92373
(909) 798-1290
e-mail: mbsonnen@dslextreme.com

RECEIVED APR 20 2004

April 15, 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814

Ladies and Gentlemen:

SUBJECT: Draft Programmatic EIR/EIS -- COMMENTS

On two separate occasions I have received copies of the Authority's brochure: "Opportunity to Comment on California's Proposed High-Speed Train System," I suppose because I had attended Scoping meetings and made extensive, if hand-scribbled, comments then. So, having been asked twice more to comment, and having read your report on-line, I succumb to the temptation(s) to say anything further, as isolated and fruitless a single voice as mine may be.

Given the futility with which an unhopeful critique is viewed, even if for a most inauspicious inexpedience that may hurtle along anyway with fanfare and broad backing, I shall be brief.

Succinctly, my four comments are these:

1) The selected 'Alternative' (to the described high-speed train -- HST -- project) is NOT likely to be instituted (in the alternative) and is hence a fatally flawed straw man. Additionally, regardless of the actual wording of either NEPA or CEQA, an EIR/EIS ought NOT attempt to be a 'decision document' that attempts to answer whether either alternative should be constructed. The document should MERELY serve as a comparison of 'this' project's impacts with 'that' other project's impacts. I034-1

2) The environmental impacts of the HST project are likely trivial, wholly mitigable, smaller than those of 'the' or any alternative, and largely irrelevant. Energy needs and costs, though, are likely to be insurmountable for centuries.

3) The only alternative worthy of comparison with a worthy HST project is air travel, now hopelessly bogged-down in security concerns; the HST project's EIR/EIS omits or overlooks nearly identical security problems for rail travel and that its unarguably much slower operation than air travel makes it unable to I034-2

High-Speed Rail Authority, 4/15/04, p. 2.

displace, improve upon, or compete cost-effectively with BART- or Metrolink-like systems. I034-2 cont

4) The intrastate demands anticipated in your report for additional interregional California-citizen passenger rail travel, at any speed(s), are not substantiated. 'The project' and its alternative(s) are simply not needed today and will not be needed by 2020.

It is conceivable that events will make a high-speed rail system both feasible and attractive for California by (roughly) 3030. At that juncture, there will be 100,000,000 people resident in the state, fusion energy for the production of inexhaustible electricity will have been perfected and placed on-line via atomic-energy plants buried within the Sierra Nevada mountains -- apparently placed there by tectonic serendipity for the purpose, with one-half of the HST's major-axis elliptical track(s) stretched from north of Mt. Shasta 'down' to Otay Mesa at roughly 3,500 feet (msl) and the other at about 350 feet -- not so much because that is the least-cost routing, but because it is the prettiest and, even more simply because, in the above-ground, highly educated, and well-lit environment of that century's *homo sapiens*, (irrespective of the fates then of the milk vetch and the red-legged frog): Whatever is thought can be. I034-3

Respectfully submitted,

Michael B. Sonnen, PhD, P.E.

Response to Comments of Michael B. Sonnen, April 15, 2004 (Letter I034)

I034-1

The Modal Alternative includes a combination of potentially feasible highway and aviation system improvements; quantifiable capacity enhancements, primarily additional through lanes, passenger terminal gates, runways, and associated improvements. The Modal Alternative is a good representation of the potentially feasible infrastructure which could accommodate the same level of future intercity travel demand in the same geographic markets as the HST Alternative, and thus provides a useful comparison to the proposed HST alternative. In addition to providing a comparison of potential impacts of various alternatives, the Draft EIR/EIS identifies a preferred system alternative and the Final EIR/EIS will identify preferred alignment and station alternatives for the HST system, consistent with the provisions of CEQA and NEPA.

Section 3.5 of the Draft Program EIR/EIS provided an overview of the potential operation and construction impacts associated with both overall energy use and electrical energy use for the existing conditions and the No Project, Modal, and HST Alternatives, and indicates a potential reduction in overall energy use related to the proposed HST system, as compared to the other alternatives. Please see standard response 3.5.3 in regards to the discussion of energy use in the Draft Program EIR/EIS.

I034-2

The HST system would not serve the same markets and would not compete with local and regional commuter services such as BART and Metrolink. The the total trip times of HST would be very competitive with other modes of transportation (air, automobile) as described in Section 3.2 *Travel Conditions* of the Program EIR/EIS. Please see standard response 2.8.1 regarding HST security.

The Modal Alternative focuses on air and highway travel improvements, since they are the current predominant modes for intercity trips. A Modal Alternative that would accommodate the representative intercity demand solely within the aviation mode of intercity transportation was considered and rejected as unreasonable. The analysis showed that improvements to the aviation system alone would not be practical and feasible to accommodate all of the representative intercity travel demand, since air travel would not be competitive for trips less than 150 miles (240 km). (Draft Program EIR/EIS, page 2-16) Please see standard responses 2.1.1 and 2.1.2 in regards to the ridership and revenue assumptions for HST.

I034-3

Support for the estimated interstate travel demand increase anticipated in the Draft Program EIR/EIS is provided in Chapter 1 *Purpose and Need* and Chapter 2 *Alternatives*. These estimates are based on the best available data and accepted methodology for such projections. Please see standard responses 2.1.1 and 2.1.2 regarding the HST ridership and revenue assumptions.

Comment Letter I035

I035

RECEIVED
APR 22 2004

April 19, 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA. 95814

Mr. Petrillo-

The purpose of this letter is to express my deep concern regarding the proposed routes for the new high speed rail project your committee represents. I learned recently that two of the proposed routes go directly through my neighborhood here in Morgan Hill and proceed across the Diablo Range to connect the main line somewhere near Merced. With regards to these two routes, one goes directly through Henry Coe Park, and the other along its northern border, both of which will have a devastating effect on the local environment. I find both these routes deeply concerning as I and many of my fellow South Bay citizens use this park and the adjoining foothills for recreation, along with the various forms of wildlife and flora that call it home. I can not help to think that there are also must be many cost and engineering concerns along with the obvious environmental ones associated with these routes. I035-1

Let me say that I think the project is a wonderful one, and I fully support the concept. That said, I was surprised when I also read that the original proposed Altamont Pass route was not being considered. I, along with a lot of folks I have talked to, we were under the impression that when the project was passed it was the route shown in the election literature and would then be the proposed route. It made good sense, being as that route is the most direct to the Central Valley and is a natural pass with development and infrastructure already in place. I am perplexed in why this route was dropped from the review process, and why. I035-2

I finish in asking that you and your committee remove the Morgan Hill/ Diablo Range routes from consideration, and re-add the Altamont Pass route to the review process. I035-3

Thanks you for your time.

Sincerely,

Jim Arthur
Morgan Hill, CA.

Response to Comments of Jim Arthur, April 19, 2004 (Letter I035)

I035-1

Please see standard response 6.3.1.

I035-2

Please see standard response 2.18.1.

I035-3

Please see standard response 6.3.1.

Comment Letter I036

I036

LAW OFFICES OF
LOUIS ONEAL
96 North Third Street, Suite 500
San Jose, California 95112

Louis Oneal
Attorney At Law

(408) 293-0463
Fax (408) 293-9514

RECEIVED APR 23 2004

April 22, 2004

PERSONAL AND CONFIDENTIAL

Mr. Rod Diridon
Mineta Transportation Institute
210 North Fourth Street, 4th Floor
San Jose, California 95112

Dear Rod:

Thank you for agreeing to get this information to the proper persons on the High-Speed Rail Authority.

I think it would be helpful if they were to know some facts about the history of the Isabel Valley Ranch and some current facts about the species of wildlife which currently reside there, as well as a little information about the bird life, both of which are supported by the sources of water on the ranch, which sustains their life and the existence of the trees, shrubs, brush and grasses contained on the property.

I would like to point out to these folks that the property now contains one of the larger herds of Tule Elk which Julie Packard, in conjunction with the State of California Fish & Game Department, has reintroduced many years ago on the Hewlett Packard land. She also reintroduced antelope and for whatever reason, both species migrated to our ranch where we now have between 300 and 400 in residence. I might here note that the Packards have retained many of these animals on their ranch, and would make the observation that it would be almost impossible coming through the Diablo Range not to have to go through the Packard Ranch to reach our ranch. I am sure you will be hearing protests from the Packard's interest. I036-1

In any event, in addition to the elk and antelope, which were once indigenous to the Diablo Range, we have a large number of California Black Tail Deer, mountain lions, bob cats, wild pigs, coyotes, two species of foxes, opossums, skunks, badgers, two varieties of squirrels (tree/gray and ground/brown), jackrabbit, cotton tail rabbits, and according to the Audubon Society 150 different varieties of birds, some migratory, but the vast majority in permanent residence on the Isabel. We have some bald eagles and golden eagles, osprey, many species of hawks and birds of prey. We also have frogs, salamanders and different varieties of snakes. According to botanists, we have a huge variety of trees, shrubs, flowers and grasses. I will, if you deem it necessary, provide reports on any or all of these resources.

Of the approximately 11,500 acres of the Isabel Valley Ranch we have discovered, over the past fifty-five years of our ownership, several Indian artifacts and burial grounds. On several occasions, back in the 1960's at the request of the University of California and San Jose State, we allowed the Department of Archeology to explore some of these sites and retrieve for their studies artifacts which they discovered. For your information, some of these artifacts were carbon dated at 2,000 years old. Also for your information, the Indian burials, which were exhumed, were reburied in the same spot. We have left, according to the professors, several hundred burial sites.

Historically the DeAnza Party in the 1700's described in their explorations by journals that members of that party kept, the Isabel Valley and many of the Indian Tribelets that occupied the area. Of interest is the fact that our son Jim discovered a hand forged silver inlaid Spanish spur in one of the canyons on the ranch. According to the experts in such matters, the spur was from the 1700's and no doubt was a remnant of the Spanish Explorers who came through the area.

We have on the ranch a series of canyons which descend from what is known as Castle Ridge. Our ranch is on the eastern slope while the Hewlett Packard and the LeDeit Ranches lie on the western slope. There are, as in most of all of these canyons, springs which water experts tell us come from the aquifers to the valley from the Sierra snow packs, and provide water for, not only the vegetation, but for all the wild life and bird life which the area contains. I036-1 cont

I would also like to point out as my brother did at the hearing in San Francisco, that all of the water that passes through the Isabel Valley, be it Smith Creek or the Isabel Creek, flows around the north end of Mt. Hamilton, where the two creeks join and empty into the Calaveras Reservoir behind Milpitas, which is part of the San Francisco Water Company and is a part of the water supply for that City.

All of the owners, which consists of the Oneal Family, the Swenson Family, and the McDonald Family have sought and maintained the property in its natural state. We have encroached a bit by getting electrical service to the property, which we did not have when acquired in 1947, and more recently telephone access through cable into our ranch and into the ranches of our neighbors. We fully appreciate how lucky we are to have access to the Isabel and have made it a point to share it with others; be that Boy Scouts, father/son, father/daughter, fishing derbies, church groups and a host of friends of all of our families.

Comment Letter I036 Continued

Mr. Rod Diridon
April 22, 2004
Page 3

Essentially we are 18.4 miles from San Jose, living in a time wharp, which is essentially the same as it has been for hundreds of years, except for the amenities (phone and electricity), and the existence of several man-made lakes, which are stocked with trout, bass, blue gill, crappies and catfish. They also are stopping points for the waterfowl which migrate from Canada to Mexico along the Pacific Fly Way.

Rod, I think it is unfortunate that the owners of property behind Mt. Hamilton, many of whom have been in ownership of the properties for many generations from the 1800's forward, have not been advised of the fact that their properties are being discussed by the High-Speed Transportation Authority. Many of them, including the Gerber Family who own most, if not all, of the San Antonio Valley have been in the ranching business there since the 1800's raising cattle. I would think that to the extent that their knowledge of the country might benefit your engineers, you might want to contact them to seek whatever information they have gained about environmental issues over the past 100 years. Perhaps the best way to do that would be through a contact with the Mt. Hamilton Range Improvement Association, which is comprised of most, if not all, of the owners of property east of Mt. Hamilton. They could prove to be a tremendous resource for your staff in ascertaining the advantages or disadvantages of choosing a route through the Diablo Range. I036-1 cont

Meanwhile, if you have any specific information which you would like me to provide, I would be happy to do so.

I would think it would be advisable for the Authority to keep the property owners advised as to the planning of access to the San Joaquin Valley, so that they might plan their futures and the futures of their children.

Warmest regards,

LOUIS ONEAL

LO:prt

Response to Comments of Louis Oneal, April 22, 2004 (Letter I036)

I036-1

Acknowledged. Please see standard response 6.3.1.

Individual property impacts are not identified at the program-level of environmental analysis and the broad public outreach conducted was appropriate for preparation and review of the Draft Program EIR/EIS. Notice to property owners that may be directly affected would occur during project-level environmental reviews.

Comment Letter I037

I037

2355 Jane Lane
Mountain View, CA
94043
24 April 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA, 95814

Dear Mr. Petrillo:

I have been reading about the proposed High Speed Rail link between Northern and Southern California. I am a supporter of the plan because of its environmental and economic benefits. I am not a supporter of the proposed routes through the Diablo Range though. Wild lands and threatened species habitat should not be sacrificed to this project. I recommend that the route up through Stockton and the Sacramento Delta using existing rail right-of-ways. I037-1

Sincerely,

David Erskine

RECEIVED
APR 27 2004

Response to Comments of David Erskine, April 24, 2004 (Letter I037)

I037-1

Please see standard response 6.3.1.

Comment Letter I038

I038

April 15, 2004

RECEIVED
APR 27 2004

Joseph E. Petrillo
Chairman
High-Speed Rail Authority Board of Directors
925 L Street, Ste. 1425
Sacramento, CA 95814

Dear Chairman Petrillo:

We are aware that the High-Speed Rail Authority Board has held public hearings on the recently completed EIR/EIS study on March 23, 2004 in Sacramento. We support the testimony that was provided by the Central Valley Rails to Trails Foundation (CVRTF) and ask that you support the downtown alignment proposed for the Sacramento to Stockton segment.

Based on the summary available on the Authority's web site, we understand that the Central California Traction Company (CCTC) rail corridor is one of two possible alignments being considered for the high-speed rail project between Sacramento and Stockton. Our family opposes using the CCTC corridor for this purpose and instead supports the mission of CVRTF to create a much-needed trail on the CCTC corridor.

Local residents and business leaders have been working to create the CCTC trail since the year 2000, and the Cities of Galt and Elk Grove have weighed-in in support of the trail. Foundations and local recreation groups have helped raise funds to increase community awareness and participation in the creation of this much-needed trail. I038-1

Property owners adjacent to the CCTC corridor also support usage as a trail for non-motorized recreation and have become accustomed to the rails being unused. Many new residential neighborhoods have been developed immediately adjacent to the CCTC corridor since it was last used about six years ago. In contrast, the alternative downtown route presently supports active rail lines and would pose a less dramatic impact on natural resources, residents and businesses along the corridor, besides the obvious benefit of running into the center of downtown Sacramento.

We ask that you take into consideration the fact that our community already has plans to use the CCTC corridor and request that the High Speed Rail Authority Board of Directors support the alternative downtown alignment.

Thank you for your attention to this important issue.

Sincerely,

Robert Herring
Wilton, CA

Robert Herring
Frances Herring

Response to Comments of Robert Herring, April 15, 2004 (Letter I038)

I038-1

Please see standard response 6.12.1.

Comment Letter I039

I039

RECEIVED
APR 27 2004

Edith B. Locke
12285 Cipero Court
San Diego, California 92128-2723

FAXDPMEDD@aol.com

To Rail Authority 4/23/04

Gentlemen -

I read a interest of the possibility of a fast rail South of L.A. I realize the proposed route is on the map in black. There is also an orange route a bit southeast to a point in Antelope Valley.

LAX has outgrown its space as an airport. It seems to me that another airport in Antelope Valley would be feasible provided there was a fast rail service to move air passengers quickly

I039-1

into the city of L.A -

I know there has been some talk about this Lancaster-Palmdale location in the past. and I was wondering if this is a possibility in your plans.

I039-1 cont

Sincerely

Edith B. Locke

Response to Comments of Edith B. Locke, April 23, 2004 (Letter I039)

I039-1

Please see standard response 6.25.1 and standard response 6.23.1.

Comment Letter I040

I040

RECEIVED SEP 2 0 2004

Comments on Program DEIR for California High Speed Rail

By Michael E. McGinley, P.E.
3340 Santa Carlotta Street
La Crescenta, CA, 91214
Calif. Civil 24900

I am a California native and a California registered Civil Engineer, 60 years of age. I am a regular Metrolink commuter and use the Surfliner and San Joaquin trains 2-6 times each year. I strongly support the construction of a High Speed Rail system as one component of building (and restoring) California's transportation infrastructure. Thank you for considering these comments.

General: Choice of Technology:

High Speed trains affect the comfort of passengers when they pass through tunnels due to aerodynamic pulses at tunnel portals and when trains pass. The California HST should be designed with a pressurized cabin to eliminate this discomfort and to present the public with the best available technology. The Korean system (which has a high percentage of tunnels) uses pressurized cabins. The French TGV does not, and passage through tunnels is quite unpleasant. I040-1

Page S-3, Item S.3

I believe that these four comments (or the concepts behind them) should be incorporated into the EIR in order to place the HST project in the whole context of transportation infrastructure and how to frame the choice between HST, no-build, and other modes.

1) In the discussion of deciding upon a mode to meet the transportation demands of California consideration should be given to the inability of the "no-build" and the two competing modes (air and automobile) to meet the needs of all significant groups of travelers. Persons who are unable to fly or drive due to health reasons, or who cannot afford automobiles (and their associated costs including insurance) are under-served by any option to expand air and/or auto travel. These groups include the elderly, disabled, young, and poor segments of the population. In particular, as a 60-year old, I am concerned that the elderly component of the state's population is denied transportation with only highway options. I believe that the HST should be strongly presented as the choice that best serves these populations. I040-2

2) An additional consideration of a HST system is that it provides redundancy for transportation. Extreme conditions (e.g. petroleum shortages or terrorist acts) could again disrupt highway or air travel; with three instead of two options for travel, transportation infrastructure is more able to adjust to unknown future conditions.

3) The "no build" and "modal" alternatives may be viable if petroleum remains a plentiful resource. The HST relies on a variety of energy resources and therefore is capable of providing economical transportation in the event of disruption of and/or high priced petroleum markets. The other alternatives would fail to provide their promised transportation under such scenarios. I040-3

4) The DEIR assumes a complete HST system would be constructed and placed in operation as one complete project. In actual practice, there are several elements of the HST system that could be constructed and placed in operation incrementally. One example is the Los Angeles to Bakersfield segment; it could be operated as an extension of the present "San Joaquin" service simply by changing locomotives at Bakersfield pending the completion of the HST lines further north. Another example with high immediate but local value is the Los Angeles to LAX segment. Also, if the initial operating segments prove to be viable additional routes, route extensions, and other enhancements will be supported by the public and built. The HST planning should consider future configurations for the connecting points for likely added routes and lines. I040-4

Figure S.4-2 and page S-5 Item S.4.4.B

The Grapevine option is superior to the Antelope Valley route for the state transportation demands as a whole; the Antelope Valley route best serves local Los Angeles interests, possibly including Palmdale Airport access. Eventually both should be built. Because the additional travel time via Antelope Valley could severely weaken the HST competitive position vs. air travel for the largest market (LA to Bay Area), the Grapevine route should be built first. It is a deviation from inter-regional transportation principles to detour and slow down the HST to serve commuting markets in Los Angeles County. That said, perhaps an extension of the HST line could/should be built to the Antelope Valley similar in concept to the feeder line to Orange County as they both serve important local interests. I040-5

In comparing operating costs, ridership, and revenues between the Grapevine and Antelope Valley lines, high ridership between only Los Angeles and Antelope Valley implies that trains running the whole route have many empty seats north of Antelope Valley or that some trains make Los Angeles-Antelope Valley round trips. The EIR should explain what operating models were used to develop the ridership and operating cost estimates. To a professional railroad operations manager the Antelope Valley operation appears to be over-simplified.

Comment Letter I040 Continued

In choosing to initially construct either the Grapevine or Antelope Valley route between Los Angeles and Bakersfield, the HSRA should configure the connecting points to facilitate building the unchoosen route at some time in the future without impacting the then-operating HST line. I040-5 cont

Page S-6, Item S.4.4.D

Beach enhancement would probably be a less expensive mitigation than tunnels for the route segments through San Clemente. Unrelated to railroad activities, beach communities have suffered beach erosion: perhaps an expanded beach on the seaward side of tracks would be a "win-win" compromise between the beach communities and the rail construction authority. With a wider beach the footprint of the two-track corridor and pedestrian over/underpasses would be mitigated by the added recreational areas and landscaped buffers. The HST project could import sand and widen the beach under the same concept of construction mitigating wetlands or other environmental projects. I040-6

Page S-8, Items S.5.3 and S.5.4

The HST alternative should not be represented as a "cure" for highway congestion but rather as an attractive, viable, economical alternative to highway and/or air travel. There are a large number of trips that are only viable by automobile; the goal of the HST is to offer an attractive alternative mode for as many travelers as practicable; those who do not need their automobiles for trips. This should be explained to the public at the time they will be asked to vote for funding and for approval of local design alternatives. To this end, the public should not be led to believe that a vote to support HST is a vote against reasonable investment in highway infrastructure but rather it is a vote to relieve the highways that are parallel to the HST of a large fraction of future trips. I040-7

Page S-15, Item S.6

Using existing freight (or mixed freight and passenger) rail corridors is quite acceptable provided that ALL the tracks are grade separated from all streets. If the HST tracks are built as grade separated and the existing tracks remain at grade then there is no practical way to grade separate the existing tracks in the future and our community is left with the safety and noise impacts of at-grade crossings. I040-8

The use of existing rail corridors poses problems of exposure to residential and other receptors, often with environmental justice implications. One suggested way to mitigate such impacts and possibly gain acceptance for these desirable routes would be to design them as "linear parks". Every effort should be expended to make them an attractive, landscaped element of the community. Parallel multi-use trails and sections on viaducts with parking or other uses underneath the structure may be acceptable. I040-8 cont

Consideration should be given to sound walls just high enough to diminish wheel noise; good aerodynamic design can reduce carbody and pantograph wind noises. Short walls are less of a visual intrusion on the communities and they offer HST train passengers a view. I040-9

Page 6-10 San Jose to Merced Alignments

This segment is attempting to satisfy two somewhat exclusive interests: to create the fastest route from the Bay Area to both to Sacramento and to Los Angeles. At a far future time both markets may be served by separate routes, it may be best to choose the Pacheco Pass route for the first HST network so that it will provide optimum service to the biggest market (LA to Bay Area). Track and structures should be configured to enable future direct routes (perhaps via Altamont Pass) to be grafted onto the first HST system without undue construction impacts. I040-10

Pages 6-25 to 6-39 Stockton to Bakersfield Alignments

Use of the UP alignment offers two advantages related to the existing "San Joaquin" train service. First, there would be less construction impacts to the present train performance; the CA sponsored rail passenger service should be encouraged both as feeder to the HST and as a cultural and economic choice by travelers. It should not degraded by the HST construction. Second, the BNSF/San Joaquin service could survive with its different set of station cities as a supplementary service and not be extinguished upon completion of HST. I040-11

Page 6-47 Section 6.4 Bakersfield to Los Angeles

Refer to my comments for S 4.2 and S 5 above. The Grapevine route is best for the state as a whole, yet the ultimate HST system may be best configured with a separate feeder line from Los Angeles to the Antelope Valley. I040-12

Page 6-57 Bakersfield to Los Angeles Stations

The best HST station site for Burbank is the airport because it connects with air travel and with the supporting business (car rental, hotel, etc.). Travelers destined for Burbank/Media City could either transfer to Metrolink at Sylmar or Los Angeles, or utilize a shuttle/people mover between the airport and the Media City site. I040-13

Comment Letter I040 Continued

Page 6-57 Burbank Metrolink/Media City Station:

The existing Burbank station is more than a mile from Griffith Manor Park (it is between Western and Sonora, about 0.2 miles southwest of the tracks). This would not appear to be a potentially impacted resource. Two City of Burbank parks (McCambridge and George Izay) are less than a mile away, however they are also separated from the station site by several city blocks of urban land use and should not be affected. I040-13 cont

Page 6-58 & 59 Los Angeles Station

The description is difficult to follow without a map to describe the route connections for each station option or a detailed drawing of the station options.

A stub-end design for HST at Union Station appears to be a poor use of this valuable space. Stub end stations need more track infrastructure because trains dwell there for enough time to reverse directional controls and to perform between-trip servicing. A run-through configuration has two advantages: first, it leads to faster service with better connections beyond Los Angeles and second, more trains per hour can serve each platform track. I040-14

Refer to comments below for Los Angeles Airport service. If Los Angeles Union Station is configured as a run-through station, two examples of through service are practicable. First, service to/from the airport extending on to either one of the Orange County services and second, the Northern California super speed electric trains continuing through Union Station and directly on to San Diego via Ontario and the I-15.

Page 6-60 Los Angeles to San Diego via Inland Empire

Planners for the Alameda Corridor East agency have proposed that the UPRR "Colton" alignment is to be severed in west Pomona in order to avoid building a grade separation for Temple Ave. Their design is for this (presently freight and Amtrak) route to be diverted about 1/3 mile southward onto the "Riverside" corridor for a distance of about 2 miles in order to take advantage of the existing overpass of Temple Ave. While this may work as a freight speed alignment it is probably not an acceptable alignment for a viable HST nor is it reasonable to assume that the footprint of the Riverside corridor can accommodate both the added freight tracks and the added HST tracks. The HST may have to revert to the original "Colton" (former Southern Pacific) alignment and construct an aerial section to go over Temple Ave. I040-15

Other parties have explored HST and MagLev as systems to connect Las Vegas, Nevada, to this region; most of these designs pass near the Ontario Airport and/or the I-15 alignment. This HST planning project should include provision to interface with other modes or eventually have a connection built to take a California HST system to Barstow and eventually Las Vegas. I040-15 cont

Page 6-79 Los Angeles to Los Angeles Airport (LAX)

This line would be well served by a station at Long Beach Ave. and Slauson Blvd. to provide intermodal connection with the LAMTA Blue Line LRT.

This line should extend through an LAX station in order to avoid the congestion and delays of an end-of-route stub end station. A logical end point would be a maintenance base and turn-back facility at a site south of LAX, possibly in the industrial zones along Aviation Blvd. Another option would be to continue south to Torrance or even San Pedro. I040-16

Operation planning for this line should consider pairing it with either the LOSSAN HST to Irvine or the LOSSAN Corridor non-electric service to San Diego (and therefore operating the San Diego via Inland Empire service as an extension of the northern routes).

Page 6-81 and Map 10 Los Angeles to Orange County

The optimum combination of services is to have HST on the UPRR alignment to Anaheim and also to San Diego via the Inland Empire; leave the LOSSAN corridor to the continually evolving Metrolink and California Division of Rail "Surfliner" or similar services, and maintaining the freight capacity on this route.

Use of the UPRR corridor provides excellent intermodal connections with the Metrolink/Amtrak Anaheim station and (presumably, see below) the Norwalk Green Line station. Anaheim has been designated as the south end of proposed HST and MagLev systems that connect Las Vegas to this region; this would be another useful intermodal connection. I040-17

The Norwalk station for HST on the UPRR alignment must be made to connect with the LAMTA Green Line, this provides opportunities for connections to LAX.

The LOSSAN corridor is severely constrained by freight capacity issues from Los Angeles to Fullerton; it should be avoided as a route for new modes unless additional right of way width is purchased for any added HST tracks.

Comment Letter I040 Continued

The "optional trench" between Santa Ana and Orange is very difficult to design and build. It is constrained by the I-5 freeway underpass on the south and by Santiago Creek on the north. The only place for a temporary track to be located during construction of this segment is in Lincoln Street; it is highly unlikely that the community would accept a long closure of this street. A better alternative would be to grade separate 17th street. I040-17 cont

Page 6-87 and Map 11 Orange County to Oceanside

While the proposal to bypass sensitive beach areas with tunnels is attractive to the residents of San Clemente it degrades the quality of the passenger experience by placing riders in a tunnel instead of within viewing distance of the ocean.

For a small fraction of the cost of the tunnels proposed to mitigate HST impacts to the beach areas the HST authority could import sand and expand the beaches. With a large mitigation ratio (say 5:1) the beach experience would be greatly enhanced for the residents and visitors to San Clemente and a secured right of way could be established (with suitable pedestrian over/under crossings). I040-18

Response to Comments of Michael E. McGinley, April 29, 2004 (Letter I040)

I040-1

The HST equipment (train cars) would be pressure sealed to maintain passenger comfort regardless of aerodynamic changes along the line. The description of the HST Alternative in the Final Program EIR/EIS has been updated to include this provision.

I040-2 and -3

Acknowledged. The co-lead agencies also concur that the HST system provides redundancy for transportation, provides flexibility because electricity from the grid is produced by a variety of sources, both petroleum fueled and non-petroleum fueled, and reduces reliance on petroleum. The following text has been added to the Summary of the Program EIR/EIS:

"HST also provides system redundancy in cases of extreme events such as adverse weather or petroleum shortages (HST trains are powered by electricity which can be generated from non-petroleum or petroleum-fueled sources; automobiles and airplanes currently require petroleum)."

I040-4

The Draft Program EIR/EIS does not assume "a complete HST system would be constructed and placed in operation as one complete project," but analyzes the potential impacts of the proposed system. The system could be constructed and placed in operation incrementally. The phasing of the HST system, however, is beyond the scope of this Program EIR/EIS. Please also see standard response 10.1.7.

I040-5 and -12

Please see standard response 6.23.1. Please also see standard response 2.36.1.

The conceptual operating plan for the HST system is described in Section 2.6.2 *Conceptual Service Plan* of the Draft Program EIR/EIS. This plan is described in more detail in the Authority's June 2000 Business Plan, and the ridership and revenue and corridor evaluation technical reports that support the Business Plan. Ridership and revenue for the Palmdale (Antelope Valley) to Los Angeles market are not included in the intercity ridership forecasts since these are trips within the Los Angeles region. A study of potential long-distance commuters using the HST service was also done as part of the ridership and revenue investigations by the Authority. It was assumed that service for long-distance commuters would largely be provided on the local and suburban express trains serving the intercity market. These forecasts were included in the Draft Program EIR/EIS analysis and referenced in the Draft Program EIR/EIS (see page 2-7).

I040-6

Double-tracking of the alignment through San Clemente (either at grade or in a short or long trench and cover tunnel) was considered but rejected from further consideration. Simple at-grade double-tracking was considered early in the development of alternatives, but rejected since introducing extensive sections of double-track in this area of high pedestrian traffic would greatly increase safety risks—without providing a significant expansion of the ability for pedestrians to safely cross over or under the tracks. Therefore, an at-grade alignment along the beach segment was modified to provide for easier pedestrian access through a cut-and-cover trench in the Pier Bowl area, the area of highest pedestrian activity (along with new pedestrian underpasses to the south). An additional cut-and-cover trench concept was investigated along the entire beachfront segment. These two potential options for non-electric conventional service improvements along the LOSSAN rail corridor were considered and rejected (Conventional Improvements Screening Report, May 16, 2003). It was determined that "design options along the beach at San Clemente would have severe

construction impacts and would have high impacts on natural resources and major geological and soils constraints." (Draft Program EIR/EIS, page 2-94).

I040-7

Acknowledged.

I040-8

In general, when the HST system is using existing rail alignment/right-of-way and is at grade/existing grade, slightly elevated/depressed, or in a trench; it has been assumed that all the tracks (including existing services not on the HST tracks) would have to be grade separated from all streets and this has been included in the cost estimates. In the case where the HST system is on an aerial structure and is adjacent to or in existing rail rights-of-way it has not been assumed that the other tracks would be grade separated. In these cases, the existing services could separately be elevated on an aerial structure or depressed in a trench subsequent to the implementation of the HST service. This improvement would not be required as part of the implementation of the HST service and has not been included as part of the HST cost estimate. However, exceptions to this general approach include the HST alignment segment from Sylmar to Los Angeles and Los Angeles. For the majority of this corridor, it was assumed that all passenger services would be grade separated. See Response AL061-15.

Linear parks could be created as a potential mitigation measure through the use of of attractive landscaping. Should the HST program move forward, subsequent project-specific environmental documentation would consider appropriate site-specific mitigation and landscaping.

I040-9

Such sound walls are considered in the Program EIR/EIS (see section 3.4). The Program EIR/EIS discusses a representative design for potential soundwalls; specific designs for individual locations would be considered in future project-level analyses.

I040-10

Please see standard response 6.3.1.

I040-11

Please see standard response 6.13.1, 6.14.1, and 6.15.4.

I040-12

Please see response I040-5 above.

I040-13

Please see standard response 6.27.1.

I040-14

Acknowledged. The Authority has identified Los Angeles Union Station with a run-through configuration as the preferred alignment and HST station location for serving Los Angeles.

I040-15

Comparing the two alignments between Los Angeles and Pomona, the UPRR Riverside/Colton option provides for a much better connection to LAUS and to Northern California (since it connects to LAUS from the south), and it has been identified as the preferred alignment between Los Angeles and the Inland Empire.

The UPRR Colton line enters LAUS from the north, requiring a direction reversal using LAUS as a stub-end station for trains traveling from the Inland Empire to northern California, increasing travel times between these markets by at least 10 min if LAUS is used as the HST station site for Los Angeles. Between LAUS and March ARB, the options would have similar potential for environmental impacts. The Riverside/Colton option would have the least potential costs, about $1.2 billion less than the Colton Line option.

For the segment between Ontario and March ARB, the UPRR Colton Line (used by both the UPRR Riverside/Colton and UPRR Colton alignment options) provides considerably higher speeds/faster travel

times (6 min less between L.A. and San Diego) than the options to directly serve San Bernardino. The direct link to San Bernardino is estimated to cost $700 million more (than either the Riverside/Colton option or the Colton option) and would not avoid or substantially reduce potential environmental impacts.

The Authority has identified a multimodal HST station at Ontario Airport as the preferred station to serve San Bernardino County.

The HST alignment option does not follow the Alameda Corridor East diversion to the existing overpass of Temple Avenue. Instead, the HST alignment option remains along the UPRR Colton line and a new grade separation Temple Avenue is assumed for the impact analysis and capital cost estimate.

I040-16

Please see standard response 6.39.1.

I040-17

The Authority has identified the LOSSAN rail alignment as the preferred HST alignment between Los Angeles and Orange County. The LOSSAN alignment concept assumes four tracks and separation from freight between Los Angeles and Fullerton. The electrified HST trains would need to share tracks (at reduced speeds) with non-electric Metrolink commuter rail, Surfliner intercity service, and possibly freight (south of Fullerton).

Shared-use improvements to the LOSSAN corridor would be considerably less costly (about $1.5 billion less) and would have considerably fewer environmental impacts than a new dedicated alignment along the UPRR Santa Ana line, but the travel times would be longer (27 min L.A. to Anaheim vs. 16 min L.A. to Anaheim for UPRR Santa Ana) and HST operations would be constrained (capacity constraints and scheduling constraints, which are estimated to limit operations to between 18-45 trains a day in each direction by sharing tracks on the LOSSAN alignment).

Providing direct HST service to Orange County would also improve the safety, reliability, and performance of the regional commuter and Surfliner intercity service through the sharing of improved track infrastructure. Moreover, environmental impacts would be minimized since this alignment utilizes the existing LOSSAN right-of-way. Noise impacts from existing rail operations may be reduced as a result of grade separations at existing grade crossings due to the elimination of horn noise and gate noise from existing rail services.

The Authority promotes connectivity with rail transit systems such as the Green Line, but it is beyond the scope of this program EIR/EIS process and the powers of the Authority to plan for an extension of the Green Line to the potential Norwalk HST station. The “optional trench” between Santa Ana and Orange will be investigated in more detail during project-specific studies should the HST proposal move forward.

I040-18

Please see standard response 6.41.1.

Comment Letter I041

I041

RECEIVED
APR 30 2004

3130 Avenida de Portugal
San Diego, CA 92106-2667
April 27, 2004

CA High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814

Gentlemen:

I just want to voice my support for the High-Speed Rail Plan for the State + including San Diego.

I love the train! For years I'd hope the State would get the bullet trains like the have had for years in Japan. But, it never happened! So, I hope this plan will get them started! I'll probably not live to see it but there's always hope.

Thank you.

Sincerely,
Carmen C. Cirtese

I041-1

Response to Comments of, Carmen C. Artese, April 27, 2004 (Letter I041)

I041-1

Acknowledged.

Comment Letter I042

04/30/2004 13:43 VALLEY OAKS EXECUTIVE → 7676#19163220827# NO.292 P01

I042

FlyCalifornia Comment sheet 30 April 2004
fax 916 322 0827

From:
Vincent Correll
840 E. Cole Ave.
Fresno, CA 93720 559 439 8404 vcorrell@sbcglobal.net

I am concerned that the connection from the Central Valley to the Bay Area has not considered the viability of the Altamont Pass. I am **not** an advocate of that route. **I am an advocate of a full analysis of the potential routes.** If this has not been done, there will most likely be unnecessary troubles in the growth of the entire system. I042-1

Please assure we tax payers that a full analysis has been carried out..

04/30/2004 13:43 VALLEY OAKS EXECUTIVE → 7676#19163220827# NO.292 P02

FlyCalifornia Comment sheet 30 April 2004
fax 916 322 0827

From:
Vincent Correll
840 E. Cole Ave.
Fresno, CA 93720 559 439 8404 vcorrell@sbcglobal.net

I am concerned that the connection from Bakersfield to Los Angeles will not be chosen with the benefit to the maximum numbers of riders.

I believe that the direct route, through the mountains will be best for the most potential users.

Why?

1. By far the majority of passengers from the north, heading to the Los Angeles or further south, are NOT interested in Pomdale or anywhere in the Antelope Valley. I042-1 cont

2. The major reason for High Speed Rail is speed over all other potential means of transportation. If the marginal difference is reduced, in order to serve a few, the many may not participate.

3. The Antelope Valley needs service, but a moderately fast train from Palmdale to the Santa Clarita station would provide the needed connections, with little difference in time saved, and much money saved by less strict right of way demands.

4. The same conditions obtain regarding northbound passengers.

Response to Comments of, Vincent Correll, April 30, 2004 (Letter I042)

I042-1

Please see standard response 2.18.1.

Please see standard response 6.23.1.

Comment Letter I043

I043

CALIFORNIA HIGH SPEED TRAIN
Draft Program EIR/EIS
Comments
925 L Street
Sacramento, CA 95814

6755 Rhodes Avenue #131
North Hollywood, CA. 91606
April 26, 2004
(818) 982-1817

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APR 30 2004

LADIES AND GENTLEMEN:

Hope the CALIFORNIA HIGH SPEED TRAIN project is developing well.

Adding to my COMMENT SHEET, April 13, 2004 enclosing DAILY NEWS (LOS ANGELES) article, "Gridlock in Cards for I-5 corridor," Sunday, April 25, 2004. We need CHST.

Adding to suggestion to route CHST through Antelope Valley (with Palmdale Station) might route along Highway 138 (Avenue S) to I-5 in Gorman Area to pick up the 23,000 home development for Tejon Ranch, and grapevine into Bakersfield, CA. I043-1

Also, suggest encourage entrepreneur Donald Trump to construct one of his massive hotels along the CHST route - perhaps like Union Station downtown LA which connects with a multitude of transportation trains. I043-2

Is a second public hearing in Los Angeles planned for June? THANK YOU. GOOD LUCK.

Retired Professional
Sheldon H. Walter
SHELDON H. WALTER

Comment Letter I043 Continued

elts

declaration

ıt of Water and

ho as head of 16 months ago extreme emer- and the City aptions. freeze or we I've seen, we

you Daily News LINE

➤ Are you dissatisfied with City Hall?

See Page 2

Gridlock in cards for I-5 corridor

Freeway fixes can't keep up with growth

By Lisa Mascaro
Staff Writer

Improvements on the Golden State Freeway (5) corridor through the Santa Clarita and San Fernando valleys have failed to keep pace with the increase in traffic, and gridlock will get dramatically worse as the population of north Los Angeles County soars in coming years.

Traffic along the corridor — expected to increase well beyond the freeway's capacity in 20 years — already is so bad that Caltrans has given up trying to maintain stop-and-go conditions and now hopes simply to get the minimum level of service.

online EXTRA dailynews.com

➤ Go online for more on traffic.

Car-pool lanes are supposed to help carry the thousands of new commuters, but the project is stalled by state budget cuts while massive new housing projects are planned.

Groundbreaking on Newhall Ranch's 20,000 new homes is slated for 2006 and plans are being set for Centennial's

Gridlock looming for I-5

I-5 / From Page 1

Las Lomas' 5,800 homes to the south. Countless smaller projects also are in the works.

"I am extremely concerned about the (Interstate) 5 corridor," said Assemblyman Keith Richman, R-Granada Hills, who's working in Sacramento on strategies for getting transportation improvements funded and built.

"This is just another example of our lack of investment in transportation infrastructure. North Los Angeles County is one of the fastest-growing areas in our state and I am very concerned about the impacts on mobility from the population growth that's going to occur in those areas."

The freeway even has its own support group, the Golden State Gateway Coalition, made up of local leaders and builders pressing for money to build HOV and truck lanes as regions compete for scare state dollars.

The Metropolitan Transportation Authority, which is finishing up a major study of the corridor, is also looking at possible new countywide fees on developers to help pay for transportation improvements — something builders don't necessarily oppose.

Newhall Ranch, as part of its approval by the county Board of Supervisors in 2003, agreed to a provision requiring it to pay developer fees if a new system was devised. Las Lomas developer Dan Palmer said he'd "embrace" paying into a fund to beef up the public transit system in Los Angeles.

"We need to establish a regional mass transit system," said Palmer, who's trying to get Metrolink trains to make a stop in the development area, so new residents could use the trains instead of the I-5.

"It'll be expensive. We would be good corporate citizens and participate in any kind of fair share cost of that system. We would embrace it."

Newhall Ranch, which will leaving developers poised to fill the demand.

The population of the northern Los Angeles County area that stretches out to the Antelope Valley is expected to more than double to 1.2 million in 2030, as Southern California fits 6 million more residents into the six-county region.

While home builders are required to pony up for improvements for the additional traffic their developments put on the freeways, figuring the impact a new development will have on traffic is tricky work.

Newhall Ranch officials, for example, based their analysis on the assumption that new car-pool lanes would be built by 2025 when the homes were completed, even though planners at the time warned the Los Angeles County Board of Supervisors that promise couldn't be guaranteed in the face of dwindling state funds.

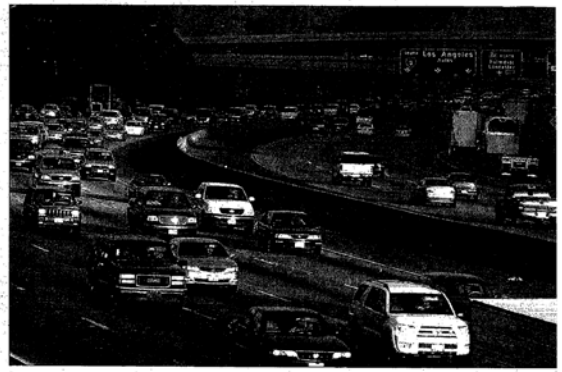
While Newhall Ranch has made substantial progress on the improvements it must provide, the government-led car-pool-lane project had a setback this year after $150 million requested for the design and construction work got axed in the budget cuts.

Centennial, the 23,000-home development planned for the Tejon Ranch, expects to have similar traffic numbers to Newhall Ranch and is thinking about having one of the local bus companies run commuter buses and supported by the MTA, is headed toward construction on Interstate 5 between the Ronald Reagan Freeway (118) and the Hollywood Freeway (170), though the final segment to the 134 also has been shelved with state budget cuts.

"What we are going to have to do is look for new sources to help us improve the infrastructure to accommodate that growth," said the MTA's chief planner, James de la Loza.

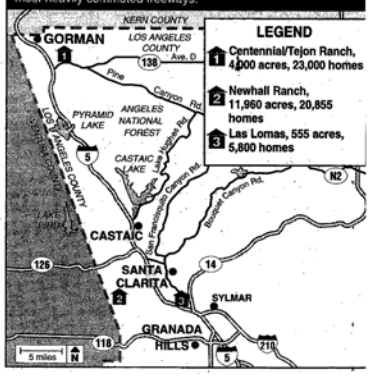
"We're going to look at all our options. What we know for sure is the available resources are not enough to keep pace with the growth that is going to occur."

Lisa Mascaro, (818) 713-3761
lisa.mascaro@dailynews.com

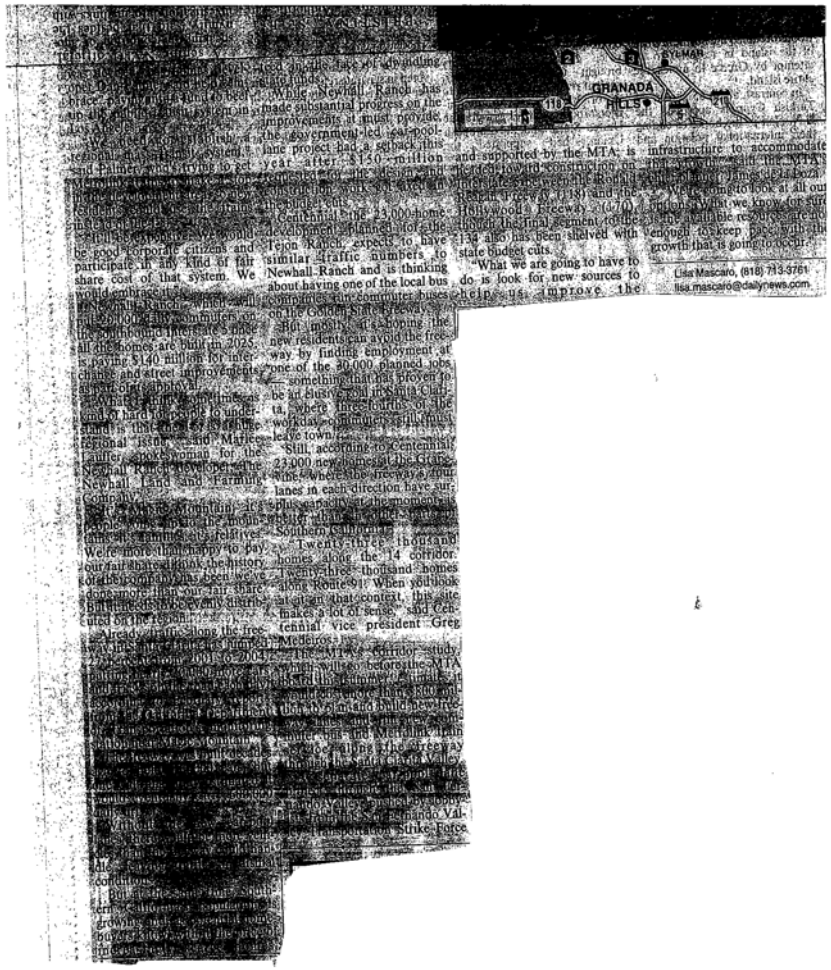


Charlotte Schmid-Maybach/Staff Photograph

Afternoon traffic is heavy on Interstate 5 north of the 14 Freeway interchange recently.



Comment Letter I043 Continued



GRANADA HILLS

118

Lisa Mascaro, (818) 713-3761
lisa.mascaro@dailynews.com

Response to Comments of, Sheldon H. Walter, April 26, 2004 (Letter I043)

I043-1

Options to route the HST through the Antelope Valley along the SR-138 corridor to I-5 in the Gorman area were considered but rejected in the screening evaluation, as indicated in Chapter 2 of the Draft Program EIR/EIS. These alignments would require long (12 miles or 19 km), deep tunneling through the Garlock fault zone. The tunneling associated with the SR-138 alignments would result in considerably higher construction costs and risks, making these options impracticable.

I043-2

Please see standard response 2.1.12. Los Angeles Union Station has been selected by the co-lead agencies as the preferred HST station location to serve downtown Los Angeles.

The second public hearing in Los Angeles held on the Draft Program EIR/EIS was held on June 23, 2004.

Comment Letter I044

I044

Dear California High Speed Rail Authority

Inside of Henry W. Coe State Park the state designated a wilderness area known as the Orestimba State Wilderness. Inside this wilderness area the state has enforced the rules of a wilderness area which is no travel by any motorized vehicles. Hiking, horse back and bicycles are allowed. Jeeps and ATV's are not allowed under any circumstances. Can you imagine the state being the caretaker of a beautiful piece of wilderness for the people of California, keeping people out of the area with motorized vehicles and then allowing a high speed bullet train to run right through the middle of it. I044-1

I believe that a bullet train from the valley to the bay area is a good plan that will help reduce traffic and smog. Currently there are four proposed routes through the Coast Range Mountains and I would like the route through the Orestimba State Wilderness removed from consideration.

Thank You

Rocci E. Pometta

Rocci E. Pometta
1975 Moreno LN
Newman CA 95360
(209) 862-4036

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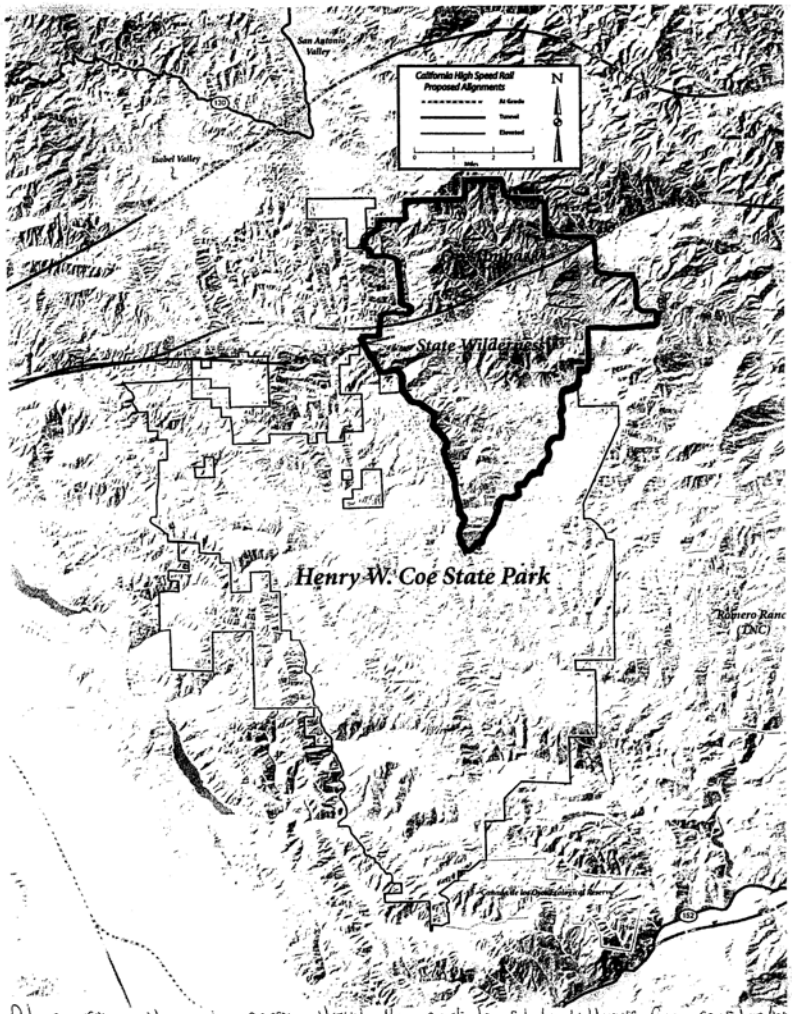
Mead



Please remove the route passing through the Orestimba State Wilderness from consideration.
Thank You Rocci Pometta Rocci Pometta (209) 862-4036

Comment Letter I044 Continued

1. From Merced through the Romero Ranch and over Pacheco Pass with two alternate routes through the Gilroy area, then on to San Jose.

2. From Merced through the Simon Newman Ranch and up the Orestimba drainage, through Robinson Creek and west to San Jose, exiting the Diablo Range through Metcalf Canyon. Please remove from consideration Thank You Rocci Pomatto (209) 862-4036

3. From Merced through the Simon Newman Ranch, the Upper San Antonio Valley, Isabel Valley, and then to San Jose via Metcalf Canyon.

Response to Comments of, Rocci E. Pometta, May 7, 2004 (Letter I044)

I044-1

Please see standard response 6.3.1.

Comment Letter I045

I045

RECEIVED
MAY 10 2004

Friday, May 7, 2004

Mr. Joseph Petrillo, Chairman
HSR Authority
925 L Street Ste. 1425
Sacramento CA 95814

Ms. Carolyn Garbarino
434 San Carlos Ct.
Palo Alto CA 94306
650 322 6297

Dear Mr. Petrillo,

Please act to protect Henry Coe State Park and the Mt. Hamilton area from the introduction of new transportation infrastructure. Please revise and recirculate the DEIR to include an omitted feasible alternative, the Altamont Pass. And, please adequately analyze environmental impacts in the Diablo Range. I045-1

There is time to insure that the HSR Project will be economically viable while contributing minimally to environmental damage and sprawl throughout the state.

Respectfully,
Carolyn V. Garbarino, Technical Editor

Response to Comments of, Carolyn Garbarino, May 7, 2004 (Letter I045)

I045-1

Please see standard response 6.3.1.

Comment Letter I046

5/-4

I046

The Permanente Medical Group, Inc.
280 WEST MacARTHUR BOULEVARD
OAKLAND, CALIFORNIA 94611-5693
(510) 752-1000

ANTIOCH, CAMPBELL, DAVIS, FAIRFIELD, FREMONT, FRESNO, GILROY, HAYWARD, MARTINEZ, MILPITAS, MOUNTAIN VIEW, NAPA, NOVATO, OAKLAND, PARK SHADELANDS, PETALUMA, PLEASANTON, RANCHO CORDOVA, REDWOOD CITY, RICHMOND, ROSEVILLE, SACRAMENTO, SAN FRANCISCO, SAN JOSE, SAN RAFAEL, SANTA CLARA, SANTA ROSA, S. SACRAMENTO, S. SAN FRANCISCO, STOCKTON, VACAVILLE, VALLEJO, WALNUT CREEK

PAUL T. McDONALD, M.D. Physician-in-Chief
PRESTON J. MARING, M.D. Associate Physician-in-Chief
JOHN R. LOFTUS, M.D. Associate Physician-in-Chief
RICHARD A. BROWN, M.D. Assistant Physician-in-Chief
THOMAS BARBER, M.D. Assistant Physician-in-Chief
DAVID T. NG, M.D. Assistant Physician-in-Chief
DOUGLAS R. CHARTIER Assistant Physician-in-Chief
J. DAVID ARTERBURN Medical Group Administrator

CHAIR JOSCIN PETRILLO —

I URGE THE BOARD THAT THE DEIR

FLAWED. PLEASE REVISE THE DEIR to

I046-1

Further STUDY to the ALTAMONT PASS

+ THAT IT then be recirculated.

Sincerely —

the draft would also create a "Citizens Watchdog Committee" made up of the community about how the funds are appropriated. The environmental representative to the Watchdog Committee should be nominated by the primary environmental organizations involved in Marin transportation planning, the Marin Conservation League and the Sierra Club.

The plan sets aside 9% of its funding towards "gap closure", that is upgrading the Novato Narrows of Highway 101 to freeway status, but adds that if the project can be funded from other sources, the gap funds should be redirected to local infrastructure improvements. The Sierra Club suggests that such freed-up money should go to support local transit.

Dr. David Schneider
1736 HEARST AVENUE
BERKELEY, CA 94703

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MAY 10 2004

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04596-034 (REV. 2-02)

Response to Comments of, Dr. David Schneider, The Permanente Medical Group, Inc., May 10, 2004 (Letter I046)

I046-1

Please see standard response 2.18.1.

Comment Letter I047

I047

Sue Braun
6515 Crystalaire Drive
San Diego, California 92120

RECEIVED
MAY 12 2004

May 9, 2004

Members of the California High Speed Rail Authority,

I note that there is a new high speed rail system proposed to connect San Diego and Northern California. Because I am unable to attend a public hearing re: this, I am now making a suggestion in writing.

In Europe there are trains that take on autos, as well as people. A family can put their car on the train and retrieve at the other end. It seems to me that a lot more people would use the trains if we could try this. Why can it be done elsewhere, yet not here?

An alternative would be to make it very easy for a family to rent a car at train stations. We have found it almost impossible on a Sunday at Union Station in Los Angeles. There are only 2 rental agencies at the station, one closed on Sundays and the other a distance away, adding an hour on each end of the trip to get and return a car. I047-1

A major reason more people do not use trains is that we do not make it convenient for them to do so. The route does not go where many want to go, or transportation on either end is a problem. I cannot take a train to visit my daughter in Topanga Canyon unless someone picks me up at the Chatsworth Station, relatively far away. There is no public transportation from the Chatsworth Station even to Woodland Hills, a compromise, or public transportation from the LA Union Station to Santa Monica or Woodland Hills. Obviously, I cannot take a train to visit my son in San Francisco either.

Although I have lived in San Diego since 1964, I am originally from the East; my father drove the only car our family owned, so I am accustomed to taking public transportation. Consequently, I, and my entire family, would do so happily if it were available.

Sincerely,

Sue Braun

Sue Braun
Fax: 619-265-2210
e-mail: srbraun@cox.net

Response to Comments of, Sue Braun, May 9, 2004 (Letter I047)

I047-1

Please see standard response 2.7.1.

Comment Letter I048

I048

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May 12, 2004

Dan Leavitt, HSR

Questions re draft EIS/EIR:

(1) Page 51, Bay Area-to-Merced HSR Screening Evaluation suggests that HSR could live with two tracks and one 850-foot long platform at Transbay Terminal (TBT). Is this correct? I048-1

(2) Where can I find ridership for the HSR extension to TBT? The last I have is a July 14, 1999 document that has probably been superceded – or is that report still current? I048-2

(3) Appendix 4-C, Capital Cost, Table 4-C-1, San Francisco to San Jose, Segment 2: Is Segment 2 the HSR extension from 4th & Townsend to the TBT? If so, why is the length only 0.56 miles when the similar Caltrain DTX. is 1.3 miles?

(4) Also Table 4-C-1: Segment 1-TBT just shows a cost of $1 B. Is that the HSR share of the capital cost of building a new terminal?

Page 23 of the Bay Area-to-Merced HSR Screening Evaluation confirms what you said, that is, HSR will share with Caltrain the cost of electrification. I don't think electrification can proceed incrementally, however, and still wonder if that project can proceed before HSR funds become available. I have a call in to Marie Pang at Caltrain. I048-3

I had taken it for granted that the first phase under SB 1856 would be LA-to-San Jose and didn't consider the possibility of a San Jose-TBT segment. Section 1 (e) still seems to me to give the Authority latitude to override the Section 2 TBT requirement, however.

Enclosed FYI are remarks I made to the SFRA re two SF stations, etc., also copies of the capital cost and matching funding sources given in the Caltrain DTX and TBT final EIS/EIR. Dave Mansen helped me out, but I don't it is clear from the text that HSR costs are included. I wonder also if PFCs will be used to fund other HSR station costs.

I look forward to hearing from you on these questions, and appreciate your interest.

Best regards,

Bill B.

William Blackwell

RECEIVED MAY 13 2004

Caltrain DTX & TBT MAR 2004

SUMMARY

Table S-5: Project Estimated Capital Costs and Funding Sources
(Millions of YOE Dollars)

Transbay Terminal	West Ramp
Caltrain Extension Alternative	Second-to-Main Tunnel Option
Capital Costs and TIFIA Debt Service	
Total Capital – no inventory of HSR	$2,082.9
Debt Service	$1,857.2
Total Cost	$3,940.1
Funding Source	
Local/State	
Regional Measure 1	$53.0
RTIP [1]	$23.0
San Mateo Sales Tax [2]	$27.0
San Francisco Sales Tax Reauthorization [3]	$295.0
AB1171 [4]	$150.0
Land Sales [5]	$287.9
Tax Increment [6]	$534.2
Net Operating Revenues [7]	$140.2
Bridge Toll Increase (SB 916) [8] RM-2	$150.0
High Speed Rail Bonds [9]	$475.0
Other [10] Prop 42	$182.3
PFC [11]	$873.0
Leveraged Lease Transaction [12]	$50.2
Federal	
TIFIA Loan	$689.7
Section 1601 [13]	$9.4
Total Funds	**$3,940.1**

Notes:

[1] Per MTC's RTP, which assumes $23 million in RTIP (Regional Transportation Improvement Program), STP (Surface Transportation Program), and CMAQ (Congestion Mitigation and Air Quality Improvement Program) funds.

[2] San Mateo County contribution (per MTC's RTP).

[3] San Francisco County contribution per Expenditure Plan for the Reauthorization of the Local Sales Tax for Transportation, approved June 17, 2003, escalated to YOE $s. Approved by voters November 2003.

[4] Per MTC's RTP. New Source of discretionary funds to MTC, pursuant to State law passed in October 2001 to complete the seismic retrofit of Bay Area bridges and related projects, consistent with Regional Measure 1.

[5] Per valuation by CB Richard Ellis for San Francisco Redevelopment Agency, August 2003, escalated to year of expenditure.

[6] Tax Increment amounts from Seifel Consulting, *August 8, 2003 for San Francisco Redevelopment Agency.*

[7] Per Jones, Lang LaSalle and Nancy Whelan Consulting, *September 2003.* Includes $3 million in annual BATA bridge toll operating support per MTC Resolution 3434 *and SB 916 (proposed).*

[8] Regional Measure 2, which includes $150 million for the Project, was passed by the voters in Bay Area counties on March 2, 2004.

[9] Per SB 1856, funding for the Caltrain Downtown Extension may be provided as a part of the High Speed Rail bond initiative. The bond may be approved by the voters in November 2004.

[10] Other includes potential funding from the following sources: Proposition 42, *federal earmarks* and *additional local sales tax.*

[11] A Passenger Facility Charge (PFC) is assumed for Caltrain, AC Transit and High Speed Rail passengers. The PCF would be $0.75 for Caltrain passengers, $0.25 for AC Transit passengers and $3 for High Speed Rail passengers.

[12] The Terminal Facility's value is assumed to be $1.003 or $1.163 billion and the net benefit rate to be 5%. Leveraged lease transactions are encouraged by the FTA as innovative financing mechanism.

[13] Per MTC's RTP, which assumes $9.37 million in Section 1601 design grant.

Sources: San Francisco County Transportation Authority, Seifel Consulting, Jones, Lang LaSalle, Openheim/Lewis, Peninsula Corridor Joint Powers Board, Sedway Group, Nancy Whelan Consulting, Parsons Transportation Group, 2001, 2002, *2003, and 2004.*

→ If in proportion to year 2020 riders, 68.9% of PFC will be from HSR passengers = $601 million.
$601 million + $475 milli HSR bond = $1,076 million, 27.3% of total.

Transbay Terminal / Caltrain Downtown Extension / Redevelopment Project EIS/EIR S-31

① ② ③ separate project

Comment Letter I048 Continued

Table S-3: Transbay Terminal Capital Cost Estimate
West Ramp Alternative (LPA)
(Millions of Dollars – Year of Expenditure)

Activity	Cost Estimate
Operations Analysis, Preliminary Engineering, Geotechnical Engineering), Program Review/Value Engineering, Final Design & Permitting, Owner Costs	$107.87
Acquire Property, Design, Construct Temporary Terminals (Transit and Greyhound)	$28.29
Acquire Property & Demolish Buildings to Build Terminal	$36.54
Demolish Existing Terminal & Ramps, Construct New Terminal & Ramps	$909.22
Construct Permanent Off Site Bus Storage Facility	$24.45
TOTAL COST ESTIMATE	**$1,106.37**

Notes:
- Costs escalated to year of anticipated expenditure between 2004 and 2011.
- Costs are for West Ramp Alternative
- Other qualifications and assumptions apply, including coordination with Caltrans during the retrofit of the Western Approach and bus ramp retrofit projects.
- Total assumes high end of 2001 real estate estimate escalated to year of expenditure.
- Construction costs include a 25% construction contingency, 8% for construction management, and 10% project reserve. Owner costs are factored into each category.

Source: MTC, SMWM, Oppenheim/Lewis, Sedway Group, Parsons, 2003

Transbay Terminal / Caltrain Downtown Extension / Redevelopment Project EIS/EIR

MAR 2004

Table S-4: Capital Cost Estimate for Caltrain Downtown Extension
Second-to-Main Street Tunneling Option – Locally Preferred Alternative
(Millions of Dollars – Year of Expenditure)

Activity		Cost Estimate
Operations Analysis, Preliminary Engineering, Geotechnical Engineering, Program Review/ Value Engineering, Final Design & Permitting, Owner Costs		$76.83
Acquire Property & Demolish Buildings along Extension		
Acquisition/Relocation for Train Subway	$82.85	
Demolition	$1.24	
Resale Proceeds	($31.12)	
Subtotal		$52.97
Design and Relocate Utility Lines along Extension		$52.90
Construct Surface Rail & Improvements at Train Yard		$13.37
Construct Cut-and-Cover and Retained-Cut – Caltrain Extension		$427.13
Reconstruct Streets		$7.09
Construct Train Tunnel		$287.70
Construct Track & Systems Facilities		$58.54
TOTAL COST ESTIMATE – Caltrain Downtown Extension		**$976.53**

Notes:
- Costs escalated to year of anticipated expenditure between 2004 and 2011.
- Costs are for Second-to-Main Tunneling Alternative, the Locally Preferred Alternative.
- Total assumes high end of 2001 real estate estimate escalated to year of expenditure.
- Construction costs include a 25% construction contingency, 8% for construction management, and 10% project reserve. Owner costs are factored into each category.
- The optional underground pedestrian connection from the train mezzanine to The Embarcadero Muni Metro/BART Station is estimated to cost $45.3 million.
- An additional $235 million could need to be added to the Project costs for purchase of dual mode locomotives if the Caltrain corridor is not electrified.

Source: Parsons, 2003

My problem is that this table doesn't make it clear that the cost of extending HSR to TBT site is included. Dave Hansen thinks the matter is trivial, but if HSR costs are not included, then the funding table is misrepresented.

MAR 2004

Comment Letter I048 Continued

William Blackwell, Architect

451 Pala Avenue
Piedmont CA 94611-3744
Telephone/FAX: (510) 654-4456
wmblackwell@sbcglobal.net

May 6, 2003

Elizabeth Wiecha, Chief Engineer
Transbay Joint Powers Authority
201 Mission Street, Suite 1960
San Francisco CA 94105-1858

COPY

Telephone (415) 597-4614

Dear Elizabeth,

Thank you for returning my call this morning. I look forward to receiving more information regarding the legal requirements affecting the Transbay Terminal design.

Enclosed for your information is a copy of the summary comments I made at the SFRA Commission meeting on April 20th. Enclosed as well are supplementary drawings and notes that may be helpful. Please let me know if you would like more specifics.

I am satisfied that the combined cost of the TBT and Caltrain DTX can be reduced by at least 25 per cent, and possibly by as much as 33 per cent, while at the same time enhancing commuter convenience and increasing train ridership. This is even after adding $60 million to $75 million for the BART connection to Montgomery & Market that I envision.

Sincerely,

William Blackwell

Copy: Joan Kugler, SF Planning Dept.
Mike Grisso, SF Redevelopment Agency

b.c.c. : Dan Leavitt, HSR
Steve Heminger, MTC
Randall Henry
Ezra Rapport
Dan Levy, SF Chron
Jim Chappell, SPUR

Wm. Blackwell SUPPLEMENTARY NOTES Revised 4/10/04

- In light of the dictionary definition of the terms "terminal" and "station", the interpretation of Prop H to mean that both tracks and terminal must be on the existing site is unreasonably narrow, especially when it precludes consideration of alternate plans that have multiple benefits.

- The TBT concept proposes two bus levels 40 and 60-feet above the street. The identical number of berths, turning radius, etc., can be accommodated on one level 20-feet above the street. See the attached sketch that replicates on one level the arrangements shown in the conceptual design.

- Compared to the proposed subterranean platform tracks, a 2nd & Minna location for stub-end tracks, and a moving sidewalk concourse to Market & Montgomery, reduces average time to work by about six minutes for Caltrain financial district and BART/MUNI Metro commuters. Platform exits at 2nd & Howard similarly benefit SOMA commuters.

- Caltrain now runs only eight 5-car trains at peak hour. A two-track platform with adjacent storage tracks has the capacity for forty trains per hour (confirmed by trainmen). Just twelve 8-car trains per hour would increase peak hour capacity by 140 per cent, which is more than projected in the EIS/EIR.

- Caltrains longer than 8-cars require two locomotives. An 8-car train requires only a 700-foot long platform. Special 12-car trains are typically used for ballpark and convention center events. Limiting downtown event trains to 8-cars would simply mean that trains run at closer intervals. Two tracks with one 850-foot long platform are all that is needed for HSR. [page 51 Bay Area to Merced Screen Evaluation]

- The timetable for San Francisco high-speed trains published in June 2000 showed up to 12 trains per hour, but that number has since been reduced. Moreover, HSR peak hour does not coincide with Caltrain peak hour. In conjunction with 4th & King facilities, one two-track platform shared by Caltrain and HSR would be adequate to meet the requirements for downtown rail service. HSR trains, incidentally, have increased in length since inception, although the original premise was to compete with airlines, i.e., shorter trains running at frequent intervals.

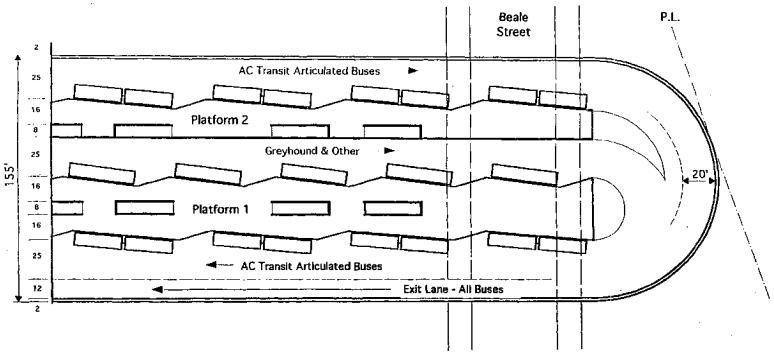
- As it does at airports, short-term and long-term parking, and car rental facilities would also increase HSR ridership and Caltrain reverse commute ridership at San Francisco.

- In addition to ten platform tracks, by-pass tracks at 4th & King enable Caltrain and HSR to go directly to the downtown location without stopping at 4th & King. See drawing.

- The EIS/EIR does not include a solution to the grade separation traffic problem at the intersection of 16th & 7th Street that may alter the two-level track plan proposed at 4th & King. As it stands in the EIS/EIR, the current plan does not enable HSR to reach either 4th & King or the downtown location.

Page 1 of 1

Comment Letter I048 Continued



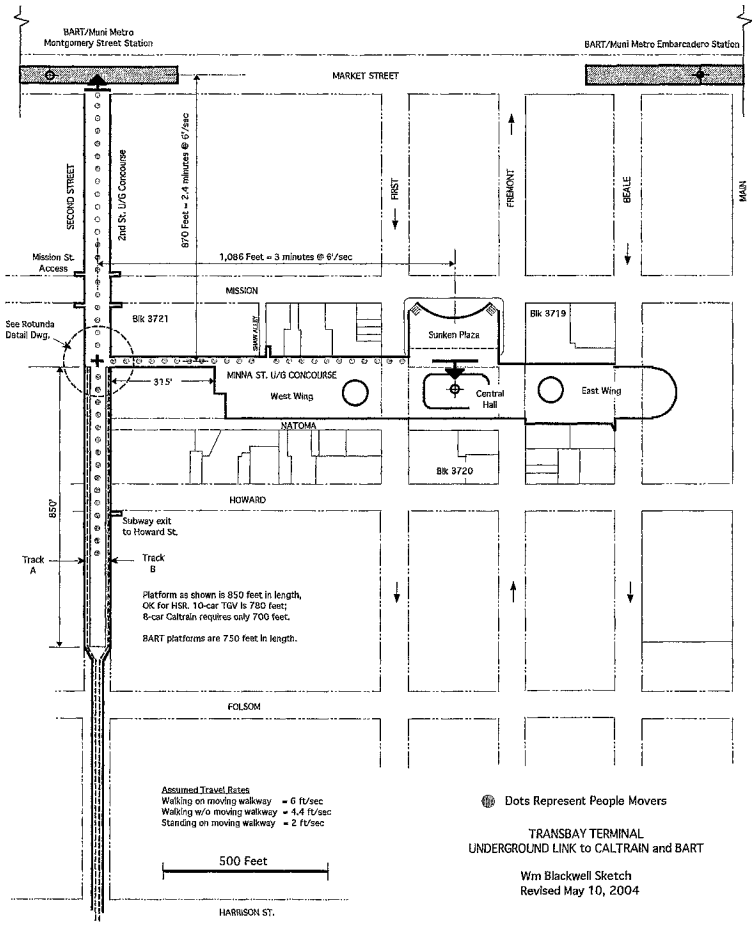
TRANSBAY TERMINAL - SINGLE BUS LEVEL @ El. +20'
East End Only is Shown

WmB Apr 4, 2001 Scale 1" = 50' (1:600)

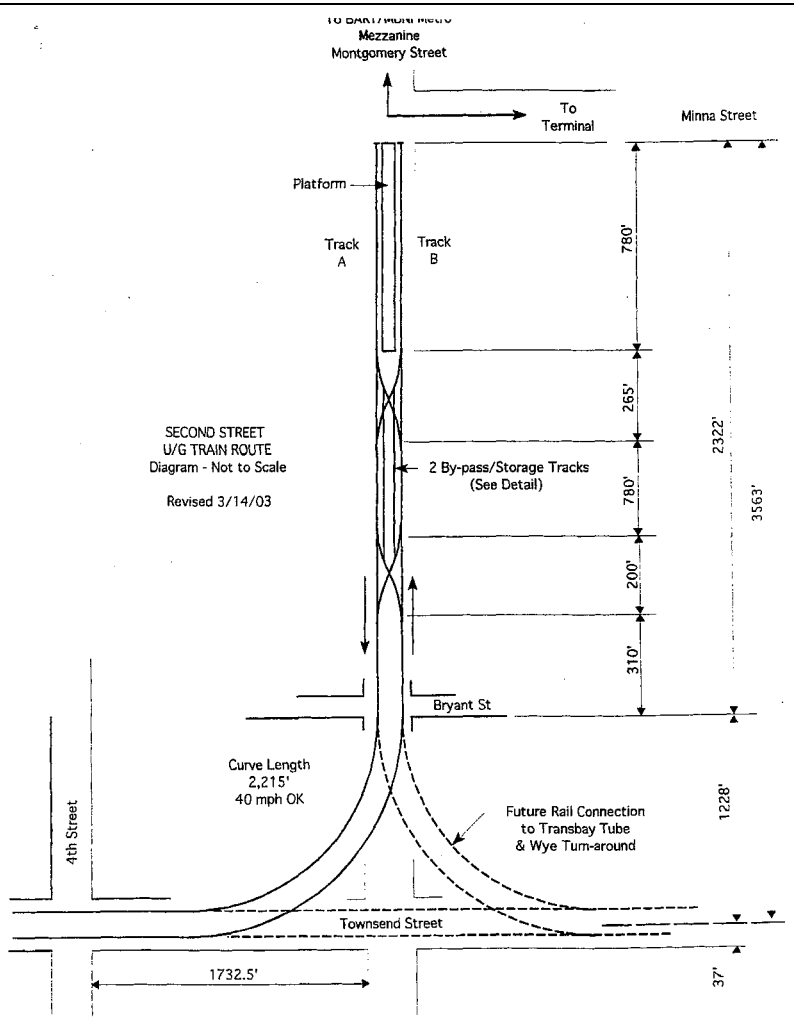
This drawing illustrates the feasibility of a single deck for all of the bus bays required by the BATA program. It replicates the busbays shown on the 40' and 60' levels in the current proposal.

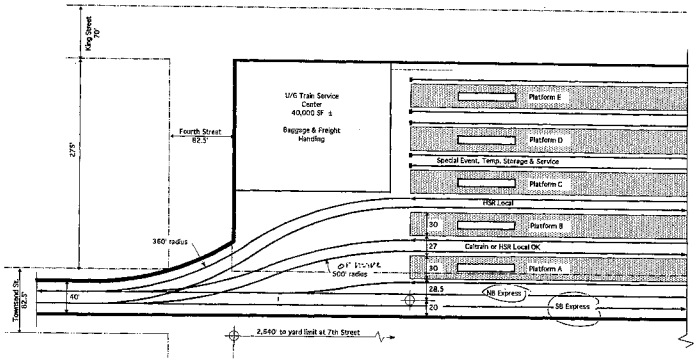
Wm. Blackwell, EIS/EIR Comments

ATTACHMENT NO. 3



Comment Letter I048 Continued





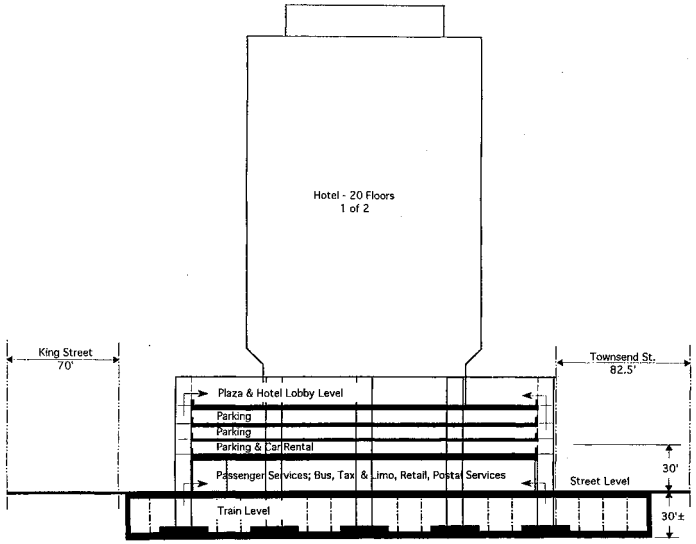
4th & King - East End Underground Tracks
1" = 100'

Option B

2 Express Tracks to TBT
10 Platform Tracks
HSR min. radius of curvature is 500 feet
(150 meters)

Wm B Sketch 3/10/03

Comment Letter I048 Continued



4th & King Station - Caltrain & HSR
Section Facing West 1" = 50'

WmB - Concept Sketch 2
3/18/03

3 - minutes

Wm B SFRA EIS/EIR Certification Meeting 4/20/2004

My name is William Blackwell.

I live in the East Bay, and commuted to work in San Francisco for many years. I am all too familiar with the Transbay Terminal.

In spite of its now shabby appearance, the existing terminal as is provides better access for AC Transit, MUNI and other surface buses and for taxicabs than the conceptual design for its replacement.

This leads me to ask once again: why not transform the existing terminal into a world-class transit station?

- Replace the roof with a truly elegant design.
- Install escalators and rework the bus deck.
- Retain the east bus ramp and forego the redevelopment project.
- Improve access to surface transit on the ground level.
- Delete the hotel.
- Preserve the last remaining open space out front.
- Create a sunken plaza leading to satellite restaurants and shopping.

- Delete the subterranean rail complex.
- Provide instead stub-end tracks underground at 2nd & Minna
- Install moving walkways in wide underground concourses to the terminal and to Montgomery Street BART.

Pedestrian flow would be near perfect.

A two-track platform with adjacent passing and storage tracks is ALL that is needed for the proposed level of downtown rail service.

Caltrains would go non-stop to the downtown location and return to 4th & King for reverse commuters in the morning, and visa versa in the evening.

Proposition H, incidentally, doesn't require that the tracks be under the terminal, or even at the terminal. It simply says that the terminal itself shall be rebuilt on the present site.

1 of 2

Comment Letter I048 Continued

Wm B SFRA EIS/EIR Certification Meeting 4/20/2004

4th & King has the potential for a splendid train station. It has room for storage and maintenance tracks, short and long term parking, car rental facilities, postal and freight services, and a major hotel.

San Francisco would then have not one but two world-class stations.

Most importantly, trucks, buses, and cars would access the 4th & King site without going through the heart of the City.

The four components that I have mentioned — existing terminal upgrade, the BART connection, stud-end rail extension, and 4th & King improvements — can proceed independently, one from the other, at a total cost far less than four billion dollars.

In my view, it is beyond the pale to squander resources of this magnitude on a project with so little tangible benefit. No other transportation project that I have found anywhere has such an appalling cost/benefit ratio.

I hope that you will act responsibly and not certify this EIS/EIR. The changes that I propose were given short shrift, although they render mute many of the impacts addressed. The funding plan itself is a leap of blind faith.

Have you any questions?

2 of 2

Wm Blackwell TBT Cost/Benefit Comparisons Revised 5/7/04

CAPITAL COST VS. NUMBER OF PEOPLE WHO BENEFIT

Note	Project	Approx. Cost (millions)	Number of daily users*	Cost per Daily User	Multiple to equal TBT
a	TBT & Caltrain Extension	$ 2,083	50,330	$ 41,385	0.0
b	BART Extension to SFO	$ 1,500	46,600	$ 32,189	1.3
c	SFO New International Terminal	$ 840	32,877	$ 25,550	1.6
d	Bay Bridge - East Span	$ 2,620	228,500	$ 11,466	3.6
e	Pacific Bell Park	$ 300	42,000	$ 7,143	5.8
f	Penn Station Remodel	$ 800	250,000	$ 3,200	12.9
g	Grand Central Station Remodel	$ 391	250,000	$ 1,564	26.5

NOTES:

a EIR/EIS Capital cost estimate: TBT = $1,106.3, Caltrain/HSR DTX = $976.53 million

AC Transit mean estimate is for 20,500 daily riders in year 2020, which equates to 11,275 AC commuters [EIS/EIR Table 1.2-1]. If AC is 2/3's of total bus riders, non-AC will total 10,250 riders. Assume 40 % of these are daily commuters, other buses = 8,200 daily users. Bus total at TBT is 19,475 daily bus users in year 2020.

Caltrain year 2020 = 29,307 riders at TBT [Table 3/1-15] or about 14,655 commuters.

EIR/EIS for PFC assumes 20,000 HSR travelers per day at TBT in year 2020. [per Nancy Whelan e-mail to Joan Kugler, 5/4/04]. Assume 7,600 are business travelers [38 % - HSR Final Business Plan, Table 3,1], and half of these are commuters. Daily HSR users = 16,200.

Total AC Transit, other buses, Caltrain, and HSR = 50,330 daily users in year 2020.

b $1.5B cost and ridership of 68,000 per day (Vicky Wills, BART PIO 3/14/01); Assume 25,200 are air passengers and remainder are daily commuters, total user per day = 46,600.

c SFO Fact Sheet 7/2000, 12 million international passengers in year 2006 = 32,877± avg. per day

d 282,000 vehicles per day (Year 2000) at avg. 1.62 persons per vehicle (Caltrans 1991); divided by 2 = approx. 228,500 commuters; cost of $2.62 B is as of April 5, 2001.

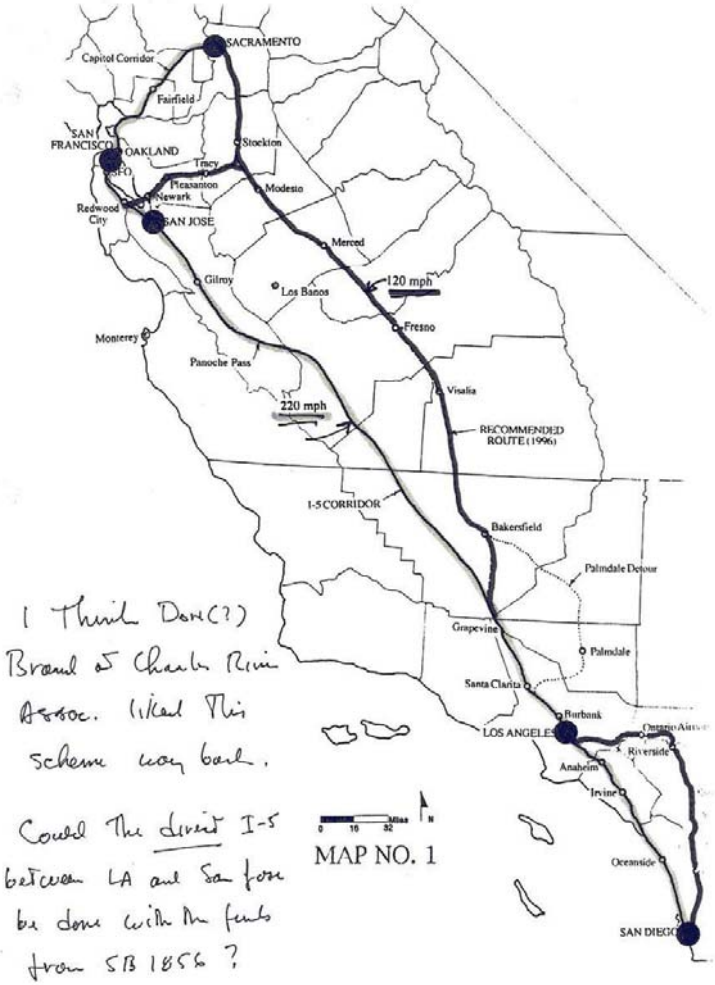
e Cost and number of seats 1/24/99 - SF Examiner

f NY Times, 12/10/2000 - 300,000 train + 200,000 subway passengers = 250,000 commuters Only 7.4% are Amtrak travelers, others are commute lines.

g NY Times, 8/2/1998 - Cost includes $110 million for network of u/g passageways

* For weekday commuter systems such as Caltrain, riders per day divided by two equals daily commuters ±. In the case of AC Transit, adjustments are made for car-pooling in the a.m.

Comment Letter I048 Continued



I think Don(?) Brand of Charles River Assoc. liked this scheme way back.

Could the direct I-5 between LA and San Jose be done with the funds from SB 1856?

EIR-000434

Response to Comments of, William Blackwell, May 12, 2004 (Letter I048)

I048-1

No. Segment 2 represents a costing segment from approximately Common Street to a potential HST terminal station option at 4th and King/Townsend.

No, the Draft EIR/EIS does not indicate that "HSR could live with two tracks and one 850-foot-long platform at Transbay Terminal." The Draft Program EIR/EIS states, "the conceptual operating plan that was assumed for the Business Plan proposed 66 trains (per day per direction—132 total) to serve the Bay Area. Assuming dedicated use of four tracks and two island platforms by HST, the planned configuration of the Transbay Terminal could serve all the trains proposed in the Business Plan. However, given the rail facilities planned for the Transbay Terminal (6 tracks and 3 platforms), the overall capacity available to accommodate HST and Caltrain commuter service would need subsequent cooperative operations planning analysis to determine the most efficient mix and scheduling of service to be accommodated. Any HST services (business plan levels or beyond) that are determined not to be accommodated by the Transbay terminal facility could terminate at other stations along the Peninsula or East Bay." (Section 6.2.2, page 6-17)

I048-2

The ridership information used for the Program EIR/EIS is from the ridership and revenue studies done as part of the Authority's June 2000 Business Plan. The ridership information from July 14, 1999, is the best available and has not been superseded by other estimates. The ridership information regarding potential service to the Transbay Terminal is included in Chapter 6 *High-Speed Train Alignment Option Comparison,* Section 6.2.2 *Bay Area to Merced Station Options* of the Draft Program EIR/EIS (page 6-17).

I048-3

$1 billion was the estimated cost of the Caltrain Downtown extension and Transbay Terminal projects according to the Draft EIR/EIS for the Caltrain Downtown Extension and Transbay Terminal.

All potential funding sources, including PFC's, will be considered and evaluated during the subsequent preparation of financial plans, if the HST Alternative is implemented.

Improvements to Caltrain can proceed if they have the approvals needed and financing to implement the improvements.

Comment Letter I049

I049

/04

RECEIVED
MAY 13 2004

r. Petrillo:

I am writing to object to any high speed rail route ugh Coe State Park and the Diablo Range. These wild places must : left undeveloped. I049-1

Instead, please include the Altamont Pass route in the environmental review process. This corridor is already developed and should be the best ice. I049-2

Sincerely,

Ed Grumbine
1001 Smith Grade
Santa Cruz CA 95060

Response to Comments of, Ed Grumbine, May 13, 2004 (Letter I049)

I049-1

Please see standard response 6.3.1.

I049-2

Please see standard response 2.18.1.

Comment Letter I050

I050

RECEIVED
MAY 17 2004

California High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814

May 13, 2004

High Speed Rail may be beneficial to California but it will be a disaster to Henry W. Coe State Park. Information I have just received states that the High Speed Rail Authority's top choice for high-speed rail into Santa Clara County is directly through the park's WILDERNESS AREA.

This Orestimba Wilderness was officially classified as the Henry W. Coe State Wilderness on May 10, 1985 when the California State Park and Recreation Commission approved the Henry W. Coe General Plan. If the high-speed train bisects the Orestimba Wilderness Area, this wilderness will cease to exist because the land would be remove from the park. (By definition, the construction of a train is prohibited in state parks including Wilderness areas.) [I050-1]

To me WILDERNESS means that we will preserve and protect all things in this are in their natural condition. It does not mean that we will tunnel under parts of the area using huge earth moving machines and put in fences to keep animals off the tracks. If the construction were to take place, the natural environments would be destroyed. Once destroyed, it is impossible to create a new wilderness area by human hands. The net effect of this proposal will be the loss of valuable parkland and the destruction of twenty-five percent of the wilderness area of Northern California.

Please help protect this valuable land.

Stewart Eastman
263 Cresta Vista Way
San Jose, CA 95119

Response to Comments of, Stewart Eastman, May 13, 2004 (Letter I050)

I050-1

Please see standard response 6.3.1.

Comment Letter I051

I051

Birgitte Moyer-Vinding
160 Erica Way
Portola Valley, CA 94028

RECEIVED
MAY 18 2004

May 16, 2004

HSRAB
Joseph Petrillo, chair
925 L St. Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo,
I am writing to urge you to seek High Speed Rail routes that avoid Henry Coe State Park and the Mount Hamilton area. Both areas are state treasures and should be protected from the introduction of new transportation infrastructure.

I051-1

I have backpacked in Henry Coe State Park every year for more than 30 years, and know the park well. A high speed rail line through the park will destroy one of the few remaining examples of pristine California natural landscape. I object strenuously to any plan that would harm Henry Coe State Park and the Mount Hamilton area.

Very sincerely,

Birgitte Moyer-Vinding

Birgitte Moyer-Vinding

Response to Comments of, Birgitte Moyer-Vinding, May 16, 2004 (Letter I051)

I051-1

Please see standard response 6.3.1.

Comment Letter I052

I052

DAVID F OSTWALD-160 ERICA WAY-PORTOLA VALLEY, CALIF. 94028
DOSTWALD@WORLDNET.ATT.NET

Mr. J Petrillo, Chair
HSRAB
925 L St Suite 1425
Sacramento, Ca;if 95814

RECEIVED
MAY 18 2004

Dear Mr. Petrillo,

I would like to urge you and the members of the HSRA to create a route for this extremely desirable project which does not cut through our irreplaceable park lands. Both Henry Coe and the Mt. Hamilton area are only going to become more valuable as public recreation areas as the population of Calif grows. We must not spoil them. I052-1

Thank you,

David Ostwald

PS I would like this letter to be made part of the public record.

Response to Comments of, David Ostwald, May 18, 2004 (Letter I052)

I052-1

Please see standard response 6.3.1.

Comment Letter I053

I053

RECEIVED
MAY 19 2004

490 La Baree Drive
Morgan Hill, CA 95037
May 15, 2004

California High Speed Rail Authority
925 L Street, #1425
Sacramento, CA 95814

Dear High Speed Rail Authority:

I reside in Morgan Hill, 10 miles from urban San Jose. Yet, fortunately, I am only 15 miles from northern California's largest state park, Henry Coe State Park.

In that park is a special area known as the Orestimba Wilderness.

Although I had assumed wilderness lands were those preserved in perpetuity for future generations, I understand there is a proposal to route the proposed High Speed Rail through this special area. Needless to say, this would destroy the wilderness experience now found in the area. I053-1

Yes, California may need the high speed train. But the people of our growing (and crowded) state also need natural places to find the peace and solitude Californians once took for granted. A wilderness area within a relatively short driving distance for Bay Area residents should be cherished and protected, not sacrificed in the name of "efficiency."

Please select a route for the High Speed Rail that does not destroy the Orestimba State Wilderness Area.

Thank you.

Sincerely,

Jim Wright

Jim Wright

Response to Comments of, Jim Wright, May 18, 2004 (Letter I053)

I053-1

Please see standard response 6.3.1.

Comment Letter I054

I054

RECEIVED
MAY 20 2004

May 17, 2004

Dear Joseph Petrillo,

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. The High Speed Rail Authority favors the route from the San Juaquin Valley to the Bay Area through Coe Park. This is wrong, it's bad now and will be bad in the future. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness is important. A wilderness area embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased. I054-1

The high speed rail plan is to run trains every 10 minutes. The trains are to move at speeds up to 220 mph. The rail intrusions, along with the sounds that accompany them, would render the Orestimba area meaningless as wilderness, or even park land.

Adding new park lands has been proposed as mitigation for using the Orestimba Wilderness. To trade one wilderness area or park preserve for another defeats the principle of setting land aside in the first place.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the high speed rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely,

John Briese

Jo Ann & John Briese
15670 La Tierra Dr.
Morgan Hill, CA
95037

Response to Comments of, JoAnn and John Briese, May 17, 2004 (Letter I054)

I054-1

Please see standard response 6.3.1.

Comment Letter I055

I055

5-18-04

CA High Speed Rail Authority

Sirs,

PLEASE drop any further consideration of routing the bullet train through our precious Henry Coe S. P. and especially its unique Orestimba Wilderness Area. I055-1

Regards,

Donald E Savant

RECEIVED MAY 20 2004

5-18-04

CA HRSA

Sirs,

PLEASE drop any further consideration of routing the bullet train through our precious Henry Coe State Park and especially its unique Orestimba Wilderness Area.

Regards,

Donald E Savant

(submitted with attachment, "Orestimba Wilderness: Paradise Under Siege")

Comment Letter I055 Continued

Orestimba Wilderness

Paradise Under Siege

The Orestimba wilderness[1] represents a small portion of California as it once was, long before the impact of modern history. It knows nothing of "progress" or "development," and what there was of human activity here was gentle on the land.

In 1975 the people of California, recognizing that what once was a vast wilderness had all but disappeared, resolved to protect some of the remaining remnants by passing the California Wilderness Act[2]. In 1985 this area was officially classified as a Wilderness Area[3], the highest level of protection afforded to land by the people of California. Today the seasons pass as they have for thousands of years. Humans are only sojourners here, and nature rules the land.

This wilderness was named for ores[4], the bear, in the language of the long vanished indigenous inhabitants. Not the black bear of the Sierra that we know today, but the great bear of California, the grizzly, whose presence haunted the Diablo Range until the late 1800's.

The first human inhabitants, the Indians, made their homes in favorable places in the Orestimba, in sheltered areas near the resources needed to sustain life. They planted seeds of red bud[5] obtained from the Miwok traders who had come from the east, and watched the seeds flourish into plants whose fibers the women used in their basketry. The men cherished the fragments of obsidian that were also brought by the traders and carefully worked these precious bits of stone into spearheads and arrow-points. Indian time moved in a circle, round as the moon by which they marked the changing seasons, round as the sun they worshipped, the shape of their homes, and the times for food gathering: seeds, roots, berries, and acorns, each harvested and savored in turn.

A time would come when the Indians would be visited by people who did not see time as a circle; a people whose world was linear, a world with a beginning and an end. These strangers came from the east, from the place where the canyon narrows before dropping into the valley beyond; the place we now know as the Orestimba Narrows[6]. The Spaniards were like no men the Indians had ever seen. They had light skin and light eyes, and they wore clothing of wonderful texture and color and were astride large, four legged beasts. They spoke in a language the Indians did not understand, but they were enchanted by the mysterious rituals and the gifts of glass beads. The Indians followed the Spaniards into another world; a linear world with a beginning and an end.

So for a time, the Orestimba was empty of a human presence, and was once again home only to the badger, deer and elk, and to the great grizzly bear for which it was named. One evening there appeared from the east, from the place where the canyon narrows before dropping into the valley beyond, a group of men on horseback driving a large herd of horses. They were bearded, and their clothing was dirty, as if they had been a long time from home. Their leader, a man of light complexion, rode a magnificent horse whose saddle and bridle

1

glistened with silver. In time, his name, Joaquin Murrieta[7], would be infamous throughout California. These men cut manzanita brush with machetes, constructed a large corral, and drove the horses inside. To conceal their presence, the men made no fire that night, and ate only cold food from their saddle-bags. When darkness came, they rolled up in their serapes and slept on the ground. At dawn they and their horses were gone; but they would reappear on occasion for the next several years. Their behavior never varied, and they were always gone by dawn.

Some years passed, and again from the east there appeared a solitary man accompanied by several dogs, driving a herd of sheep. He camped for the night by the stream, and the dogs watched over the sheep while he slept. Fortunately neither grizzly nor coyote appeared in the night to disturb the shepherd or his flock. When morning came, the sheep cropped most of the grass in the area, and by mid-day, the shepherd and his charges had moved on.

Shortly after, a lone man appeared riding a mule and leading another that was laden with tools and camping gear. The man explored the rocky outcrops on the hillsides above the stream, and where the prospect seemed promising he marked his claim by twisting the branches of a nearby canyon oak vertically[8]. He spent some days, digging, breaking rock, analyzing the samples, and then he, too, moved on.

In 1873 a man came to stay. Eli Robison and his bride were from Hill's Ferry, a small community in the San Joaquin Valley to the east. He brought with him his brothers and his friends. Together they built a home of adobe bricks along the banks of the stream. They also built a barn with sawn lumber and a corral for his horses[9]. They drove a herd of cattle up from the valley to the east and mules carrying a table, chairs and a bed-frame. Because Eli was the first homesteader, the early map-makers called the canyon, the stream, and the largest hill in the area by his name, Robison[10].

Eli and his wife[11] were the first, but others would soon follow; more homesteaders, seeking some land of their own, their own bit of Eden. Most would stay only a short while, defeated by the summer heat and the winter cold, the uncertain water supply, and by the ever present threat of the great bear, ores.

In time, even the great bear would be gone from the stream and the country that carries his name. Eli Robison would move on, but other ranchers would follow. Their cattle and horses would prosper, but it was a hard life for the ranchers and their families who lived lonely and isolated, far from the companionship of neighbors and the advantages of town.

In 1981 the land was purchased by the State[12] and became a major addition to Henry W. Coe State Park. Here park visitors would find peace for

2

Comment Letter I055 Continued

their souls in a place far away from the stresses and haste of their everyday world, and they would see a bit of California as it was when the Indians made the Orestimba their home.

Wilderness cannot be manufactured by human hands. What little remains will never grow any larger; it can only be reduced in size until tiny pieces remain that have no value for the natural world. The whole is, indeed, greater than the sum of its parts. The Orestimba wilderness represents twenty five percent of the preserved state wildernesses in Northern California. If the Orestimba Wilderness Area is bisected by the high-speed train, the wilderness will cease to exist[13]. It will no longer be a unique portion of untrammeled California, and like the great bear for which it was named, it will be forever extinct.

This is the human story of the Orestimba. Who will write the next chapter? We are about to test the meaning of "preservation and protection in their natural condition" in the California Wilderness Act. Will the Orestimba remain a place of tranquility and peace, or will the murmuring stream, the silent rocks and hillsides be reshaped by earth moving equipment into smooth, terraced slopes; to be forever shattered by the scream of the bullet trains, rising up from the east every 20 minutes, from the place where the canyon used to narrow before it dropped to the valley beyond?

Teddy Goodrich
Historian, Pine Ridge Association

This article was written to alert each of you to the threat to the Orestimba Wilderness. I encourage you to make your voice heard in defense of this precious heritage.

©March 2004, Pine Ridge Association

1. The official State name for the area is "Henry W. Coe State Wilderness". However, it is shown on maps as, and commonly called, the Orestimba Wilderness.

2. The Wilderness Act, California Public Resource Code §§5093.30 through 5093.40, directs State Agencies to review State property with the intent of identifying roadless areas that might be suitable for preservation as wilderness.

3. The Henry W. Coe General Plan, after public review and comment, was approved by the California State Park and Recreation Commission on May 10, 1985. Pursuant to the California Wilderness Act, lands within the park were reviewed during the General Plan process to determine what parts, if any, should be classified as State Wilderness. The area now known as the Orestimba Wilderness was officially classified as such by approval of the General Plan. See page 57 of the Henry W. Coe General Plan.

4. Ores means bear in the language of the Ohlone. The meaning of "timba" has been lost. The earliest written version appears in Father Vander's 1810 diary: *Orestimac*. Other versions include Horestimba on an 1843 diseño of Rancho del Puerto and Orestinoc on the diseño of the Orestimba land grant of 1844. Local old timers call it Orris Timbers.

5. Red bud grows along Robinson Creek in the Orestimba, far south of its normal distribution. The Indians may have deliberately cultivated it here, as they did wild tobacco.

6. "*These narrows were cut more than 300 feet deep and at the bottom are so narrow that no road has been built (1975) through the Narrows in the Orestimba… While describing the Orestimba Narrows, a San Joaquin Valley pioneer, A.D. Davenport, was sitting in his living room. When asked how wide was the Orestimba Narrows, he looked around his chair and said, 'Oh, about as wide as this room.' We were riding in our Hudson car when another pioneer, Billy Newsome, was asked the same question. He looked around himself and answered, 'about as wide as this car.'*" Latta, Frank -- *Handbook of the Yokuts Indians*, page 128.

7. Joaquin Murrieta and his men rounded up stray horses and stole others, driving them up into the hills by way of the various drainages to the east, Orestimba, Garzas, Quinto, etc. He and his gang drove the horses down the crest of the Diablo Range to Mexico, where the horses were sold.

8. It was once common practice to mark mineral claims by twisting the branches of a nearby tree. This old twisted tree is the only remaining evidence of the presence of this unknown miner.

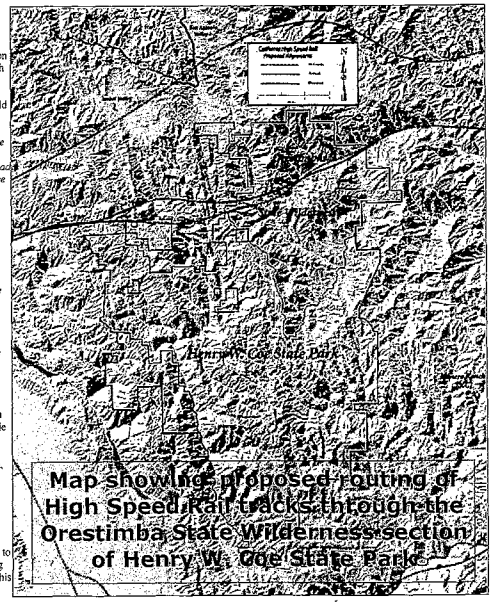
9. "*I built my house and established my residence on the land in the fall of 1873. I have a house 46 by 16 feet, a barn 44 by 16 feet, one and one half miles of brush and pole fence – An orchard of 50 fruit trees part bearing – a cattle corral – I have set out 6 grape vines & 25 bearing blackberry vines – my improvements are worth $1,000.00*" (Homestead Proof—Testimony of Claimant, July 3, 1883)

10. Old maps identify Robison Canyon and Robison Peak. More recent map-makers changed the spelling to Robinson.

11. Eli and his bride were married in 1874.

12. 34,800 acres purchased from H. D. Perrett in September 1981.

13. By definition, construction of a train is prohibited in State Parks, not to mention State Wilderness Areas. The area would first have to be removed from the State Park system and classified for some other use.



Map showing proposed routing of High Speed Rail tracks through the Orestimba State Wilderness section of Henry W. Coe State Park

Response to Comments of, Donald E. Savant, May 18, 2004 (Letter I055)

I055-1

Please see standard response 6.3.1.

Comment Letter I056

I056

May 18, 2004

RECEIVED
MAY 21 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Joseph Petrillo,

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. The High Speed Rail Authority favors the route from the San Joaquin Valley to the Bay Area through Coe Park. This is wrong; it is bad now and will be bad in the future. Violating the Coe Wilderness area is wrong for several reasons:

Wilderness is important. A wilderness area embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

The Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected forever.

Wilderness is essential for human beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and population in the Bay Area is greatly increased.

The high speed rail plan is to run trains every 10 minutes. The trains are to move at speeds up to 220 mph. The rail intrusions, along with the sounds that accompany them, would render the Wilderness area meaningless as a wilderness, or even park land. I056-1

Adding new park lands has been proposed as mitigation for using the Wilderness. To trade one wilderness area or park preserve for another defeats the principle of setting land aside in the first place.

In 30 years, 50 years, with millions more people in the Bay Area, the Wilderness will be that much more precious. We should protect the Wilderness for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the high speed rail system ~~with~~ without destruction of State Wilderness area and Henry Coe State Park.

Sincerely

Linda Keahey
Jodie Keahey

Response to Comments of, Linda and Jody Keahey, May 21, 2004 (Letter I056)

I056-1

Please see standard response 6.3.1.

Comment Letter I057

I057

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
916 324 1541

RECEIVED
MAY 24 2004

21 May, 2004

Dear Sirs

We are writing to encourage your project to establish high-speed rail in California.
We are also writing to oppose any routing through portions of Henry W. Coe State Park and the Henry W. Coe State Wilderness (Orestimba Wilderness) in the Diablo mountain range.
Your project could be a wonderful asset to our State. However, if it is planned at the expense of our parks and wild lands, it would promise a legacy of environmental insensitivity and damage which will be a lightning rod for opposition to the project. I057-1
We hope to be able to build support for this high-speed rail project in our community, and with our State legislative representatives. Please assure the people of California as soon as possible that you have chosen to avoid cutting through and damaging forever our parklands and wilderness areas.

Sincerely,

Monica and Eric Bernhard
158 Laurel Avenue
Pacific Grove, CA 93950
831 373 4095

Response to Comments of, Monica and Eric Bernhard, May 21, 2004 (Letter I057)

I057-1

Please see standard response 6.3.1.

Comment Letter I058

I058

832 Fillippelli Drive
Gilroy, CA 95020
May 20, 2004

RECEIVED
MAY 24 2004

High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814

To whom it may concern:

Your proposed routes through the Diablo Range for a high speed rail line are totally preposterous. Why can you possibly believe that it is all right to destroy one of the last remaining undeveloped areas in California, one that the Nature Conservancy has worked so hard to preserve, to build a rail line from nowhere to a city where the economy is failing and where no one can afford to live? The stupidity behind the entire plan boggles the mind. I058-1

Disgusted in Gilroy,

Teddy Goodrich

Teddy Goodrich

Response to Comments of Teddy Goodrich, May 24, 2004 (Letter I058)

I058-1

Please see standard response 6.3.1.

Comment Letter I059

I059

Lee Sims

P.0. Box 2700
El Granada, CA 94018

May 18, 2004

California High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814

Dear CHSPA:

I am opposed to the High Speed Rail passing through, over, or under the Orestimba Wilderness in Henry W. Coe State Park. It is bad policy. Revisit the doable Altamont pass option for the High Speed Rail, and leave designated park lands and pristine wilderness alone. I059-1

Sincerely,

Lee Sims

RECEIVED
MAY 24 2004

650.726.7547
Fax: 650.726.4958

401 Ave. Del Oro
El Granada

lsims@california.com

Response to Comments of Lee Sims, May 18, 2004 (Letter I059)

I059-1

Please see standard response 6.3.1.

Comment Letter I060

I060

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

May 20, 2004

RECEIVED
MAY 24 2004

RE: High Speed Rail/Orestimba Wilderness

Dear Mr. Petrillo,

A letter I received from a collegue expresses my sentiments exactly—

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. The High Speed Rail Authority favors the route from the San Juaquin Valley to the Bay Area through Coe Park. This is wrong, it's bad now and will be bad in the future. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness is important. A wilderness area embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased. I060-1

The high speed rail plan is to run trains every 10 minutes. The trains are to move at speeds up to 220 mph. The rail intrusions, along with the sounds that accompany them, would render the Orestimba area meaningless as wilderness, or even park land.

Adding new park lands has been proposed as mitigation for using the Orestimba Wilderness. To trade one wilderness area or park preserve for another defeats the principle of setting land aside in the first place.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the High-Speed Rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely,

Lisa Thornquist, MD

Lisa Thornquist, M.D.

Response to Comments of Lisa Thornquist, May 20, 2004 (Letter I060)

I060-1

Please see standard response 6.3.1.

Comment Letter I061

I061

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

May 20, 2004

RECEIVED
MAY 24 2004

RE: High Speed Rail/Orestimba Wilderness

Dear Mr. Petrillo,

A letter I received from a collegue expresses my sentiments exactly—

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. The High Speed Rail Authority favors the route from the San Juaquin Valley to the Bay Area through Coe Park. This is wrong, it's bad now and will be bad in the future. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness is important. A wilderness area embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased.

I061-1

The high speed rail plan is to run trains every 10 minutes. The trains are to move at speeds up to 220 mph. The rail intrusions, along with the sounds that accompany them, would render the Orestimba area meaningless as wilderness, or even park land.

Adding new park lands has been proposed as mitigation for using the Orestimba Wilderness. To trade one wilderness area or park preserve for another defeats the principle of setting land aside in the first place.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the High-Speed Rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely,

Robert Thornquist

Robert Thornquist, USAF ret.

Response to Comments of Robert Thornquist, May 20, 2004 (Letter I061)

I061-1

Please see standard response 6.3.1.

Comment Letter I062

I062

RECEIVED
MAY 24 2004

853 Valparaiso Court
Merced, CA 95348

May 22, 2004

California High Speed Rail Authority
825 L Street #1425
Sacramento, CA 95814

RE: Diablo Range Routes

Gentlepersons:

We are unalterably opposed to the Diablo Range routes proposed for the high-speed rail. The Orestimba State Wilderness section of Henry W. Coe State Park should be forever off limits to the damage that would occur from constructing a high-speed rail route through this area. The more northerly alternative through the Anderson Valley would destroy pristine wilderness and nature conservancy lands as well even though not directly protected by the State Park.

The California Wilderness Act protects the beautiful Orestimba State Wilderness area. We enjoy hiking in Henry Coe State Park and believe that the 85,000 acres of this park should forever be preserved for future generations. I062-1

Please do not choose the Diablo Range for the High-Speed Rail route.

Very truly yours

David L. Tucker Linda S. Lagace

Response to Comments of David Tucker and Linda Lagace, May 24, 2004 (Letter I062)

I062-1

Please see standard response 6.3.1.

Comment Letter I063

I063

RECEIVED
JUN - 1 2004

May 22, 2004

CA High-Speed
Rail Authority

Re: Orestimba Wilderness,
Henry W. Coe State Park

Dear Authority,

Please do not consider routing the high-speed rail through Coe Park. This wilderness is so untouched, so unspoiled – it is a very rare place. Please preserve its beauty and isolation. Thank you so much. I063-1

Tina Baine
566 Carr Ave.
Aromas, CA 95004
831-726-3528

Response to Comments of Tina Baine, May 22, 2004 (Letter I063)

I063-1

Please see standard response 6.3.1.

Comment Letter I064

I064

JUN - 1 2004

20800 Kittredge Road
Saratoga, CA 95070
May 22, 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo,

We are against the proposed route through the Diablo Range down Miller Rd and the San Antonio Valley, also through Henry Coe Park. I064-1

The route should go where there is already a major highway along the Altamont Pass.

Do not route it please through the undeveloped and protected lands of the Diablo Range.

Sincerely,
Gail & Doug Cheeseman

Doug & Gail Cheeseman
20800 Kittredge Rd.
Saratoga, CA 95070
USA

Response to Comments of Doug and Gail Cheeseman, May 22, 2004 (Letter I064)

I064-1

Please see standard response 6.3.1.

Comment Letter I065

I065

Al Leitch

RECEIVED
JUN - 1 2004

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

To Mrs. Carrie Pourvahidi:

As a Campbell resident, I am writing about my concern for the high speed rail alignment choices and the level of public awareness of the project. The current alignments under examination are the Pachecho Pass and Diablo Valley routes. Why was the Altamont Pass alignment dropped from further study? I have read that Altamont Pass has a denser population and brings less destructive environmental impact. Even if it carried higher financial cost, this would be well compensated by the higher ridership. I065-1

In regards to public awareness, the number of people who know about this project are in the minority. I have spoken to several people and they do not know what I'm speaking of. It is not enough to issue user surveys: an article needs to be printed at least once a week in the newspaper of every city involved. I065-2

Thank you for your attention to this matter. I would appreciate a response to this letter.

Yours truly,

Al Leitch

Al Leitch
Interested citizen

Response to Comments of Al Leitch, May 25, 2004 (Letter I065)

I065-1

Please see standard response 6.3.1.

I065-2

Please see standard response 8.1.1.

Comment Letter I066

I066

ATTN: CALIFORNIA HIGH-SPEED TRAIN
DRAFT PROGRAM EIR/EIS COMMENTS
925 L ST., SUITE 1425
SACRAMENTO, CA 95814

I've seen your suggested routes for a high speed rail from LA to Sacramento.
I've ridden the "bullet" trains in Japan.
I've hiked in the Orestimba Wilderness in Henry Coe Park ~ keep it wild!

I'm writing to ask you NOT to choose either of the routes through the Orestimba wilderness. It is a truly wonderful place — please do not spoil it for my grandchildren and future generations: I066-1

LINDA STEWART
16575 OAK VIEW CIRCLE
MORGAN HILL, CA 95037

Response to Comments of Linda Stewart, June 1, 2004 (Letter I066)

I066-1

Please see standard response 6.3.1.

Comment Letter I067

I067

May 30 2004

Joseph Petrillo, High Speed Rail Authority,

Dear Mr. Petrillo,

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased. I067-1

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the high speed rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely, Marnie Meyer

Marnie Meyer
7435 Eigleberry Street
Gilroy, CA 95020

RECEIVED JUN 3 2004

Response to Comments of Marnie Meyer, May 30, 2004 (Letter I067)

I067-1

Please see standard response 6.3.1.

Comment Letter I068

I068

May 30 2004

Joseph Petrillo, High Speed Rail Authority,

Dear Mr. Petrillo,

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased. I068-1

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the high speed rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely,

Michael Meyer
7435 Eigleberry Street
Gilroy, CA 95020

RECEIVED
JUN 3 2004

Response to Comments of Michael Meyer, May 30, 2004 (Letter I068)

I068-1

Please see standard response 6.3.1.

Comment Letter I069

I069

May 30 2004

Joseph Petrillo, High Speed Rail Authority,

Dear Mr. Petrillo,

I am writing because I oppose any intrusion of the High Speed Rail into the Wilderness area of Henry Coe State Park. Violating the Coe wilderness area, called the Orestimba Wilderness, is wrong for several reasons:

Wilderness embodies a gene pool, an essential place for the vitality of plants and animals. We have the responsibility of providing animals with places where they are free from the impingements of civilization.

Wilderness is essential for humans beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. Wilderness will be even more important to our children when they are adults and the population in the Bay Area is greatly increased. I069-1

The Orestimba Wilderness has been elevated to the legal status of State Wilderness, which means that it is to be preserved and protected, forever.

In 30 years, 50 years, with millions more people in the Bay Area, the Orestimba Wilderness will be that much more precious. We should protect the Oresimba for our children and their children.

If you agree that preservation means "forever" instead of "until someone finds another use for it", we urge you to implement the high speed rail system without destruction of the Orestimba State Wilderness area and Henry Coe State Park.

Sincerely,

Tina Meyer
7435 Eigleberry Street
Gilroy, CA 95020

RECEIVED JUN 3 2004

Response to Comments of Tina Meyer, May 30, 2004 (Letter I069)

I069-1

Please see standard response 6.3.1.

Comment Letter I070

I070

June 1, 2004

RECEIVED JUN 7 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo,

I am writing to state my opposition to the intrusion of the High Speed Rail Line into the Wilderness area of Henry W. Coe State Park.

Violating Coe's wilderness, called the Orestimba Wilderness, is wrong for several reasons:

> This area has been elevated to the status of a State Wilderness in order that it be preserved and protected forever.
>
> A wilderness area provides for the sustenance of a viable gene pool for California plants and animals, many of which could soon be on the verge of becoming endangered because of the pressure from the increasing intrusion of our human population into their habitat.
>
> The presence of a wilderness is essential for human beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. This experience will be even more treasured by future generations as the population in the Bay area increases. I070-1
>
> The construction and operation of a rail line whether it be on the surface or through a series of tunnels would be an intrusion that would have a strong negative effect on all of those factors that are important to a wilderness, whether human or ecological.

I urge you to take all the steps necessary to preserve and protect our important Wilderness, and keep the High Speed Rail out of Henry W. Coe State Park.

Yours Sincerely,

Carol A. Frazer

Carol Frazer
17345 Oak Leaf Drive
Morgan Hill, CA 95037

Response to Comments of Carol Frazer, June 1, 2004 (Letter I070)

I070-1

Please see standard response 6.3.1.

Comment Letter I071

I071

June 1, 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RECEIVED
JUN 7 2004

Dear Mr. Petrillo,

I am writing to state my opposition to the intrusion of the High Speed Rail Line into the Wilderness area of Henry W. Coe State Park.

Violating Coe's wilderness, called the Orestimba Wilderness, is wrong for several reasons:

> This area has been elevated to the status of a State Wilderness in order that it be preserved and protected forever.
>
> A wilderness area provides for the sustenance of a viable gene pool for California plants and animals, many of which could soon be on the verge of becoming endangered because of the pressure from the increasing intrusion of our human population into their habitat.
>
> The presence of a wilderness is essential for human beings. The wilderness experience revives the spirit, allows one to come into harmony with unmanaged, non-human centered systems. This experience will be even more treasured by future generations as the population in the Bay area increases. I071-1
>
> The construction and operation of a rail line whether it be on the surface or through a series of tunnels would be an intrusion that would have a strong negative effect on all of those factors that are important to a wilderness, whether human or ecological.

I urge you to take all the steps necessary to preserve and protect our important Wilderness, and keep the High Speed Rail out of Henry W. Coe State Park.

Yours Sincerely,

William Frazer

William Frazer
17345 Oak Leaf Drive
Morgan Hill, CA 95037

Response to Comments of William Frazer, June 1, 2004 (Letter I071)

I071-1

Please see standard response 6.3.1.

Comment Letter I072

I072

June 5, 2004

RECEIVED JUN 7

RECEIVED JUN 7 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

To Whom It May Concern:

Please DO NOT continue plans for routing either of two proposed high-speed train routes through the Orestimba Wilderness of Henry W. Coe State Park. I am a frequent visitor to Henry Coe and cherish it for its serene and quiet atmosphere and its integrity as a wilderness area. I often camp there and treasure it as a place to hear coyotes yipping, see boars roaming through the brush and wake to the gobblings of wild turkeys.

I am concerned that parts of the Orestimba Wilderness will be declassified in order to make a train route permissable through that area. The Orestimba wilderness represents 25% of the preserved state wilderness in Northern California. If the Orestimba Wilderness Area is bisected by the high-speed train, that wilderness will cease to exist. I072-1

I am a supporter in general of mass transit and rail travel. However, the cost to the natural world and those humans who turn to it for inspiration is far too high for these routes!! Please consider other routes which will not damage or require declassification of California's remaining Wilderness Areas.

Thank you for considering my thoughts,

Deanna D. Ross

Deanna Ross
598 Van Buren Street #1
Monterey, CA 93940

Response to Comments of Deanne Ross, June 5, 2004 (Letter I072)

I072-1

Please see standard response 6.3.1.

Comment Letter I073

I073

Brenda Andringa
571 Creekside Ln
Morgan Hill, CA 95037

June 9, 2004

JUN 14 2004

California High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814

RE: High Speed Rail Proposal

Dear Gentlepeople,

I urge you to recommend that no route for this railway include any portion of the Henry Coe State Park. This is a true state treasure. We should not continue to impeed on the only open space left for the first inhabitants of California, the wildlife. In addition, I use the park at least once a month and find that I am never closer to God than I am when I am on the top of a ridge with the wind in my hair and the sun on my face. Please don't take that away from me. Come on down and I'll take you for a horseback ride and show you things that you'll never forget in a lifetime. I073-1

Please recommend that no route include any portion of the Coe State Park.

Thank you.

Brenda Andringa

Response to Comments of Brenda Andringa, June 9, 2004 (Letter I073)

I073-1

Please see standard response 6.3.1.

Comment Letter I074

I074

J. EDWARD HOLLENDER
1323 PHEASANT DRIVE
GILROY, CALIFORNIA 95020
PHONE: 408 842 0538
FAX:408 846 9671
E-MAIL: jader@worldnet.att.net

CE
JUN 14

June 4, 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Authority Officers and Members,

I recently learned that you are considering two possible routes through the Diablo range that would pass through Henry Coe State Park. That such routing would be considered through any state park (not legal by the charter for a park, as I understand it) is very disturbing, that the routes through Henry Coe would pass through the Orestimba Wilderness section of the park is almost unbelievable. Surely there are more viable alternatives than disrupting one of the most pristine and beautiful areas of our state. For example, transverse the mountains further south so as to include Salinas in the system or cross the range through the Altamont Pass or the Pacheco Pass (Pacheco being, by far, the least attractive of these three examples from an environmental impact perspective). I074-1

I am a strong advocate of high speed rail. California, as well as other sections of the country would greatly benefit from the implementation of these networks. I do not, however, believe we must destroy on of the few significant pristine and undisturbed areas of our state to secure right-of-way for the high speed rail line. I urge you to drop consideration of the Henry Coe routing and develop more environmentally benign alternatives.

Sincerely,

J. Edward Hollender

Response to Comments of J. Edward Hollender, June 4, 2004 (Letter I074)

I074-1

Please see standard response 6.3.1.

Comment Letter I075

I075

JUN 1 - 2004

4801 Yamato Drive
San Jose, CA 95111
May 26, 2004

California High-Speed Rail Authority
925 L Street, Suit 1425
Sacramento, CA 95814

Gentlemen:

On May 24 an op-ed appeared in the San Jose Mercury written by Rod Diridon extolling the notion of a high-speed rail link between Sacramento and San Diego. Mr. Diridon's major concern seemed to be whether San Jose would be on the main route, a rather parochial consideration.

Somehow Mr. Diridon seems determined to reinvent the past. He was deeply involved in the building of a trolley line in San Jose, something that was supposed to fill a transportation need. What the Diridon trolley line has resulted in is trolleys running up and down the tracks with a half dozen people in them. The cost of the system is borne by the taxpayers of the valley.

California grew up with the automobile. It's no accident that cities are sprawling. People like that. It's no accident that there are shopping centers with massive parking areas. People like that. European cities are very different from those of the west. They are compact, and high rise. Big cities in the east are also compact and well suited to rapid transit on rail lines. A bullet train would be ideal on a route between Boston and Washington, DC. But it hasn't been built yet. I075-1

So to Mr. Diridon's op-ed. First he says that the authority has "invested" so far nearly thirty million dollars. I would choose another word, maybe like spent or squandered. Then he projects that the population of the state will double by 2040. That's half a lifetime and I sincerely question whether anyone can project that far out. And if it is does happen we can build a line then. Finally Mr. Diridon concludes with the statement that "every industrialized country in the world has or is building a high-speed train system" I'm concerned with what he has been smoking. I know of only three high-speed trains. And Mr. Diridon might take a trip to England and find that country wouldn't build a high speed connection between the Chunnel and London.

Sincerely,

Charles Prevost

Response to Comments of Charles Prevost, May 26, 2004 (Letter I075)

I075-1

Please see standard response 2.1.1 and 2.1.2 in regards to the HST ridership and revenue forecasts and the viability of HST service in California. The Acela service on the Northeast Corridor achieves speeds of up to 150 mph between Boston and Washington D.C. and is considered to be a "high-speed" rail service. Population projections used for the Program EIR/EIS and supporting technical studies are Department of Finance projections, the co-lead agencies believe that these projections are very credible. In regards to HST systems, please see standard response 2.12.2. It should further be noted that England recently opened the first segment of its new HST link between the "Chunnel" and London, the remaining segment is under construction.

Comment Letter I076

I076

Oakland, CA
June 14, 2004

JUN 16 2004

Dear Representative of the California High Speed Rail Authority,

I am probably one of the few people writing to you who has actually been in the Orestimba Wilderness. I've hiked through different parts of this wilderness perhaps 15 to 20 times – most recently on June 3 (2004) after I had backpacked the previous day into nearby Mississippi Lake from Henry Coe State Park headquarters. My day hike on June 3 took me through the Robinson Creek area, which aligns with part of one proposed high-speed rail route, then up the Pinto Creek Trail and into the higher ground of the Mt. Stakes region. My 26.5 mile round trip hike, true to past year's hikes, proved to be a mix of adventure and misadventure. I can always count on one or the other, or both, in the Orestimba Wilderness. Fabulous wildlife, solitude, heat, difficult terrain, poison oak, flies, sometimes a swim, thirst, cramps, and too many miles are always, in some combination, part of the bargain in there.

The idea of a high-speed route from Los Angeles into the Bay Area is one I support, but I urge you to put this route through the Pacheco Pass area (or over the Altamont Pass), where the land is already somewhat developed and where you would avoid impacting such as wonderful place as the Orestimba Wilderness. A rail line through the wilderness (and the roads needed to service this rail line) would make it a non-wilderness; the train noise, the above ground portions of track, and the greater vehicular access to the area would have substantial transforming effects. Even a route just to the north of Henry Coe State Park, though a better choice than through the park, would not be the best option because chances are good that some of this land will be added to the park in the coming years. I076-1

Relatively few people use the Orestimba Wilderness (though an awful lot of wildlife does), so the obvious benefits to humans seem small. Still, I think the proximity of large tracts of wild land appeals greatly to Bay Area residents, and their votes on a variety of parkland bonds and initiatives over the past several years seem to support this idea. The argument really comes down to a question of whether or not this wilderness is worth preserving intact for itself. I believe it is, and I think many Bay Area residents would agree with me.

Thanks very much for taking the time to read this letter.

Sincerely,

Thomas Ford

Thomas Ford

Response to Comments of Thomas Ford, June 14, 2004 (Letter I076)

I076-1

Please see standard response 6.3.1.

Comment Letter I077

I077

the blues

JUN 17 2004

June 12, 2004

Dear High-Speed Rail Authority:

Recently my wife and I camped for several nights in Henry W. Coe State Park. What a wonderful wilderness. It is very fortunate and we are very thankful that people with foresight have set aside land to remain as wilderness. We live in the San Francisco Bay Area and we benefit from many groups, including State government that continues to work towards the preservation of natural lands.

We understand that two of the four proposed rail alignments now under consideration for connecting Los Angeles to San Jose and San Francisco transect the Wilderness Area in Henry W. Coe State Park, despite the fact that State Law currently prohibits mechanized travel within State Wilderness Areas. I077-1

We feel firmly that we can not, must not, allow the High-Speed Rail system to transect the wilderness area of Henry W. Coe Park. Such a system should be aligned within existing transportation corridors.

Please ensure that this encroachment on exiting wilderness areas does not take place.

Thank you very much.

Sincerely,

Brian & Ann Blue

the blues • 1583 St. Helena Drive • Danville, CA 94526
bebluc@pacbell.net

Response to Comments of Brian and Ann Blue, June 12, 2004 (Letter I077)

I077-1

Please see standard response 6.3.1.

Comment Letter I078

I078

JUN 17 2004

Dear Sirs,

The DEIR for the proposed state High Speed Rail ~~are~~ is insufficient. I am especially concerned about the threats to Henry Coe State Park and the undeveloped lands throughout Mount Hamilton area I078-1

More environmental representatives should be consulted. There should be a watchdog committee. Thank you Linda Nicolls

Response to Comments of Linda Nicoleto, June 17, 2004 (Letter I078)

I078-1

Please see standard response 6.3.1.

Comment Letter I079

I079

June 20, 2004

RECEIVED JUN 22 2004

Joseph Petrill, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Chairman Petrill,

High Speed Rail, as a mode of transportation between Sacramento, the Bay Area, Los Angeles and San Diago is worthy of serious study. But I strongly suggest that no High Speed Rail corridor be selected going through State Park or Wilderness lands. Impacts upon these lands cannot be mitigated and a High Speed Rail program cannot afford the value placed upon their integrity. If a pan-park or pan-wilderness corridor is selected as a preferred option, I will shift my support away from High Speed Rail and support its opposition.

Having reviewed the High Speed Rail study's Draft Environmental Impact Report (DEIR), I find myself in agreement with its finding that the High Speed Rail option is the "preferred system alternative". However, the DEIR as written is not adequate for selection of a preferred route passage corridor and station selection. I therefor call for a revision of the DEIR and its re-circulation for public comment. We have time to do this right; but if we proceed with a flawed basis for the expenditure of 30+ Billion dollars, we run the very real risk of having the entire idea of High Speed Rail terminated. I offer the following pointed and hopefully constructive criticism of the DEIR for use in DEIR revision. I079-1

1) Altmount Pass Corridor Should be a Considered Option

The DEIR considered a down-selected list of 5 corridor options for connecting the Bay Area to the Central Valley. However, it is flawed in its omission of the Altmount Pass corridor as an option and this omission should be rectified in a DEIR revision. I read the DEIR's justification for this act but do not accept its validity. According to the DEIR, section S.3, "The system should maximize the use of existing transportation corridors...". It is obvious that the Altmount Pass corridor meets this objective better than the three "Diablo Range Direct" options being considered by the DEIR which punch virgin corridors through the Diablo Range. This issue was not acknowledged in the DEIR. However, the DEIR did acknowledge that the Altmount Pass corridor would cost the least. Indeed, more was said about the Altmount Pass corridor than any of the 5 Bay Area to Central Valley options actually under consideration. I079-2

Yes, the Altmount pass corridor has its short-comings; so do all 5 Bay Area to Central Valley options officially under consideration. The DEIR identified no technical obstacle to the Altmount Pass corridor; rather it sited a prediction of reduced ridership as justification for its disqualification for further study. Why is it OK to consider a corridor that punches through a State Wilderness but it's not OK to consider alternative that is probably cheaper, will not harm Wilderness but may result in reduced ridership? The DEIR's disqualification of the Altmount Pass corridor appears to be a value judgement not worthy of a serious study and contrary to the public review process.

2) Station Specific Urban Growth Potential and Associated Impacts

Regarding the impact of urban growth, a revised DEIR should quantify the acreage that would be developed at individual station stops as a result of high speed rail. The impacts of this acreage should then be quantified in terms of loss to biological, water, clean air and visual resources.

As currently written, the DEIR fails to list station specific growth impacts. Instead it makes a general claim that there is a low potential for impact upon acres of urbanized land required. It quantified an example in the Bay Area by stating "the stations at Los Banos and Gilroy are forecast to attract a small amount of urbanized acreage (0.5%) away from traditional urban centers in Santa Clara, Sacramento and Sanisslaus Counties". I079-3

This assessment is fundamentally flawed; because the issue should be the number of acres developed in a far flung station like Los Banos or Gilroy. The DEIR's focus upon land not developed in current urban centers misses the point. For starters, an acre of land not developed in a current urban center would translate into a greater number of acres developed in the far flung location where land costs are less. For another, an acre developed in a far flung location incurs far greater costs to the environment and government budgets for infrastructure development.

Even if we accept the estimate that 0.5% of the current urban center land mass that would be displaced to far flung locations, that is still a very large number of acres. A revised DEIR should list total acreage affected, not percentages of current urban center acreage as a gauge of impact. As currently written, the DEIR appears to be evading the issue by using improper measures.

3) Corridor and Station Specific Impacts not Evaluated and Cannot Support a Preferred Option Selection.

For all corridor options, the DEIR fails to discuss, qualify or quantify environmental impacts. It is not adequate to simply name an environmental impact. For example, the DEIR stated that the two Diablo Range routes would have a visual impact caused by their passage through the State's Orestimba Wilderness. That is the extent of the DEIR's review of visual impact to a Wilderness? Again, the DEIR as written does not represent a serious study worthy of such an important decision.

For all Station stops, the DEIR fails to evaluate their individual cost and benefits; and yet we are somehow expected to down-select stations from this study? A down select based upon so little information would not serve the public as it would have to be based upon uninformed and personal bias. . I079-4

4) The DEIR should evaluate each option's visual impact by quantifying the miles of exposed corridor and place a higher impact factor to those miles within open space and an even higher impact factor to miles within wilderness areas.

5) Tunneling would result in a mountain of rock tailing. What is the fate of this material and would it have a visual impact? The DEIR should account for the rock tailing and quantify the impact of their fate upon visual, biological and water resources.

Comment Letter I079 Continued

6) Tunneling has a history of increasing the rate of water drainage from mountains. In the arid regions of both the Diablo Range and Southern California, a number of threatened species depend upon Mountains for their slow release of water through-out the dry season. Tunneling may impact these species and their habitat. The DEIR must identify these species, their range of habitat. Only then can the revised DEIR quantify the potential impact of specific corridor options.

7) Tunneling would not only expose rock tailing to the elements, it would also expose virgin rock on the inside of mountains and concentrated drainage patterns. Both of these factors serve as vectors for the transport of potentially toxic minerals, salts and acids. The DEIR must identify the compounds released by tunneling, quantify their volume and project their concentration in local streams. The DEIR should then assess the biological impact of tunneling related to such pollutants.

8) Habitat fragmentation is a crucial issue given scant attention in the DEIR. A revised DEIR should identify the habitat and range for species of concern and evaluate corridor option relative to this back-drop.

9) A revised DEIR should evaluate cumulative impact to habitat fragmentation. For example, evaluation of the Pacheco Pass corridor option should assess the cumulative impact to habitat fragmentation caused by the combination of Highway 152 and the High Speed Rail.

I079-4 cont

Sincerely,

Matthew Nahan, Ph.D.
695 Coral Ct.
Los Altos, CA 94024
(408) 742-3927 (Work)

Response to Comments of Matthew Nahan, June 20, 2004 (Letter I079)

I079-1

Please see the preferred HST alignment and station locations as described in the Final Program EIR/EIS (Chapter 6A). The Authority believes that the preferred HST alignment and station locations minimize impacts to State Parks and Wilderness lands.

I079-2

Please see standard response 2.18.1.

I079-3

Quantification of the acreage that would be developed at individual station stops as a result of HST is beyond the scope of a program level document. Should the HST proposal move forward, more detailed project-specific studies will be required. Please also refer to standard response 6.3.1.

I079-4

Environmental analysis was done at a program-level detail, however, the Authority believes that there was sufficient information provided in the Draft Program EIR/EIS to select a preferred alignment and station locations (see comment I079-1 above). Details such as “rock tailing” and “increasing the rate of water drainage from mountains” and “identify the compounds released by tunneling, quantify their volume and project their concentration in streams” is beyond the scope of a program level environmental document. Should the HST proposal move forward, more detailed project-specific studies will be required. Please see standard responses 3.15.3 and 3.15.5 in regards to potential impacts from tunneling on habitat, groundwater and drainage. Please see standard responses 3.15.2, 3.15.3, 3.15.9 and 3.15.13 in regards to habitat fragmentation and the level of detail of the program EIR/EIS process. Please see standard response 3.17.1 in regards to the cumulative impacts analysis.

Comment Letter I080

I080

June 21, '04

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

Dear Governor Schwarzenegger:

From your past comments we realize that you both value State Parks and support the High-Speed Rail initiative. We suspect you are unaware that some people consider your support for High-Speed rail as a license to run tracks through State Parks and State Wilderness Areas in spite of existing State laws prohibiting such activities in these special lands.

Believe it or not, two of the four proposed rail alignments now under consideration for connecting Los Angeles to San José and San Francisco transect the Wilderness Area in Henry W. Coe State Park, despite the fact that State Law currently prohibits mechanized travel within State Wilderness Areas. I080-1

If you agree that preservation means *"forever"* instead of *"until someone finds another use for it"*, we urge you to do the following:

- Direct Ruth Coleman, Director of Parks and Recreation, to resist non-mission uses within State Parks and State Wilderness Areas.
- Tell the HSRA Board of Directors that you want the High-Speed Rail system implemented without destruction of State Parks and State Wilderness.

Sincerely,

Dennis W. Pinion

Director, Advocates for Coe Park
(May 19, 2004)

Regards,
Fischler

JUN 2 2 2004

Response to Comments of Dennis W. Pinion, June 22, 2004 (Letter I080)

I080-1

Please see standard response 6.3.1.

Comment Letter I081

I081

RECEIVED
JUN 24 2004

149 Forest Hill Drive,
Los Gatos,
CA 95032

Tel. (408) 356-5457
E-mail: mpegler@prtm.com

Joseph E. Petrillo,
Chairman,
California High-Speed Rail Authority,
925 L Street,
Suite 1425,
Sacramento,
CA 95814

May 26th 2004

Re. Transcript of Mike Pegler's comments at the *HSRA Public Hearing* in San Jose

Mr. Petrillo,

Thank you for the opportunity to speak at the *California High Speed Rail Authority* hearing in San Jose on May 26th. As you requested, please find attached the full text of my comments.

Overall, I was encouraged by the number of people speaking in favor of this important project for California. I was disappointed however at the "micro" view that so many speakers took. I believe that this project is desperately needed as we plan for the future but am fearful that it will be stalled as people squabble over the details. Without the high-speed rail network, the "bigger picture" environment will suffer and the quality of life that we enjoy so much will decline significantly. In addition there will be the associated lost opportunities to create jobs, boost the economy, conserve energy, and enhance the free flow of people and goods. I081-1

Fundamentally, I believe that the high-speed rail network needs to minimize the journey times between major cities. If the service is not highly competitive with road and air, on a city-center to city-center basis, then it will not be well used by business travelers and others, and therefore not fully realize the potential benefits of such a system. To achieve this, the design needs to:

- Minimize journey time between locations by taking the most direct routes, but:
  - Avoid crossing designated State parks or wildlife preserves
  - Minimize the use of tunnels due to the speed reductions that they impose
- Minimize the number of intermediate stations, while balancing the needs for large catchment areas
  - Use well-planned and coordinated light rail and other commuter services to provide feeders into and out of the high-speed network

Having seen how effective high-speed networks can be in other countries, I am a huge proponent of the proposed network in California.

Please let me know if you would like me to expand upon any of my comments, or if I can be of further assistance or support to this critical effort for California's continued success. I081-2

Yours sincerely,

Mike Pegler

Attch. Transcript of my comments at May 26 public hearing (assuming no 3-minute limit)

Cc: Rod Diridon, Board Member
Dan Leavitt, Staff Member

Comment Letter I081 Continued

Address at Public Hearing – by Mike Pegler
California High Speed Train Program – Draft EIR/EIS
May 25, 2004

Ladies and Gentlemen,

My name is Mike Pegler – I am a resident and homeowner in the San Jose area. I come before you today as a concerned citizen – representing myself and my family.

I would like to thank the Authority for the opportunity to speak today, and commend everyone involved in the planning and analysis that has been performed to-date.

I would like to provide a brief background on why I feel I am qualified to make comments today, provide a summary of my support, provide details of why I support the proposed Program, and close with some specific comments as you deliberate on the several major design and policy issues now under consideration.

Firstly, my background. I travel extensively, using all three modes of transport addressed in this proposal – air, road, and rail:

- I have flown nearly 150,000 miles over the past 12 months, including over 50 flights between San Jose and San Diego
- I have the privilege of owning an automobile and have driven thousands of miles in California and Europe
- I have traveled by train extensively – including the in the US, the UK, France, and Switzerland

I give you this as background to my comments and my assertion that I can provide an objective view of the proposal being discussed today. Although I am not representing a group here today, I believe that I can offer some unique perspectives, based on my extensive travels – as a business and leisure traveler – but also as someone who believes in preserving the natural wonders of this great State. I081-3

I cut short a business trip to San Diego to be here today. As we boarded our giant flying vacuum cleaner in San Diego (a "regional jet" to use airline parlance), one of my fellow passengers remarked, as he was squeezing into his cramped seat "what species was this designed for?"!

In summary, based on reading the *Summary Draft Program EIR/EIS for the proposed California High-Speed Train System* I am delighted at the proposal and am in favor of proceeding. As one of my client's put it "it's about time – we desperately need it!". I would now like to explain why.

In California today, we enjoy a quality-of-life second-to-none. Without drastic action, this will not be the case for very long:

- Our road infrastructure is under increasing stress, with many inter-city routes at or above design capacity leading to many problems, including:

  - Increased commute times
  - Reduced mobility and reliability
  - Reduced fuel efficiency
  - Increased pollution
- Our airports are at or near capacity – delays, unreliability, and long security lines are becoming a fact-of-life

If no measures are taken to address this problem, we will see a further deterioration in quality-of-life and reduced mobility – something that we all value highly.

High-speed rail can form a key component in the safe and rapid transfer of people and time-sensitive goods to enable the economy to grow and flourish and to improve our quality-of-life.

We are the 5th largest economy behind the US, Japan, Germany, UK, and France. It's interesting to note that, with the exception of the US, all the countries larger than us in economic size, have successful high speed train networks:

- Japan with the *Shinkansen* bullet-trains. Capable of transporting up to 100,000 passengers each day, Shinkansen, offers travelers a fast, frequent, safe and reliable service. There have been no passenger fatalities since Shinkansen services were introduced in 1964 and, on average, trains arrive within 24 seconds of schedule
- Germany with the ICE 174 mph high-speed trains (record 225 mph)
- The UK with 140 mph Intercity 225 express trains and more recently the 186 mph *Eurostar* Channel Tunnel trains
- France with their TGVs – Introduced in 1981, running at normal operating speeds of 186 mph, one set a speed record for 320 mph in 1990. TGVs are so well used that they have had to migrate to double-deck versions to increase capacity of a much-used network. They can even run at up to 138 mph on shared, regular track. The safety record of TGVs has been almost flawless, with no deaths or serious injuries on high speed lines, only a few minor derailments - the same cannot be said for California's road network! I081-3 cont

Overall, I am convinced that the high-speed train system proposed will:

- **Reduce traffic congestion** and the need to expand the current road network
- **Benefit the environment**
  - Although there will be a visual and noise impact on a micro scale, the macro picture is far more favorable – consider two alternatives to move 300 Californians …. 1 train, using electricity generated centrally and distributed to high-efficiency electric motors – the other using 299 cars with their 25% efficient gas engines burning natural resources and polluting as they go
- **Save energy and reduce our dependence on oil** – more important now than ever before
  - I find it staggering (and quite believable) that the energy required per passenger mile for this service is one fifth that of a commuter automobile trip! (and one-half that for an intercity automobile trip)
- **Increase mobility – for us all** – whether using the train or not!
  - If you use the train, you get there quickly

Comment Letter I081 Continued

- If you use your car, you get their quicker too, since the roads are less congested than with if there was no robust rail alternative!
- **Create a significant number of job opportunities** for an extended period
  - Long-term and significant numbers of interim jobs to design and build the network
  - Long-term job opportunities to operate the system

  (Many of which can't be outsourced – a key point in the current economic climate!)
- **Provide a safe, fast, and reliable alternative to air travel**
  - On a per-passenger mile basis, it is twice as safe to travel by rail as road – and far less stressful – enabling would-be drivers, to eat, drink, sleep, or work as the miles fly by I081-3 cont
- **Provide a sound option for business travelers** – providing longer working times, in greater comfort
  - As other countries' experience has shown, high-speed rail can be the business traveler's transport of choice, as long as the journey times are short enough and the end points are close enough to the intended destination
- **Provide a significant project to rally the State around** during tough economic times (akin to the Interstate construction or dam building effort of prior decades)
  - Job creation and economic stimulus alone is compelling, as long of course, as the funds approved by voters really are used for this project, as they intend!

In terms of my specific recommendations, I urge the California HSRA and Federal Railroad Administration (FRA) to consider the following general policy points:

- Learn from other countries, as the planning and implementation continues, where appropriate – leverage proven technologies such as those used in Japan or France I081-4
- Continue with a steel-wheel on steel-rail approach – avoid radical designs such as *maglev* – while they may be superior in the future, this project is too costly and too critical to our State to proceed with high-risk. A 200 mph network is "light years" ahead of where California is today and will offer respectable journey times. French experience has proven that 300 mph+ can be obtained with steel-wheel-on-steel-rail technology
- Rollout the construction and operation in Phases – get something running as soon as possible on routes with projected high demand and high benefit (e.g., San Francisco to Sacramento or San Francisco to Los Angeles)
  - Integrate with existing routes e.g., LOSSAN between LA and San Diego for Phase 1 I081-5
  - Upgrade more of the network to use dedicated, separated tracks as Phase 2
  - Use this initial revenue to continue to fund continued network build-out but get it right first time, and focus on a successful launch – bad press at the outset could be a financial disaster for the project
- Focus on routes that lower journey times – particularly for the longer journeys, but:
  - Do not cross any State Parks or wildlife refuges
  - Minimize tunneling or other major works, where reasonably possible
    - Tunneling increases likelihood of cost over-runs and project cancellation
    - Tunneling also requires a reduction of speed – as the Germans found with their ICE system which has to slow to go through tunnels; the TGVs of France on the other hand do not pass through tunnels on any high-speed sections I081-6
  - Use existing Rights Of Way, where possible, if the above is met, to minimize construction costs and environmental impact

Mike Pegler's Comments before California HSRA Public Hearing *May 25, 2004*

Page 3 of 5

  - When planning for the second generation of TGVs, the projection – which I believe was realized – was that for every minute shaved off the journey time from Paris to Lyon, 100,000 business travelers a year would switch to rail from alternative transportation (primarily air travel). I would imagine that a similar model exists for service between say San Francisco and Los Angeles
- Build the system to be scalable – consider particularly signaling for higher speeds than those initially proposed, so that if higher speeds become technically possible in the future, this network is able to benefit from them (this was one of the challenges that has forced the UK rail network to be slower than the motive power was capable of)
- Ensure that the stations selected are, where possible, in downtown locations
  - One of the key challenges we face in this State are those stations that are "in the middle of no-where" and need a car to get into town I081-6
- Ensure that other forms of transportation interface well at stations, including:
  - Buses
  - Taxis
  - Light rail
  - Rental cars
  - Car parking facilities – with low daily costs for passengers

  (Note: for public transit options, ensure connecting services to maximize the utility of the overall service)
- Ensure that the rolling stock and stations cater for business travelers – for example, ensuring that laptop power is available at all seats

To address the specific major design and policy issues under consideration, here are my thoughts

(*Note: fundamentally I support this project, regardless of the specific details – I believe that the my view of the details is worth sacrificing for the bigger picture; my biggest fear is that many, including environmentalists get so caught up in the local minute impacts, that they loose the big picture, the project stalls, and everyone looses*):

- *Northern Mountain Crossing*
  - Reduce the time between the South Bay and Sacramento and use the "Northern Tunnel" option, but avoid encroaching on any part of the Henry Coe State Park
    - Given one of the key goals of reduced journey time for long-distances, the journey time south to LA and beyond remains relatively unaffected by any of the proposed routes. However, the Pacheco Pass options increase the journey north to Sacramento by some 20 minutes or so. I therefore suggest using Cal Train or similar connected networks to feed riders in from Morgan Hill or Gilroy I081-7
- *Southern Mountain Crossing*
  - Follow the I-5 corridor to make the journey as direct as possible
  - While I applaud the foresight of the Antelope Valley community to be included on the network, the increased journey time may reduce ridership I081-8
  - Consider a connecting service to Antelope Valley
- *Bay Area*
  - Take the more direct I-880 route from San Jose to Oakland and do not cross the Don Edward's SF Bay National Wildlife Refuge I081-9
- *Southern California*

Mike Pegler's Comments before California HSRA Public Hearing *May 25, 2004*

Page 4 of 5

Comment Letter I081 Continued

- Use a dedicated line (i.e., the Union Pacific Railroad Santa Ana Branch) – preferably the same high-speed interconnected electric service as the rest of the network i.e., minimize hassle for the traveler I081-10

- *Shared Use Options*
  - Consider shared use for Phase 1 only
  - Move ultimately to a dedicated network to maximize the benefit (example in the UK of CTRL1 – increasing from limited speed to 186 mph by moving from shared to dedicated) I081-11
- *Link to LAX*
  - If the rail link cannot swing past LAX directly (preferred to maximize convenience e.g., TGVs directly to CDG), then use another transit network (e.g., along the lines of the highly successful *Heathrow Express* from LHR to London city center) – (their slogan - "15 mins every 15 mins") I081-12
- *Station Locations*
  - Ensure that at a minimum, the following stations are included: I081-13
    - Sacramento
    - San Francisco (downtown, including the
    - Trans Bay Terminal)
    - SFO
    - San Jose (Diridion – consider San Jose Airport too and how passengers will get to and from the airport easily)
    - Los Angeles Union Station
    - San Diego
  - Consider dropping Redwood City as a station due to its proximity to Palo Alto; or consider stations at Redwood City and Mountain View I081-14
  - Consider dropping Santa Clara Station due to its proximity to San Jose I081-15
  - Balance remaining stations to assure good stopping schedule and maximizing ridership reach at each station, while maintaining short total trip times
    - Our first trip on the *Amtrak Capital Corridor* was a shock – low speed train coupled with one that seems to stop everywhere, resulting in a 3-hr or so journey time for one which should only take 1.5 hrs by car I081-16

In closing, I would urge that this project proceed with due haste, and that the related initiative remain on the ballot for this November. This is a long-term project with a huge beneficial impact for California. The sooner we can get people to start digging to get this going, the better! I for one, look forward to seeing this great state of California fly by at 200 mph while relaxing or working in a stress-free environment, leaving those who choose to enjoy their cars to fly along at a mere 70 mph on un-congested roads. I081-17

Thank you for your attention.

Mike Pegler's Comments before California HSRA Public Hearing *May 25, 2004*

Page 5 of 5

Response to Comments of Mike Pegler, May 26, 2004 (Letter I081)

I081-1

Acknowledged.

I081-2

Acknowledged.

I081-3 through I081-17

Please see responses to Comments PH-SJ019. Written comments sent are duplicates of the oral comments Mr. Pegler made to the Authority at the San Jose Public Hearing on May 26, 2004.

Comment Letter I082

I082

June 29, 2004

RECEIVED
JUL - 6 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

To Whom It May Concern:

Please DO NOT continue plans for routing either of two proposed high-speed train routes through the Orestimba Wilderness of Henry W. Coe State Park. I am a frequent visitor to Henry Coe and cherish it for its serene and quiet atmosphere and its integrity as a wilderness area. I often camp there and treasure it as a place to hear coyotes yipping, see boars roaming through the brush and wake to the gobblings of wild turkeys.

I am concerned that parts of the Orestimba Wilderness will be declassified in order to make a train route permissable through that area. The Orestimba wilderness represents 25% of the preserved state wilderness in Northern California. If the Orestimba Wilderness Area is bisected by the high-speed train, that wilderness will cease to exist. I082-1

I am a supporter in general of mass transit and rail travel. However, the cost to the natural world and those humans who turn to it for inspiration is far too high for these routes!! Please consider other routes which will not damage or require declassification of California's remaining Wilderness Areas.

Thank you for considering my thoughts,

Deanna Ross

Deanna Ross
598 Van Buren Street #1
Monterey, CA 93940

Response to Comments of Deanna Ross, June 6, 2004 (Letter I082)

I082-1

Please see standard response 6.3.1.

Comment Letter I083

I083

RECEIVED
JUL - 8 2004

July 4, 2004

To: California High Speed Train
Draft Program EIR/EIS Comments
925 L Street Suite 1425
Sacramento Ca. 95814

Regarding: Questions in your letter dated May 12, 2004

1. Any concerns regarding how a certain proposed route might impact cultural resources more than an alternate route.
   I think that any route you choose could impact archaeological sites along the way. I would suggest contacting such people like John Ramoni of Compass Rose, Bob Lopez Archaeology, or Roberta Greenwood and Associates for further information. On your walk survey I would recommend that you use the Native Chumash peole as well as an archaeologist to assure any new discoveries to be recorded. I feel that the route you choose should be the one that requires the least amount of equipment and manpower. I083-1

2. Suggestions for tribal involvement in archaeological contracting or monitoring for the project.
   I would recommend that each Native Monitor show some kind of document or proof of their ancestry (roll number, etc.) Each Native Monitor should have at least 6 years experience in the field and 2 years experience in a lab, and submit a resume. I would suggest that the client hire monitors according to their individual township or city with the aid or assistance of other natives. Each Native should have a 2-way radio and cell phone. I would also recommend that each sub contractor be hired on an individual basis. I083-2

3. Any concerns about how the addition of the high speed rail might affect the character of your community or region.
   I have a concern about the potential growth of communities expanding into the archaeological sites, and how this growth will effect the city's or township's policies regarding the protection of the cultural resources. I083-3

Sincerely,

Patrick Tumamait

Patrick Tumamait
Native Chumash Consultant and Monitor
992 El Camino Corto
Ojai, Ca. 93023 (805) 640-0481

Response to Comments of Patrick Tumamait, July 4, 2004 (Letter I083)

I083-1

Acknowledged. Should the HST proposal move forward to project specific study, the Authority and FRA will consider contacting these individuals and will consider using Native Chumash people, as well as archaeologists. Please also see standard responses 3.12.1 and 10.1.14.

I083-2

Acknowledged. Should the HST proposal move forward to project specific study, the Authority and FRA will take these suggestions into consideration in regards to the hiring of Native American Monitors. Please also see response to comment I083-1.

I083-3

Acknowledged.

Comment Letter I084

I084

San José State
UNIVERSITY

College of Science
Department of Chemistry
One Washington Square
San Jose, CA 95192-0101
Voice: 408-924-5000
Fax: 408-924-4945

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

JUL 14 2004

July 10, 2004

Dear Mr. Morshed,

As a native Californian, and occasional taxpayer, I am very much in favor of a the High-Speed Rail project, yet I vehemently oppose cutting the route through the Orestimba Wilderness area of Henry W. Coe State Park.

Two of the four proposed routes, amazingly enough, cut through this unique stretch of oak woodland. If the State can (and it can!) route the rail line without disturbing designated wilderness and desecrating the largest State Park in Northern California, it certainly should do so.

Of the four routes proposed, the Bell Station (southern) route would be the least damaging to native habitat. I084-1

Unfortunately, the least damaging route (Altamont Pass) is not being formally considered! I am on San Josean who would not mind San Jose being a spur line, even though I visit Southern California frequently.

But the most important thing is to recognize that the Park is more that just another piece of real estate, and leave it intact for so many of us to enjoy! I'm out there most weekends!

Sincerely,

Dr. Daniel A. Straus
Professor of Chemistry
San Jose State University

The California State University:

Response to Comments of Dr. Daniel A. Straus, July 10, 2004 (Letter I084)

I084-1

Please see standard response 6.3.1.

Comment Letter I085

I085

RECEIVED
JUL 14 2004

July 11, 2004

California High Speed Rail Authority
925 L Street # 1425
Sacramento, Calif. 95814

Dear Sir,

I am writing to express my dismay and great concerns about the proposed high speed rail line.

In 1983 I purchased the headquarter ranch of the old Gill ranch in South West Stanislaus County. I looked far and wide for a ranch that had isolation and an abundance of game. I finally found the ranch at the base of the Roostercomb Mountain at the East side of Coe Park.

I was delighted when the area surrounding my 4850 acres was designated wilderness by the State of California. The Robinson Canyon and the Orestimba Creek is, in my opinion, the most beautiful and remote part of the entire Coe Park. Deer, elk, turkeys, and many other birds and animals call this part of heaven home. Our ranch now referred to as the Roostercomb Ranch is a very short distance to the South of the proposed route. The Orestimba Creek is at our doorstep. I085-1

A simple hike up the proposed location of the bullet train and anyone who truly cares would say, you have to be kidding. A 200 mile per hour train continuously streaking through this paradise is unbelievable.

I realize there is a need for better, faster transportation in the Golden State. I am a 5 1/2 generation native Californian and have seen the effects of increased population.

From what I have read the most logical route, the Altamont Pass is not being considered, but the Pacheco Pass route is one of two proposed sights.

Since the Pacheco Pass already has a four lane highway I strongly believe this route should be the chosen location.

I am not against progress, but am against destroying an area that can never be replaced.

Please do what is right and build the bullet rail over the Pacheco Pass and not in the heart of Gods country. We have only so much of it left. I085-1 cont

Sincerely,

Jerry A. Wilkinson

Jerry A. Wilkinson

Response to Comments of Jerry A. Wilkinson, July 11, 2004 (Letter I085)

I085-1

Please see standard response 6.3.1.

Comment Letter I086

I086

RECEIVED
JUL 19 2004

Tony Kranz
1086 Hygeia Ave
Encinitas, CA 92024
July 16, 2004

Dan Leavitt (Deputy Director)

Carrie Pourvahidi (Deputy Director)

California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

Dear Sir or Madam:

I recently attended a public workshop where the subject was creating a grade separation at the intersection of the LOSSAN rail corridor and Leucadia Boulevard in Encinitas.

One of the leaders of the meeting indicated that a proposal to trench and double the tracks from "lagoon to lagoon" through Encinitas, which was the option preferred by the Encinitas City Council, was rejected by the California High-Speed Rail Authority. I am trying to find out the reason for this statement. Did you issue a communiqué or some other edict pronouncing this? I086-1

If you could point me to a document on the WWW or send same to the address above, I would appreciate it. My email address is tkranz@cox.net. My phone is 760-207-4534.

Thanks,

T. KRANZ
Tony Kranz

Response to Comments of Tony Kranz, July 19, 2004 (Letter I086)

I086-1

At the March 25, 2003 Authority Board meeting in San Diego, staff presented screening recommendations for some of the conventional rail design options at key locations along the Los Angeles-Orange County-San Diego (LOSSAN) corridor (Del Mar, Encinitas, San Clemente/Dana Point, and San Juan Capistrano). A revised draft report "Los Angeles to San Diego via Orange County: Conventional Screening Report" dated May 16, 2003, was approved by the Authority at their May 27, 2003 board meeting at Irvine. The rationale for the elimination of the "Long Trench" concept through Encinitas is described on page 18 of the report. Although there had been public support for that concept in the past, this concept was eliminated because of its high cost ($250 million more than the "Short Trench" concept) and constructability issues/impacts. At the Authority's March 25, 2003 board meeting, the City of Encinitas commented in favor of the Authority's recommendations. The report is available on the Authority's website. Please also see standard response 6.42.1.

Comment Letter I087

I087

JUL 20 2004

July 17, 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

I urge you to eliminate any thought of placing high speed rail within the boundries of Henry Coe State Park. Henry Coe State Park is one of the few places in the state where there is Wilderness. The Oristimba Wilderness. Please keep this wilderness wild and free from unnatural interventions. I087-1

Sincerely,

Elizabeth Lamson

Elizabeth Lamson
1343 Sacramento Street
Berkelely, CA 94702

Response to Comments of Elizabeth Lamson, July 17, 2004 (Letter I087)

I087-1

Please see standard response 6.3.1.

Comment Letter I088

I088

EMILY BAIRD
216 Bender Circle
Morgan Hill, CA 95037

RECEIVED
JUL 26 2004

July 19, 2004

California High-Speed Rail Authority
Attn: Dan Leavitt
925 L. Street, Ste. 1425
Sacramento, CA 95814

Dear Mr. Leavitt,

I am writing to voice my opinion for public comment on the High-Speed Train being proposed from the Central Valley to the Bay Area.

I am in favor of the High-Speed Train and I am in favor of the Pacheco Pass Route.

I have lived in Morgan Hill for the last 15 years. I grew up in Chowchilla and my parents still reside there. I continue to visit them in Chowchilla almost every other weekend. The only route available is Hwy 152. The road is getting very crowded and dangerous even with all of the improvements over the years. I would absolutely ride a high-speed train that took me from Morgan Hill to Chowchilla and back instead of driving over Pacheco Pass. I088-1

As far as the proposed Pacheco Pass Route going through Henry Coe Park, I have visited the park about 10 times over the years. There are two main entrances for the park, from E. Dunne Ave in Morgan Hill or near the Hot Springs in Gilroy. Since I do not own a horse for trail riding and I can not hike for more than two or three miles nor ride my bicycle up those steep trails, I (and many others) am limited on what I can see of the park. So sitting on a train, I may get a glimpse of some scenery of the vast acreage of the park that I wouldn't have had access to in the first place.

Please continue your work to get a high-speed train running through our state.

Sincerely,

Emily Baird

EMILY BAIRD

Response to Comments of Emily Baird, July 19, 2004 (Letter I088)

I088-1

Please see standard response 6.3.1.

Comment Letter I089

I089

July 31, 2004

Joseph Petrillo, Chair
High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

AUG - 4 2004

Dear Mr. Petrillo,

I am writing this letter for inclusion into the draft EIR/EIS high-speed rail public comment period which closes on August 31.

I often travel by train while in Europe for business. The most common rail routes that I use are the Amsterdam- Paris and the Berlin- Hamburg lines. I am also a frequent business air traveler between the Bay Area and Southern California. A high speed rail trip of 3.5 hours from San Francisco or San Jose to Los Angles is one I would use.

I do appreciate the need to provide intrastate rail transportation in order to enhance the state's transportation infrastructure, air quality and economic vitality. I am supportive of the California high-speed rail project. I do not support the proposed rail routing through the Diablo Range in order to connect the Central Valley and the Bay Area.

I encourage the High-Speed Rail Authority to reconsider the Altamont Pass Route, or any other existing developed transportation corridor, as an alternative to the Diablo Range route. The Altamont Pass Route is a viable option because it is developed and would minimize the impact on undeveloped land, which the Diablo Route does not. I089-1

From a fiscal perspective the Altamont Pass Route, or any other developed corridor, costs could be less than developing a new transportation corridor such as the Diablo Route for two reasons. First, developed transportation corridors may not require as many, or as large, infrastructure land modifications such as the creation of tunnels which will be needed for the Diablo Route. Second, using developed transportation corridors to connect the regions will have lower costs because undeveloped (and protected) land will be saved for future Californians.

I look forward to attending future public meetings in my region and reviewing future reports associated with the high-speed rail project. I support a high-speed rail project that is carried out in an environmentally and fiscally responsible manner.

Cordially,

Susan Rowinski
3507 Hacienda Street
San Mateo, CA 94403

CC: Governor Schwarzenegger, Senator Speier, Assembly Member Mullin

Response to Comments of Susan Rowinski, July 31, 2004 (Letter I089)

I089-1

Please see standard response 6.3.1.

Comment Letter I090

I090

From: Daniel P. McGrath
1227 Masonic #12
San Francisco, CA
94117

AUG - 6 2004

To: Joseph Petrillo
Chair, California High Speed Rail Authority
915 L Street 1425
Sacramento, CA
95814

Dear Sir:

I am writing to express complaint regarding the proposed high speed rail routes through Henry Coe State Park.
As a permanent California and Bay Area resident, I have come to love and appreciate the park for many reasons.
For one, I believe it is one of the last places affording California residents a view of the natural beauty once existing throughout the state; relatively untouched by human development and exploitation.
For another, it is unquestionably a most important habitat corridor for plant and animal life. Oak woodlands, once abundant throughout most of the state, have been greatly reduced. The importance of these environments for wildlife is well understood. Henry Coe State Park is one of the few remaining oak woodlands large enough to thrive along the borders of human activity. I090-1
Considering these statements, why put the park at risk when viable alternatives for the rail line exist?
I, like so many others, love quiet and remote places. They are increasingly hard to find, but presently we have one in our own backyard that should be preserved forever.
Please remove from consideration the proposed rail lines through Henry Coe State Park.
Your time and work is appreciated.

Sincerely,

Daniel P. McGrath

Response to Comments of Daniel P. McGrath, August 3, 2004 (Letter I090)

I090-1

Please see standard response 6.3.1.

Comment Letter I091

I091

RECEIVED
AUG 11 2004

212 South 18th Street
San Jose, CA 95116

July 25, 2004

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

OR the Coe Advocates Hybrid Route

To Whom it May Concern:

These comments pertain to the Bay Area to Central Valley Route proposals for the Bullet Train. We urge you to consider ONLY the Pacheco Pass Route. Please do not consider the three alignment options through the Diablo range (The north tunnel, tunnel under Coe State Park, or the minimized tunnel) because of the needless destruction of the Bay Area's last wilderness areas.

The negative impacts would violate your own key criteria listed in your EIR/EIS (page s-2), i.e. "Destruction of natural resources, wildlife corridors, wetlands, habitats for special species and farmlands, flood plains, parks and cultural resources. I091-1

Wilderness cannot be manufactured by human hands. What little remains will never grow any larger. If the Orestimba Wilderness Area IS BISECTED BY THE HIGH-SPEED TRAIN, THE WILDERNESS WILL CEASE TO EXIST.

Thank you for your kind attention to this matter.

Sincerely,

Kenneth MacKay

Patricia MacKay By KM

Patricia MacKay

Response to Comments of Kenneth and Patricia MacKay, July 25, 2004 (Letter I091)

I091-1

Please see standard response 6.3.1.

I092

AUG 12 2004

3740 Ridgeview CT
Morgan Hill, CA 95037
August 10, 2004

Director
California High Speed Rail Authority
925 L Street #1425
Sacramento, CA 95814

Dear Sir/Ma'am,

I092-1

I have reviewed the plans for the High Speed Rail and am deeply concerned that the system may be developed through Henry W. Coe State Park. An admirable mission of the California state park system, as I understand it, is to preserve and protect unique resources within our state. Further Henry W. Coe State Park, the largest state park in Northern California, went through a rigorous general plan with state and public review for a process that maximizes this lofty mission. However this mission and the spirit of peaceful use of this precious resource are clearly violated by any rail system within the boundaries of the park. One current proposed route will tunnel under the Orestimba Wilderness, and there is considerable political/operational pressure to choose this route. The current general plan for the park has designated the Orestimba as a state wilderness area which prohibits even motorized vehicles within its boundaries. No group should be immune to state guidelines and established use requirements, particularly given the extensive and rigorous state review and development process required by state law, I believe.

Wallace Stegner, a respected author and Pulitzer Prize winner, wrote an essay on wilderness in 'A Sense of Place'. Paraphrased, he said that he has often explored the wilderness of California, but the time arrived when his journeys were limited, and that was enough. Then he arrived at the point in his life that he could travel only to the boundaries of wilderness, but that was enough. Then his life was at the point that he could only think in wonder of his times of peace, quiet and enjoyment, knowing that his grandchildren would enjoy the California wilderness of the future, BUT that was enough!

Please support and choose an alternative proposal that does NOT travel through Henry W. Coe State Park as the only viable alternative for the people of California. Please preserve and protect the unique California resource of Henry W. Coe State Park.

Regards,

Don Holmes

Response to Comments of Don Holmes, August 12, 2004 (Letter I092)

I092-1

Please see standard response 6.3.1.

Comment Letter I093

I093

8/17/2004

Dear Ca. High Speed Rail Authority:

Item 1. I have revied the Draft Program EIR and EIS/EIR for the Proposed Ca. High Speed Tranin System & it looks OK by, me, sure there are things, & Route that I do think should/could have been done but I do think in in FINAL ASSEMENT THE ROUTE UP THE ~~PENSONSLA~~ IS THE BETER/BEST THAN COMING UP TO OAKLAND,CA FIRST & THEN OVER TO SF. (2) TRUE ALL THIN MY CHANGE AFTER THE NEXT EARTH QUAKE ON THE NORTHER OR SOUTHERN BR, OF THE HAYWARD FAULT. I093-1

PENINSULA

(3) P.S. PLEASE "JUST" GET RIGHT MAKE IT WORK

V.T.Y.

Charlie Cameron
P.O. Box 55
Hayward, Ca. 94543

Charlie Cameron
P.O. Box 55
Hayward, Ca. 94543

OAKLAND CA 94
BRADFORD STATION
17 AUG 2004
AUG 17 2004
USPS 94541

RECEIVED
AUG 18 2004

HARRITON HOUSE, BRYN MAWR, PENNSYLVANIA

Ca. High Speed Rail Authority
925 L Street Suite 1425
Sacramento, Ca. 95814

06

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Response to Comments of Charlie Cameron, August 17, 2004 (Letter I093)

I093-1

Acknowledged. Please also see standard response 6.3.1.

Comment Letter I094

I094

RECEIVED
AUG 18 2004

August 11, 2004

Mary Jo Eastes
2308 W. Sunset Drive
Visalia, CA 93291

California High Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

ATT: CA High-speed Rail Authority

I094-1 I am in favor of the High Speed Rail in CA and would like to request that you have the Rail follow the UP line, which would have it come to Visalia (99 and 198).

Just an interested traveler,

MJ Eastes

Response to Comments of Mary Jo Eastes, August 11, 2004 (Letter I094)

I094-1

Please see standard response 6.15.4 and standard response 6.21.1.

Comment Letter I095

I095

RECEIVED
AUG 18 2004

August 12, 2004

Richard Eastes
2308 W. Sunset Drive
Visalia, CA 93291

California High Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814

ATT: CA High-speed Rail Authority

I095-1 I am in favor of the High Speed Rail in CA and would like to request that you have the Rail follow the UP line, which would have it come to Visalia (99 and 198).

Sincerely,

Response to Comments of Richard Eastes, August 12, 2004 (Letter I095)

I095-1

Please see standard response 6.15.4 and standard response 6.21.1.

Comment Letter I096

I096

QUAKER OAKS FARM

PHONE 594-4009

17218 AVE 296, VISALIA, CA., 93292

VEGETABLES & FRUITS GROWN WITHOUT CHEMICAL SPRAYS OR FERTILIZERS. CHRISTMAS TREES

RECEIVED AUG 18 2004

AUG 16, 2004

CALIFORNIA HIGH-SPEED RAIL AUTHORITY;
925 L ST, SAC. CA 95814

DEAR RAIL-AUTHORITY!

WE ARE WRITING TO URGE YOU TO EXPEDITE THE DEVELOPMENT OF THE HIGH-SPEED RAIL SYSTEM, AND TO USE THE HIGHWAY 99 CORRIDOR WHICH CONNECTS THE MAIN POPULATION CENTERS. WITH A STOP AT HWY 198 (VISALIA) THANK YOU, I096-1

William & Elizabeth Lovett

Response to Comments of Willliam and Elizabeth Lovett, August 16, 2004 (Letter I096)

I096-1

Please see standard response 6.15.4 and standard response 6.21.1.

Comment Letter I097

I097

RECEIVED
AUG 18 2004

August 2004

To whom it may concern

I believe that the proposed routing of the High Speed Rail through Henry W. Coe State Park is a terrible mistake, one that will cause damage beyond repair. State Parks are designated as protected areas for a reason — so that any clown with a bright idea for making a few bucks can't just waltz in and destroy what's been set aside. I097-1

You ought to be ashamed of yourselves

Sincerely

Nancy Ams Simon

Nancy Simon

Response to Comments of Nancy A. Simon, August 18, 2004 (Letter I097)

I097-1

Please see standard response 6.3.1.

Comment Letter I098

I098

Mrs. Albert R. Schreck
255 Golden Hills Drive
Portola Valley, Calif. 94028

RECEIVED
AUG 19 2004

August 18, 2004

California High-Speed Rail Authority
Draft Program EIR/EIS Comments
925 L Street, Suite1425
Sacramento, CA 95814

Dear Members of the Rail Authority,

It has come to my attention that your Authority is considering routes for a high-speed rail system that would connect the Bay Area with Los Angeles.

Please revise and recirculate the Draft Environmental Impact Report so that it fully considers all of the environmental impacts of all of the possible routes for the high-speed rail, including full consideration of the Altamont Pass Alternative. I098-1

Thank you for your consideration.

Sincerely,

Joel Wells Schreck (Mrs. Albert R.)

Response to Comments of Joel Wells Schreck (Mrs. Albert R.), August 18, 2004 (Letter I098)

I098-1

Please see standard response 2.18.1.

Comment Letter I099

SENT BY: GATEWAY; 6505668789; AUG-19-04 7:50PM; PAGE 1/1

I099

169 Spruce Avenue
Menlo Park, CA 94025
17 August 2004

RECEIVED
AUG 20 2004

California High-Speed Rail Authority
Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814
Fax (916) 322-0827

Dear High-Speed Rail Authorities;

I urge you to revise your Draft Environmental Impact Report to include the Altamont Pass Alternative. From what I understand, this version of the high-speed rail system would make less of an overall impact on a large area around San Francisco Bay. Your DEIR should consider all environmental impacts of all possible routes for the California high-speed rail. I099-1

We all approve of efficient and environmentally sound transportation, but your committee should make certain that you select the route with the least adverse effect on wild lands and neighborhoods.

Please do **not** drop the Altamont Pass Alternative from your full consideration.

Thank you,

(Mrs.) Nancy Barnby

Response to Comments of Nancy Barnby, August 17, 2004 (Letter I099)

I099-1

Please see standard response 2.18.1.

Comment Letter I100

I100

REDWOOD CITY | 1001 Marshall Street
Los Angeles | Redwood City, CA 94063
New York | Telephone (650) 364-8200
San Francisco | Facsimile (650) 780-1701
San Jose | www.ropers.com

LAWYERS RMKB ROPERS MAJESKI KOHN BENTLEY

MICHAEL J. BRADY
(650) 780-1724

August 19, 2004

MBRADY@ROPERS.COM

RECEIVED AUG 20 2004

Via U.S. Mail

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

Re: High speed rail

Gentlemen:

My wife and I object very strongly to the substance of the CHSRA Draft Environmental Impact Report/Environmental Statement with respect to the high speed train that is being proposed. Following are our concerns:

LACK OF CONSIDERATION OF ALTERNATE ROUTES THAT HAVE MUCH LESS IMPACT

The existing rail corridor from San Jose to San Francisco is the most densely populated part of California along railroad tracks except for Los Angeles County itself. Accordingly, a frontal high-speed railroad project running directly along existing rail lines (given the immensity of the high-speed project) will have a huge effect upon hundreds of thousands of people (largely the population living in what is known as the San Francisco Peninsula). The Altamont alternative route would have much less impact on our residents. It would bring rail commuters to Fremont and the across the Bay, entering the Peninsula in areas that are much more industrial and continuing northward through such areas. There would be much less impact upon residential neighborhoods. I100-1

Alternatively, why didn't the environmental impact statement consider coordinating rail service with BART service: for example, rail commuters could get off the train in Fremont and get on the existing BART system which could take them anywhere throughout the Bay Area, including San Francisco, Oakland, the East Bay, and the airport. I ride the existing Cal Train daily and when you arrive at the new Millbrae station, you can walk 25 feet across the platform and get on all three BART lines to take you anywhere in the Bay Area - marvelously convenient. Why wouldn't this work in Fremont? Think of the money you would save as well: a bridge would not have to built across the Bay (think about the years of fighting the environmentalist).

RC1/359426.1/DM1

LAWYERS RMKB ROPERS MAJESKI KOHN BENTLEY

Furthermore, San Jose would not be "left out" with the Altamont alternative. It is my understanding that rail tracks could be run from Fremont to San Jose thereby serving that City and allowing commuters to conveniently take high-speed rails from San Jose to Southern California and back.

Based on what I have heard, it appears that a "political" decision was made, namely, politicians in San Jose insisting that there has to be a high-speed rail along existing rail lines directly through the Peninsula without any consideration of the effects. The essence of an environmental impact statement is to consider exactly those effects and try to ameliorate them while allowing the project to remain feasible. The Altamont alternative meets those criteria.

NOISE

Every morning I go for a seven mile walk. This takes me from the existing Cal Train line to a distance almost two miles away (Alameda de las Pulgas). In the morning, when you are two miles away from the tracks, you can hear the roar (I am not talking about the whistle, but the roar of the train) radiating throughout the towns of Menlo Park and Atherton. The proposal for a high-speed rail involves raising the rail bed at least 12 feet into the air. It also involves cutting down hundreds of trees along the right of way (trees block noise). This will enormously increase the sound, not only for those residential properties adjacent to the tracks, but for tens of thousands of residents living many blocks away. No one has addressed this phenomenon, although it is a scientific fact that if you stick a project like this into the air, with no buffers, the noise level will increase massively. I100-1 cont

TREES

Existing documents concerning this proposed project indicate that almost 1900 trees are scheduled for removal in the San Francisco Peninsula area. This means trees predominantly in the towns of Atherton, Menlo Park, Palo Alto and Mountain View, since those are residential areas that have large numbers of mature trees, many of them over 100 feet high. The removal of these trees will have devastating aesthetic effects on these communities. It appears that few citizens are aware that this is an inevitable by-product of the proposal. It must be addressed.

EMINENT DOMAIN

The proposed route takes you through miles of densely populated residential neighborhoods. You will inevitably be condemning all sorts of properties, with enormous effect upon local residents, not to mention the financial effect upon local governments and jurisdictions. This is another huge reason for considering the Altamont alternative.

RC1/359426.1/DM1

Comment Letter I100 Continued

LAWYERS
RMKB
ROPERS MAJESKI KOHN BENTLEY

August 19, 2004 Page 3

We urge you to reconsider and reopen this matter so that the alternatives can be considered; your central purpose is to analyze a project that is feasible that will have the least adverse effects upon the residents of the area affected.

Thank you for your consideration.

Sincerely,

Michael J. Brady

Michael J. and Anita Brady
191 Forest Lane
Menlo Park, CA 94025

MJB/dm

RC1/359426.1/DM1

Response to Comments of Michael J. and Anita Brady, August 19, 2004 (Letter I100)

I100-1

Acknowledged. Please see standard response 2.18.1. Available studies (the CRA technical studies referenced in the Program EIR/EIS and other HST feasibility studies such as the FRA Commercial Feasibility Study, 1996) indicate HST ridership potential is highly dependent on the total trip time and the number of transfers. The HST service would result in travel times between Downtown Los Angeles and Downtown San Francisco and Downtown Los Angeles and Downtown Oakland in about 2 and ½ hours, without a transfer, while the trip could be made between Downtown Los Angeles and San Jose in a little over 2 hours. HST service to the downtowns of major cities such as San Francisco, Oakland, San Jose and to major airports greatly increase the connectivity and accessibility of the HST system, and enable the system to directly serve major regional transit hubs such as the Transbay Terminal, Diridon Station, Oakland Airport, San Francisco International Airport (SFO) and either West Oakland BART or 12th Street City Center. If the HST system terminated in Fremont, air transportation would be considerably more accessible to intercity passengers than HST service in the Bay Area. In addition to requiring a transfer at Fremont, BART does not provide express services. BART travel times between Oakland and Fremont (38 minutes) and San Francisco (45 minutes) and Fremont are over twice the times that could be provided by HST service.

The Authority investigated the ridership and revenue impacts of terminating the HST system in San Jose as part of its June 2000 Business Plan. Forecasts by Charles River Associates concluded that the HST system would lose about 17% of its ridership and 18% of its revenue if the HST system terminated in San Jose (Corridor Evaluation, December 1999). The Authority concluded that service to San Francisco and/or Oakland is essential to the feasibility of the HST system. However, please see standard response 6.2.1.

The Authority disagrees that "existing documents concerning this proposed project indicated that almost 1900 trees are scheduled for removal in the San Francisco Peninsula area." Determining the number of trees that may be impacted by specific proposed improvements is beyond the scope of this program level environmental process. In coordination with Samtrans, at a conceptual level of design, it has been concluded that the improvements needed for HST service would be almost completely within the existing Caltrain right-of-way, thereby minimizing impacts to neighborhoods, trees, and the natural environment. Should the HST project move forward, determining specific impacts, including trees scheduled for removal, would be part of future project specific studies.

Moreover, while the Program EIR/EIS acknowledges that there would be potential increases in noise impacts primarily as a result of increased frequency of trains, there would also be a reduction in existing noise levels due to the elimination of horn noise and gate noise from existing services as a result of the grade separations at existing crossings. In addition, the document identifies noise barriers as a potentially effective mitigation strategy.

Comment Letter I101

I101

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RECEIVED AUG 20 2004

August 18, 2004

COMMENTS ON DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) for the *proposed* California High-Speed Train System ("Report")

Executive Summary

The "program" Report attempts to address daunting challenges, namely, transportation in California. It is several inches thick, and lays out charts, tables and data in a systematic presentation. At the same time, the "program" Report anticipates much additional environmental and related studies in the form of future "project" EIR/EIS. Nevertheless, the Report is deficient in numerous categories even from a "program" context. These Comments emphasize in the main impacts, questions and concerns that relate to the City of Del Mar ("CDM"). For example, there is absolutely no discussion in the Report on the length of, or extent of, impacts of tunnel construction on CDM, its residents, or its businesses. Indeed, it is not hard to envision, should the Camino del Mar tunnels option proceed, the results of the current commendable collaborative efforts of city officials, citizens and businesses to revitalize the "Del Mar Village" vanishing, along with business concerns, as consumers and patrons find other more convenient enterprises during the extended construction efforts.

Some Chapters in the Report are markedly deficient on a program-wide basis. Most alarming is several obfuscations dealing with financial and economic aspects, including financial viability and supposed economic benefits of the proposed High Speed Trains ("HST"). Although these obfuscations are not specifically related to CDM, the Report's shortcomings (if not deceptions) are so serious as to merit constant attention and critique lest we all end up worse off, including (as impliedly admitted in the Report) from an environmental standpoint. Such program-wide concerns are of particular concern to the CDM because of its unavoidable long-term financial and legal entanglements with HST. Finally, the Report is deficient because it fails to address the rights of at least one of the users of the LOSSAN corridor, namely, the Burlington Northern/Santa Fe Railroad ("BNSF"), and especially the possible costs of negotiating with BNSF to relinquish its rights to the coastal corridor.

Comments

Comments on Chapter 1: Purpose and Need and Objective

This Chapter is not available from the California High Speed Rail Authority (CHSRA) website and is blank on the CD provided by the CDM. Efforts will be initiated to obtain this Chapter and rights are reserved accordingly. I101-1

Comments on Chapter 2: Alternatives

The Report states on p. 2-30 the Los Angeles-San Diego (LOSSAN) corridor in 2002 "was the second-most-traveled rail passenger route in the U.S." This is accurate as far as it goes. However, it should be considered in context. In comparison to the eastern rail corridor (Boston/New York/Washington, D.C.) the LOSSAN corridor is a very, very distant and anemic second place. In proportion, if the eastern corridor is a 100-story building (1,000 trains per day in and out of New York City),[1] then the San Diego County portion of LOSSAN is a five-story building (20 Amtrak trains and 26 Coaster trains per day, not including the few freight trains).[2] This constant exaggeration by CHRSRA in its previous publications and presentations gives pause that we are encountering a "sell" rather than a "study."

On page 2-92 of the Report, it is noted the highest level of improvements would involve "costs nearing the cost of a dedicated I-5 HST option." There is no convincing explanation of why the I-5 HST option is not considered a viable alternative to the highest level LOSSAN improvements and why that option is not carried forward for further study. I101-2

This is particularly interesting inasmuch as the Report does not clearly delineate what would be the drop in LOSSAN riders, especially in San Diego County, should those riders opt to take the HST on the proposed I-15 corridor. Assuming Union Station in Los Angeles is the destination of San Diego-based travelers headed for Los Angeles, wouldn't a rational traveler choose the I-15 HST over the much slower "milk run" the LOSSAN presents? If so, that would mean the riders on the San Diego portion of LOSSAN would be predominately if not overwhelmingly Coaster commuters within San Diego County.

[1] Amtrak has "its hand on a spigot controlling a flow of 1,100 trains and more than 300,000 passengers into and out of Manhattan each day." "Amtrak Wheeze, New York Shudder," *New York Times*, June 25, 2002, p. A16. The amount of 1,100 has been reduced by 100 to reflect the 90 or so daily trains into Manhattan from the east through Philadelphia (Amtrak website review, May 9, 2004).

[2] Data obtained from review of Amtrak and Coaster websites, May 9, 2004). The northern Orange County portion of the LOSSAN corridor is used more intensively, as evidenced by the plan to increase portions of that system to three and even four tracks.

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Comment Letter I101 Continued

Comments on Chapter 3: Affected Environment, Environmental Consequences and Mitigation Strategies

Section 3.1: Traffic and Circulation

The Report at pages 3.1-11 and 3.1-13 addresses in the most cursory way the existing traffic conditions, and paints a generally dismal picture in that regard. It then cheerfully predicts how traffic will be alleviated by development of the proposed project. However, the scholarship in this section is woefully inadequate. The assumptions under which the "No Project" traffic projections are made are not clearly set forth. For example:

- Did the authors study the possibility of future traffic improvements?
- Did the authors study the possibility of increased use of other mass transit options, such as busses, and incentives relating thereto? I101-3
- Did the authors study ways to better manage rush-hour traffic phenomena, including:
  - Requiring large trucks to operate off-peak, except where specifically permitted otherwise; and
  - Imposing some form of rush-hour user fees (wireless technology makes such system feasible)?

Failure to address adequately these and other alternatives to improve traffic create "straw men" and easily (and unrealistically) make the "No Project" option dismal and unattractive.

Section 3.2: Travel Conditions

At pages 3.2-36 and following, the Report attempts to compare various trip costs to HST. However, it is not adequately or clearly explained whether the costs set forth for the competing travel alternatives are in any way subsidized by government programs, from tax breaks to outright grants or long-term loans, including sub-market loan terms, and other direct or indirect subsidy programs. Until those aspects are clarified, the true costs and pricing are not calculable and the Report should be clarified to set forth this information if one is to make anything resembling a meaningful comparison. Otherwise, we end up with exactly what is presented, a bias in favor of the nominal (vs. the real) HST cost and pricing structure. I101-4

Section 3.3: Air Quality

The generalized approach of this entire Section provides little information of value. As with section 3.1, *supra*, the Report does not anticipate changes or improvements in existing vehicular technology. For example, the Report does not discuss the historical improvements made with regard to vehicular emissions (admittedly, much, much more remains to be done), nor does it discuss improvements featured nearly daily in the media, such as so-called "hybrid" vehicles and the "hydrogen" program under increasing study. I101-5

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Going further, the Report in this section generally does not adequately address the air quality impacts of the power generation facilities needed to drive the electrified HST, nor does it address adequately the impacts of the non-electrified locomotives to be used in the LOSSAN corridor.

Specifically concerning CDM, there is absolutely no air quality analysis regarding the tunneling proposals, including venting, dispersal patterns of gaseous and particulate emissions from tunnel ventilation systems, as well as construction aspects.

Section 3.4: Noise and Vibration

The Report does not adequately address noise and vibration impacts concerning the tunnels, although it asserts (without benefit of study or data) on page 3.4-23 the tunnels "may result in some additional noise impacts (particularly at the portals), both [tunnel] concepts would provide considerable benefit to the community as a result of grade-separation improvements (the elimination of warning bells and train horn noise)." The phrase "some" additional noise impacts is vague and unhelpful and at the same time the supposed "considerable" benefits are pejoratively (and nakedly) presented rather than based on data.

Going further, there is absolutely no study or scholarship on the impacts of train vibration on the surface structures or people, nor upon the existing geological formations (see Comments to Section 3.13, *infra*). I101-6

Finally, there is no study or data presented as to the impacts during the years of construction on the CDM, its residents and businesses with respect to tunneling operations, trucking of excavated soil, placement of forms for tunnel enclosures, concrete deliveries, work schedules, e.g. round-the-clock, to name a few. Indeed, should the twin tunnels under Camino del Mar proceed, collaborative efforts currently underway to revitalize the "Village" aspect of downtown Del Mar will doubtlessly go for naught given the long-term disruptions such construction will impose on potential patrons and consumers. It is not hard to see consumers choosing more convenient and accessible enterprises. No business can endure for very long such revenue losses.[3]

Section 3.5: Energy

This Section is highly general and assumes static conditions when addressing the "No Project" Alternative. As set forth in Comments to Sections 3.1 through 3.3 above, the Report does not even attempt to anticipate in any meaningful way continuing improvements to energy consumption and use. This failure sets up the "No Project" Alternative to compare poorly to the Modal and HST alternatives. I101-7

[3] One need only visit San Diego State University to see the impacts of such construction, in the single tunnel extension through the campus for the San Diego Trolley. For at least two years now access and egress have been seriously impacted. Students desiring an education are a different sort of user than consumers with multiple attractive choices; the former are almost "forced" to put up with it; the latter likely will not and will go elsewhere if the heart of Del Mar is torn up.

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Comment Letter I101 Continued

Section 3.7: Local Area Land Use …and Environmental Justice

It is flatly stated on page 3.7-26 the Camino del Mar tunnel "would have the least impact on adjacent land use …." However, this statement does not appear to be supported by data or study and the Report is inadequate in that respect. Some of the questions are as follows:

- What are the data and studies on which this statement is based?
- What kinds of "impacts" are included in the concept of "least impact"?
- Were there any studies of noise and vibration aspects (see Section 3.4 above)?
- Were there any studies of construction-related impacts, including street closures during construction?
- Were there any studies of permanent street realignments and regrading, especially on the north end of Del Mar?

I101-7 cont.

In short, it does not appear even the most rudimentary scholarship was undertaken to support the bald statement quoted above, and the Report is inadequate in these regards.

Section 3.12: Cultural and Paleontological Resources

Page 3.12-16 has only a general statement of these aspects with respect to the Del Mar Formation in Del Mar and in the vicinity of I-5. Further, on page 3.12-24 the Report states (but does not explicitly list) there are "between two and twelve" archeological sites in Del Mar that will be impacted, depending on the tunnel option chosen. The locations and significance of these sites should be presented (if they can be counted, presumably their locations are roughly known and the sites can be described). The Report is inadequate in these respects.

I101-8

Section 3.13: Geology and Soils

Page 3.13-12 of the Report notes the rails will cross two active faults in the Del Mar area (the existing rail bed may already do so – it's not clear from the Report). The Report does not address the significance of these faults and the impacts on them from tunneling construction and rail operations in tunnels.

Although the Report mentions "liquefaction" on page 3.13-13 and unspecified "mitigation strategies" relating thereto, there is nothing specific mentioned beyond two general geotechnical methods. One of those would not even apply to tunnels (deepened foundations). The other, soil densification, is not described beyond that term.

I101-9

The Report states subsurface investigation is required (p. 3.13-14), and in doing so concedes the cart is before the horse. Shouldn't the geology in the vicinity of the tunnels in the CDM have been checked with at least some sample borings and data to determine its suitability? Without such preliminary efforts, even a "program" Report such as this is inadequate.

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Indeed, the Report in Table 3.13-2 (p. 3.13-9) concedes the proposed LOSSAN improvements carry a "high" risk of seismic hazards. Granted, some of those hazards already exist. However, the Report does not offer mitigation steps, either general or specific and is inadequate.

Section 3.14: Hydrology and Water Resources

The Report at page 3.14-8 specifically mentions groundwater (a critical geotechnical phenomenon for several reasons, including liquefaction risks). Although the Report describes in general terms the two types of groundwater (perched and subsurface), the Report does not describe the impacts and significance, nor the extent, as to the CDM. As with the Comments regarding geology, it would seem important to undertake at least some preliminary subsurface exploration to obtain data and observations on groundwater. Such failure makes even a "program" Report inadequate.

I101-10

The Report at page 3.14-19 lists some steps for further study. It may be prudent to include in those steps ideas for dewatering and disposal of perched groundwater and ofseeps into the tunnel system, including impacts of such disposal and outlets on the CDM and its residents, including Clean Water Act compliance issues.

Section 3.15: Biological Resources and Wetlands

This Section of the Report is not viewable on the CHSRA website nor is it in the CD provided by CDM. Further efforts will be undertaken to obtain/review this Section.

I101-11

Comments on Chapter 4: Costs and Operations

Of critical importance is what is NOT included in this Chapter. First, tens of billions of dollars in costs (both capital and operating) are not included. The Report simply states at page 4-4 that "only the incremental cost to operate and maintain {the Modal Alternative or the HST Alternative} … were estimated." "Incremental cost" means those costs and expenses beyond those of the No Project Alternative. However, there is no clear (or any, for that matter) specification, listing or estimate of what those costs (capital and operating) are, nor how they were estimated.

The second major omission is the blithe statement that the "costs associated with potential financing mechanisms for any of the alternatives" were not taken into account. (Report, p. 4-7). There is no attempt in the Report to delineate those costs (certainly in the tens of billions of dollars over the life of public bonds). This is a bizarre (if not deceptive) omission inasmuch as economic growth estimates are linked to assumptions that substantial public moneys to build either of the alternatives (Modal or HST) will come from public bonds, as discussed below regarding Chapter 5.

I101-12

Even with these tens of billions of dollars in omissions and unknowns, the capital and operating costs of either alternative are jaw-dropping. Capital costs for the Modal and

6

Comment Letter I101 Continued

HST Alternatives were initially set at $56 and $25 Billion, respectively (Report, p. 5-36). However, the Report revises those estimates upward by roughly 50% (in the space of under four years) to $82 and 37 Billion, respectively. (Id.), only $2 Billion (odd to put "only" in front of a figure that large) of which is due to inflation (Report, p. 4-3). As commendable as it is for the authors to admit such gross miscalculations, it is more alarming to know these folks are in charge of designing, building, managing and leading the undertaking. Indeed, underestimates in projects of this kind are frequent, if not the norm, so even the revised figures of $82 and $37 Billion are likely unreliable.[4] I101-12 cont.

As for operating costs per year, they will doubtlessly approach, if not exceed, $1 Billion per year.[5] The Report requires some effort to discern these numbers, and a close reading of the Tables 4.3-2 and 4.3-3 on page 4-7 is required. Even at that, the categories of operating costs are not well defined and are quite likely underestimated. Thus, this Chapter of the Report is inadequate.

Comments on Chapter 5: Economic Growth and Related Impacts

One starting point in Chapter 5 is a bewildering chart on page 5-15, ambitiously entitled "Year 2035 Employment and Population County and Regional Totals." It appears from the bottom lines that Employment numbers are within 1 or 2% of one another, whether No Project, Modal or HST is chosen. The same goes for Population projections. However, the economic models on which the Modal and HST projections were based assumed several key items, including a fanciful one, namely, that no part of the original erroneous estimate of $25 Billion for the HST Alternative (see Comments regarding Chapter 4, supra) would be "funded through revenue sources that would not require direct tax increases or significant diversion of general fund revenues." (Report, pp. 5-8, -9). This is unrealistic, given the historical failure of mass transmit to even come close to paying for itself. I101-13

As to the additional $31 Billion for the Modal Alternative (to reach the original low and erroneous estimate of $56 Billion for that Alternative), it is "assumed to come from revenue sources that have traditionally been used for highway and aviation improvements." (Report, p. 5-9) (emphasis added).

[4] BART, the first post WWII rail tunnel project, ended up with "one-half the predicted ridership at many times the expected costs." (Gordon & Richardson, The Counterplan for Transportation in Southern California: Spend Less, Serve More," Policy Study No. 174, February 1994). The Red Line in Los Angeles resulted in "25 years of disrupted neighborhoods, lost jobs, multi-million dollar lawsuits, massive cost overruns, sinkholes and sinking freeways." (Comments by Supervisor Mike Antonovich on the occasion of opening the Hollywood Red Line subway; http://antonovich.co.la.ca.us). Finally, the "Big Dig" underground freeway project in Boston, a portion of which opened in early 2004, will be completed at a cost in excess of $15 Billion, six times the estimated $2.5 Billion cost (Department of Transportation Inspector General's Report, February 2000 [when the projected costs had risen to $12.6 Billion]).

[5] The question of, and amounts of, public support for mass transit are laced with controversy. For example, on average mass transit recovers only 38% of its operating costs (excluding capital costs), although light rail and heavy rail do slightly better (fares cover 49% and 57% of operating costs, respectively). O'Sullivan, Urban Economics 4th ed. (McGraw-Hill 1990), pp. 599, 600.

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So what about the 50% underestimates mentioned above? The authors note that coverage for those are assumed to come from "tax increases and user fees" (a skeptic would say, "Finally, some fiscal honesty in this Chapter") and, if so, this would result in a 7.7% "decrease in incremental job growth and an 11.1% … decrease in incremental population growth compared to results that would be obtained if project costs were not considered."(emphasis added). (Report, p. 5-36).

So, stated another way, when we inject some fiscal honesty, realism and integrity into the proposed project we encounter a "linear" relationship (Report, p. 5-36) which significantly reduces the rather anemic benefits of jobs and population growth as discussed in the first paragraph immediately above. And, if we add in the additional tens of billions likely in (i) long-term operating costs not recovered by fares, and (ii) the financing costs not included in the cost projections, the supposed benefits asserted in this Chapter evaporate entirely.

The Report obfuscates and perhaps intentionally so: Is the Report hiding the reality that we would experience LESS economic growth if the improvements go forward? That seems to be how Chapter 5 is written.

In short, the Report presents alternatives that will make California's economy **worse off!** The Report needs clarification on this point, including modeling of long-term consequences measured in decades out to seven or more, so that we can assess the project's economic significance, including all capital and operating costs, financing charges, tax and user fee impacts, a factor for inevitable and sizeable cost overruns, and all other aspects which common sense dictates should be taken into account. I101-13 cont.

All this leads to a question beyond the scope of this process: **If California will be worse off long-term if the project goes forward, just who and what are the interests benefited at the expense of the rest of us?**

The Comments to the last two Chapters create enormous concern for the CDM. The tunnels will bring a mind-twisting array of long-term financial and legal challenges and entanglements with the rail authorities. Such critical aspects as indemnification and hold harmless agreements in favor of the CDM will be effective only to the extent the rail authorities can back them financially. The CDM, as owner of Camino del Mar, will doubtlessly find itself named as a necessary or indispensable party in any litigation relating to the tunnels, from construction through operations, now and into the future. Given the rickety financial assumptions and structures outlined above, the CDM needs to ask the hard questions early and often relating to the financial and economic aspects of the proposed HST.

Comments on Chapter 7: Unavoidable Adverse Environmental Impacts

The Report at page 7-5 contains yet another remarkable paragraph that is also an obfuscation. It is set forth here in full: I101-14

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Comment Letter I101 Continued

> The CEQA Guidelines state that, the where the No Project Alternative is the environmentally superior alternative, EIR shall also identify the environmentally superior alternative from among the other alternatives (CEQA Guidelines 15126[e][2]). Based on evaluations documented in Chapter 3 of this Program EIR/EIS, the HST Alternative has been identified as the environmentally superior alternative. (Emphasis added).

The paragraph is missing a critical part of the syllogism. What appears to be missing is this phrase: I101-14 cont.

The No Project Alternative is the environmentally superior alternative

It appears the authors of the Report (for obvious strategic reasons) could not make explicit the missing part of the syllogism, and instead left it to amateur logicians to complete it. The Report needs serious clarification in this regard and the authors should step forward and either concede the No Project Alternative is environmentally superior or explain their (deliberate?) obfuscation.

Comments on Appendices

Appendix XX

Table 2.2-1, page 30, sets forth a "Summary of Engineering Design Parameters." That Table presents, among other things, "Minimum Right-of-Way Requirements" for twin single track tunnels, the type proposed for CDM and vicinity. The minimum right-of-way for that configuration is 120 feet. It is believed Camino del Mar, the street under which one of the tunnel alignments is proposed, is only 100 feet wide. Thus, even if rail authorities can somehow gain access to Camino del Mar, it appears private property owners may face "taking" of their property (surface and subsurface in some instances, subsurface only in others) of at least 20 feet (or even more) horizontal measurement.

The Report does not address this possibility in any way, nor project as to the CDM and its citizens and businesses the impacts of this aspect of the proposed tunnels and is thus inadequate. I101-15

Comments on Relocation Assumptions

The Report at numerous places appears to assume that the existing LOSSAN corridor with respect to the CDM will be relocated. (See Report, pp.2-94, 3.7-24 and 3.14-18). Missing from the Report is any meaningful discussion of exactly how that will be accomplished. Going further, the Report does not address the rights of BNSF to use of the coastal rail corridor, and how those rights will be adjusted, if at all, should the tunnels be built. Under certain scenarios, the CDM could end up with both tunnels AND a bluff side rail system, depending on how willing (and cooperative) BNSF might (or might not) be in relinquishing any rights to the existing alignment, and this result is not addressed in the Report. It would seem advantageous for BNSF to relocate as well, though the cost of

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any concessions, payments or other consideration that might be required to accomplish that outcome are not addressed in the Report. Accordingly, the Report is deficient in these respects as well. I101-15 cont.

Conclusion

The "program" Report, although ambitious and daunting, is inadequate in numerous ways as regards the CDM's interests and concerns. Although "project" EIR/EIS studies may follow, the CDM should present its strongest possible profile, objections, questions and concerns at every opportunity.

Indeed, a case can be made that tunnels under Camino del Mar will likely make the CDM, its residents and businesses worse off. The same can be said for California in general as can be discerned from Chapters 4, 5 and 7, including the notion the proposed project is not the best environmental option.

Respectfully submitted,

James K. Eckmann

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Response to Comments of James K. Eckmann, August 18, 2004 (Letter I101)

I101-1

Chapter 1 "Purpose and Need and Objectives" is (and has been since late January 2004) available on the Authority's website. This chapter is also on the CD of the Draft Program EIR/EIS provided by the Authority.

I101-2

The Draft Program EIR/EIS notes on page 2-39 that the LOSSAN corridor is the second most traveled rail passenger route in the United States as part of the section that is explaining why this corridor is not practical for dedicated HST service (Section 2.6.8H). While the Authority supports conventional rail improvements in the LOSSAN corridor, the implementation of improvements for conventional services in this corridor is the responsibility of the Department of Transportation (please see standard response 6.42.1). The viability of the statewide HST system is not dependent on conventional improvements to the LOSSAN corridor, and these improvements were not assumed in the HST ridership forecasts.

Please see standard response 2.30.1 in regards to the elimination of the I-5 HST option.

HST service along the I-15 corridor would only compete with the LOSSAN corridor for the San Diego to Los Angeles travel market. The Surfliners are a predominately local service with eight stops between San Diego and Los Angeles. A majority of the LOSSAN ridership is from intermediate markets. The co-lead agencies believe that HST service on the I-15 corridor and the Surfliner service on the LOSSAN corridor are complimentary services which primarily serve different markets.

I101-3

The No Project Alternative is defined in Section 2.1.1 as follows: "The No Project/No Action (No Project) Alternative represents the state's transportation system (highway, air, and conventional rail) as it is today and would be after implementation of programs or projects that are currently in regional transportation plans and have identified funds for implementation by 2020." It does not include improvements, incentives, or management policies beyond that which are currently programmed and funded. Because of the significant level of forecasted future intercity travel demand, the Modal Alternative is defined in terms of intercity capacity improvements. Additional incentives and management policies are not expected to result in sufficient capacity gains to offset the future demand.

I101-4

Determining whether the "costs set forth for the competing travel alternatives are in any way subsidized by government programs, from tax breaks to outright grants or long-term loans, including sub-market load terms, and other direct or indirect subsidy programs" is beyond the scope of this program EIR/EIS process.

I101-5

The air quality analysis presented in the Program EIR/EIS assumes the future air quality conditions from accepted policy forecasts from the California Air Resources Board (CARB). CARB's forecasts account for improvements in vehicular emissions as stated in Section 3.3.3 "Pollutant burden levels of CO, NOx, and TOG are predicted to decrease statewide through 2020 compared to 2001 levels (Figure 3.3-2). This decrease is due to the implementation of stringent standards, control measures, and state-of-the-art emission control technologies. Emissions per vehicle are dropping significantly in California as a result of CARB's clean vehicle and clean fuel programs."

Engineering design criteria (See Engineering Criteria, January 2004) regarding tunnel cross section and length provide for the proper ventilation of the tunnels. However, tunnel ventilation design is very

project/site specific nature and will be appropriately addressed at the subsequent project level of analysis.

I101-6

Trains in tunnels do not have ambient noise impacts to sensitive receptors located on the ground surface, unless the receptors are near the portal locations. At the portals the noise levels are not significantly different than any other location on the line. The noise analysis procedure applied accounts for potential noise impacts near portals as well as throughout all line segments.

Vibration levels associated with HST are relativey lower than the levels associated with passenger and freight trains due to the lighter weight of HST equipment and the high standard of track and trackbed construction and maintenance required for high-speed operations. Vibration impacts are highly site-specific in nature. These issues will be addressed during subsequent project level environmental review, based on more precise information regarding location and design of the facilities proposed (e.g., specific alignment, track and trackbed construction, soil types, type and design of proximate structures, etc.). The detail of engineering associated with the project level environmental analysis will allow the Authority to further investigate ways to avoid, minimize and mitigate potential impacts.

The LOSSAN Conventional Rail Improvements have been removed from this Final Program EIR/EIS and are the subject of the Caltrans LOSSAN Rail Improvements Program EIR/EIS (Draft PEIR/EIS SCH # 2002031067). These comments have been forwarded to Caltrans for consideration. See Standard Response 6.41.1

I101-7

For most, if not all, rail and roadway projects, construction of a tunnel alignment has typically presented far fewer and reduced levels of impacts to adjoining properties and communities than development of surface or aerial alignments, particularly with regard to traffic, land use, noise, and visual impacts. Please see Standard Response 3.15.13 regarding the purposes of the PEIR/S. The Co-lead agencies have found that there is sufficient information in the PEIR/S and public comments to support identification the HST Alternative and eliminate from future consideration the alignment options passing through CDM, including the tunnel option.

I101-8

More details regarding the archeological evaluation of this area can be found in the Cultural Resources, Archeology technical report for this region. The technical reports, prepared for five regions of the PEIR/S study area, served as supporting information for the Draft PEIR/S. The reports are available for review on the California High Speed-Rail Authority website:

http://www.cahighspeedrail.ca.gov/eir/regional_studies/default.asp, and have been incorporated in the Final PEIR/S by reference. Please note that the Co-lead agencies have removed from future consideration the coastal HST corridor, including the area in CDM.

I101-9

The LOSSAN Conventional Rail Improvements have been removed from this Final Program EIR/EIS and are the subject of the Caltrans LOSSAN Rail Improvements Program EIR/EIS (Draft PEIR/EIS SCH # 2002031067). These comments have been forwarded to Caltrans for consideration. See Standard Response 6.41.1

I101-10

Please see standard response 3.15.5 and response to Comment O044-26 regarding groundwater. The types of additional studies and evaluations requested in this comment regarding groundwater evaluation and geology cannot be completed until more detailed designs for the HST alternative are developed in the project-level, Tier 2 environmental evaluation. Please note that the Co-lead agencies have removed from future consideration the inclusion of the coastal HST alignment, including the area in CDM.

I101-11

Comment noted. A check of the CHSRA website on December 22, 2004, found that Section 3.15 was available for download and viewing (and has been since late January 2004) available on the Authority's website. This chapter is also on the CD of the Draft Program EIR/EIS provided by the Authority.

I101-12

The co-lead agencies disagree with the commenter's many contentions that the HST alternative would lead to extensive operating losses over the life of the project. Extensive ridership and revenue forecasting conducted for the HSRA's Business Plan indicates that HST fare revenue will produce an operating surplus under all reasonable scenarios of operating costs and market competition. It is entirely possible that some of these surpluses may be used to support later stages of construction of the proposed HST system. Please also see standard response 2.1.1 and standard response 2.1.2.

The Program EIR/EIS acknowledges that funding of the entire capital cost of the Modal or HST Alternative from state tax revenues would result in a less positive economic growth effect than other financing that would draw upon national or global economic resources. The potential differences in growth from different funding and cost assumptions were described at a sensitivity level of detail in Section 5.5.3. of the Draft Program EIR/EIS. Results from the sensitivity analysis indicate that even if the entire $37 billion capital cost were funded from increases in state taxes, the HST Alternative would still lead to a net statewide increase in jobs (409,000) and people (608,000) over the No-Project Alternative.

The co-lead agencies believe that it would be imprudent and impractical to conduct modeling "out to seven or more" decades. There are no reliable economic base forecasts beyond 30 years into the future. Further, any analysis beyond this 30-year horizon would be highly speculative and would be unable to take into account the significant likelihood of structural changes in the economy during that timeframe.

I101-13

The co-lead agencies disagree with the commenter's many contentions that funding of the entire capital cost of the Modal or HST Alternative from state tax revenues would decrease statewide economic growth. The potential differences in growth from different funding and cost assumptions were described at a sensitivity level of detail in Section 5.5.3. of the Draft EIR/EIS. Results from the sensitivity analysis indicate that even if the entire $37 billion capital cost were funded from increases in state taxes, the HST Alternative would still lead to a net statewide increase in jobs (409,000) and people (608,000) over the No-Project Alternative. Further, extensive ridership and revenue forecasting conducted for the HSRA's Business Plan indicates that HST fare revenue will produce an operating surplus under all reasonable scenarios of operating costs and market competition.

The co-lead agencies believe that it would be imprudent and impractical to conduct "out to seven or more" decades. There are no reliable economic base forecasts beyond 30 years into the future. Further, beyond this 30-year horizon, there is a significant likelihood of structural changes in the economy that would require extensive speculation to analyze.

I101-14

The statement in the PEIR/S is correct. CEQA guidelines §15126.6[e][2] state that, "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify the environmentally superior alternative among the other alternatives." The No Project Alternative is assumed to include development of numerous projects across the state, as contained in the local, regional, and statewide plans. It is assumed that each of these projects would undergo separate review that would describe their environmental impacts. It is clear that the No Project Alternative and its component parts will have major environmental impacts, but these projects are not under the purview of the California High Speed Rail Authority and would occur without any action on their part, therefore No Project Alternative impacts are not

detailed in the PEIR/S. The No Project Alternative serves as an environmental baseline against which the impacts of the Modal and HST alternatives can be compared. The Co-lead agencies have found that the No Project Alternative would not meet the intended purpose and need of the HST System, as described in Section 1 of the PEIR/S.

I101-15

Please see standard response 6.42.1.

Comment Letter I102

I102

169 Spruce Ave.
Menlo Park, CA 94025
August 19, 2004

RECEIVED
AUG 23 2004

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

Dear Sir/Madam:

I am disappointed that the CHSRA draft EIR does not consider the Altamont Pass route.

A route using CalTrain right of way through Atherton, Menlo Park, Palo Alto and points south on the Peninsula will do serious damage to the environment of those communities. I oppose that route. I102-1

I request that you bring back the Altamont Pass proposal and that you perform a complete environmental impact study of all proposed routes.

Respectfully,

Don Barnby

Response to Comments of Don Barnby, August 19, 2004 (Letter I102)

I102-1

Please see standard response 2.18.1.

Comment Letter I103

I103

Joan Bartulovich
7102 Donal Avenue
El Cerrito, CA 94530

(510) 232-1136

E mail: joanbar1@prodigy.net

August 20, 2004

RECEIVED
AUG 23 2004

California High Speed Rail Authority
925 L Street, Ste 1425
Sacramento, CA 95814

Re: California High Speed Rail Draft Program EIR/EIS

Dear Mr. Petrillo:

The DEIR/S is flawed because it omits the possibility of an Altamount Pass alignment as an alternative to tunneling through the more mountainous Mt. Hamilton and Pacheco Pass areas to connect the Central Valley to the Bay Area. As you may know, the Altamont Pass alignment was the recommended preferred alignment of the Intercity High Speed Rail Commission, the predecessor to the California High Speed Rail Authority (HSRA).

An Altamont Pass alignment would follow the existing I-580/I-680 corridor with the following potential benefits:

- No impact on Henry Coe State Park, the second largest state park in California, including pristine Orestima Wilderness.
- Less overall growth inducement in wilderness and undeveloped areas.
- Less impact on wetlands I103-1
- Faster Los Angeles-San Francisco travel times
- Service to over 1 million East Bay and Northern Central Valley residents in Phase I of the project.
- Traffic congestion relief on I-80 and I-580/I/680
- Much faster travel times between the Bay Area and Sacramento
- Cost savings of up to $2 billion, according to documents in the DEIR/S record

This Program DEIR/S should not be used to decide which alignment to use. Rather a new EIR/S should fully explore an Altamont Pass alignment, providing a complete and careful comparison to other alignment options for public comment.

Thank you for your consideration of these comments.

Joan Bartulovich

Joan Bartulovich

Response to Comments of Joan Bartulovich, August 20, 2004 (Letter I103)

I103-1

Please see standard response 2.18.1.

Comment Letter I104

I104

15 Bowles Place
Oakland CA 94610
August 19, 2004

RECEIVED
AUG 23 2004

Mr. Joseph Petrillo, Chairman
California High Speed Rail Authority
925 L St., Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo:

Subject: California High Speed Rail Draft Program EIR/EIS.

While I was associated with the Transbay Terminal/Caltrain Upgrade Program as Deputy Director I had occasion to review elements of the HSR EIR/EIS. In the course of this review I was able to discuss some of the issues with ridership forecasting experts and with your staff. However, I am no longer associated with the Transbay Terminal Program so the following comments are my own:

1. Because of budgetary constraints and time limits the demographic and ridership database upon which EIR/EIS conclusions were based is out of date and otherwise deficient. Additional work is needed to ensure that the ultimate decisions, particularly those affecting alignment and terminal configuration, are based upon sound demographic and ridership projections. I104-1

2. From the published data it appears that the ridership projections extended only to Year 2020. The California High Speed Rail System will necessarily have to serve California far into the future. Year 2020 is too close. Ridership projections should be extended by the best available methodology to at least Year 2050.

3. The EIR/EIS gives no consideration to the proposed underground moving ramp pedestrian connection that would link the Transbay Terminal to the BART and Muni subways and to the heart of the San Francisco financial district. This will be an important connection that will render the HSR system more useful to more people. The projected effects of this connection should be determined and published in the EIR/EIS. I104-2

4. Catering to an aggressive group of Palmdale developers and local politicians, your staff acquiesced to a scheme for detouring the main HSR line to Palmdale. This is folly. For one thing the detour would cause many Californians from other counties who have no interest in visiting Palmdale to lose interest in the HSR Program. A much better approach would be to keep the connection between Southern and Northern California as short, fast and direct as possible, and serve Palmdale interests via a fast connecting feeder. I104-3

5. Catering to a well-organized campaign by the Silicon Valley Manufacturer's Association and the Mayor of San Jose, your staff acquiesced to an alignment that would route all trains through San Jose but in the process degrade the service to East Bay cities and deny service to the burgeoning San Joaquin County/Amador Valley region. The Altamont Pass route would afford fast and direct HSR service to San Jose and San Francisco and it would also significantly improve commuter rail service (via a joint arrangement service similar to what is planned in the West Bay) to and from San Joaquin County and the Amador Valley. The Pachecho route would do nothing for anyone, except perhaps developers in the Merced area. I104-4

6. You are no doubt already aware of the other obvious advantages of the Altamont alternative.

If you or a member of your staff have questions or wish to discuss any of the above please do not hesitate to call or e-mail me.

Sincerely yours,

Gerald Cauthen, PE
Transportation Consultant

510 208 5441
cautn1@aol.com

Response to Comments of Gerald Cauthen, August 19, 2004 (Letter I104)

I104-1

The Authority acknowledges but disagrees with your comments regarding ridership forecasts. The ridership forecasts done by Charles River Associates (CRA) for the Authority's Business Plan were considerably beyond the level of detail necessary to support the program level environmental process. While the base forecast year for the CRA forecasts was 2020, CRA also did analysis for 2040 and 2050. In regards to the "low-end" forecasts, the Authority's Business Plan states, "Ridership and revenue for the high-speed train system will continue to grow as the system matures and California's population continues to grow. By the year 2050, both ridership and revenue in constant 1999 dollars are forecast to increase by half over 2020 levels to over 47 million passengers and $1.3 billion in fare revenue." (page 27) CRA's analysis for 2040 was utilized in the evaluating the potential growth inducement from the HST system.

I104-2

The Draft Program EIR/EIS states the Transbay Terminal would have "direct connections to BART, Muni, and regional bus transit". However, BART commented that the Transbay Terminal is one city block away from BART and that the underground moving ramp pedestrian connection to BART was not part of the Transbay Terminal's financial plan. The Final Program EIR/EIS will acknowledge that the Transbay Terminal is one city block from BART.

I104-3

Please see standard response 6.23.1.

I104-4

Please see standard response 2.18.1.

Comment Letter I105

I105

1621 Stone Pine Lane
Menlo Park, CA 94025
August 20, 2004

RECEIVED
AUG 23 2004

Draft Program EIR/EIS Comments
925 L Street, Suite 1425
Sacramento, CA 95814
Att: High Speed Train

Subject: CHSR Program Draft EIR/EIS

Ladies and Gentlemen:

We object in the strongest terms to the contents of the "CHSRA Draft Environmental Impact Report/Environmental Impact Statement" for the following reasons.

1. The document fails on the grounds of full disclosure.
2. It enters economic domains (train ridership, profitability, development and construction costs, etc.) that are beyond its jurisdiction, which is, ostensibly, environment. I105-1
3. In rejecting the Altamont alternative, it accepts inappropriate political decisions beyond its jurisdiction. I105-2
4. It fails to address *all* the significant environmental implications and consequences of HSR on the Peninsula from San Francisco to San Jose. These include factors such as private property acquisition and imposed easements, right-of-way expansion, aesthetics, noise pollution, residential quality impact, tree loss, and protracted construction. I105-3
5. It fails to assess the environmental/ecological impacts of *all* alternative routes.
6. It is an advocacy, promotional marketing document reflecting the interests of the HSRA at the expense of both urban and rural areas throughout California; it fails on grounds of objectivity and neutrality. I105-4
7. It perpetuates the arbitrary and distorted separation of three environmental rail issues that are inherently interdependent:
   a. Grade separations along the Peninsula and other urban areas.
   b. Electrification
   c. The overlay of rail multiplication (additional trackage) on the CALTRAIN/JPB right-of-way. I105-5
8. It considers only two alternative routes, totally neglecting others that would mitigate the significant environmental damage caused by running HSR through the urbanized Peninsula. For example, an alternative route would run the HSR from LA to Fremont/Sacramento with trunk lines south to San Jose and north, cross-bay, to San Francisco. I105-6
9. It does not consider and assess the option of terminating the Bay Area "west leg" of the HSR at San Jose which is connected to San Francisco by the Baby Bullet trains, i.e., an already existing local high-speed rail connection. I105-7

In sum, the report supports the Bay Area Peninsula JPB/CALTRAIN agenda for reckless rail right-of-way expansion down the Peninsula, regardless of the destructive consequences to residential communities through which it passes. This document promotes pork-barrel politics at its most egregious. I105-8

On these and numerous other grounds, we condemn and reject the Draft EIR/EIS and recommend that the HSR Authority conduct the analyses that are so obviously missing from the present draft report.

Sincerely,

Martin and Judith Engel

Martin Engel
Judith Dresner Engel

Response to Comments of Martin and Judith Engel, August 20, 2004 (Letter I105)

I105-1

The Authority acknowledges but disagrees with your assessments. Consideration of train ridership forecasts and the development of construction costs, etc., are appropriate as part of the program EIR/EIS process. The program EIR/EIS has been prepared in compliance with the requirements of CEQA and NEPA.

I105-2

Please see standard response 2.18.1.

I105-3

Addressing "all the significant environmental implications and consequences of HSR on the Peninsula" is beyond the scope of this program level EIR/EIS process including such areas as private property acquisition, imposed easements, tree loss, etc. If the HST proposal moves forward, more detailed project-specific environmental documentation will be required prior to construction. The level of analysis provided in the program EIR/EIS is appropriate to the decisions being made at this time; future project specific studies will address potential impacts in more detail at the alignment locations identified for further study.

The HST system would require the Caltrain corridor to be fully grade separated, electrified, appropriately fenced and require additional tracks. The Program EIR/EIS evaluates the potential environmental impacts of a HST design concept which includes grade separation, access control, and additional tracks, where necessary, but also is designed to reduce environmental impacts (please see the objectives listed in Chapter 2 of the Program EIR/EIS on Table 2.6-5).

I105-4

The Authority acknowledges but disagrees with your assessments.

I105-5

The Program EIR/EIS evaluates only a fully grade separated, electrified (overhead catenary) Caltrain corridor with additional tracks as part of the HST Alternative.

I105-6

HST links from Fremont to Sacramento were considered but rejected as part of an initial statewide HST system. Please see the Draft Program EIR/EIS Section 2.6.8D. Available studies indicate that use of the Bay Bridge, or a new Transbay Tube would not be feasible or practicable options for HST service. Please see the findings of the MTC Bay Bridge Rail Feasibility study (cite study). Please also see standard response 6.3.1.

I105-7

Please see standard response 6.1.4.

I105-8

The Authority and FRA acknowledge but disagree with your assessment.

Comment Letter I106

From Ernest Goitein Sat, Aug 21, 2004 12:41 PM

Page 1 of 1

I106

RECEIVED AUG 23 2004

Ernest Goitein
167 Almendral Ave , Atherton, California 94027-4003

August 21, 2004

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

Subject: High-Speed Rail DEIR

Dear California High-Speed Rail Authority,

Please revise the DEIR to fully address the environmental impacts on all of the alternatives being considered. I am particularly concerned that the Altamont Pass alternative has not received full consideration. It is important for concerned citizens to clearly understand the benefits or drawbacks of each alternative. I106-1

I hope you will consider my comments and revise the DEIR accordingly.

Cordially,

Ernest Goitein

Response to Comments of Ernest Goitein, August 21, 2004 (Letter I106)

I106-1

Please see standard response 2.18.1.

Comment Letter I118

I118

August 24, 2004

California High-Speed Rail Authority
925 L Street Suite 1425
Sacramento, CA 95814-1908

Re: Comments on the Draft Program EIR/EIS for the Proposed California High-Speed Train System (January, 2004)

I am enclosing a copy of the report I prepared this month as a part of the University of California Transportation Centers Undergraduate Fellowship Program at the University of California Davis. This report aims to summarize and explore the debate over whether or not the Altamont Pass should have received more analysis in the Draft EIR/EIS as a possible alternative to the Diablo and Pacheco Passes. I have compiled arguments from various organizations and have examined a range of sources in order to analyze how these groups position themselves in this controversy. The goal of this document is to outline the arguments in support of the Altamont Pass or Pacheco Pass with respect to the reasons that the Altamont Pass was disregarded as a possible alternative – including accessibility/connectivity, ridership/revenue, and the environment.

I118-1

While the EIR/EIS asserts that the Altamont Pass does not meet the criteria for connectivity / accessibility, ridership / revenue, and the environment, this report has demonstrated that these assertions will remain refutable until further study is done on this corridor. Additionally, that the public has become so vocal about making sure the Altamont Pass is included in the Final EIR/EIS may be reason alone for the High-Speed Rail Authority to reconsider their decision. It makes sense for the Authority to conduct further analysis of the Altamont Pass option before supporting the Pacheco Pass option; the public might then more readily accept the Authority's argument as to why the Altamont Pass would not serve the high-speed train's purpose.

Thank you for considering these comments during the public review period. I appreciate your time and ask that you do not hesitate to contact me over any questions you may have.

Sincerely,

Signature Deleted By User Request

Lauren Hilliard

i. "The more communities that receive service in the first phase of the project, the greater the number of people who will support the project and vote for the bond. The great the total rout miles, the greater the total system capital cost, the greater the travel times, the greater the operating costs, and the greater the overall cost."[20a]

n. Ken Gosing, Executive Director, Transportation Involves Everyone

i. This transportation planning advocacy group has urged federal regulators to halt the advancement of this high-speed rail project until the Altamont route has been fully studied.[21]

I118-1 cont.

o. Mehdi Morshed, Executive Director, California High Speed Rail Authority

i. Morshed believes the objective is to serve the inter-city transportation needs of California in 2020 and beyond. It's not to serve commute trips. It (Altamont Pass) won't serve commute trips. It's for trips that are too far to drive and too near to fly.[22]

p. The Metropolitan Transportation Commission (MTC)

i. The MTC is the transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. On May 28, 2003, its Board of Directors voted to maintain its preference for the Pacheco Pass alternative despite hearing arguments for the Altamont Pass, emphasizing the importance of serving San Jose and the Silicon Valley.[8]

24

Comment Letter I118 Continued

Analysis of Controversial California High-Speed Train Debate:
The Removal of the Altamont Pass Alternative

by

Lauren M. Hilliard

Supervised by

Susan Handy, Associate Professor

Prepared as a part of the University of California Transportation Centers
Undergraduate Fellowship Program

Institute of Transportation Studies
University of California
One Shields Avenue
Davis, CA 95616

August 2004

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Comment Letter I118 Continued

1. INTRODUCTION

It seems that it often takes depressing statistics to justify the building of new infrastructure projects in the State of California; however, there is such a variety of astonishing numbers that the general public often does not make the connections between them. For instance, the number of persons fatally injured in U.S. motor vehicle crashes in the year 2000 was **41,821.**[1] Of that number, California is responsible for **9%** of those fatalities.[1] There is a projected **63%** increase in the number passengers traveling intercity in California by the year 2020.[2] Of California's 58 counties, **34** failed one or more of three clean air tests in 2004.[3] The top **three** cities in the United States that are most polluted by short-term particle pollution are all located in California.[3] Automobiles are responsible for **70%** of ozone and particulate pollution.[3] It is when all of these statistics are combined and understood that people can begin to see the correlation between vehicle fatalities, increased congestion, and deteriorating air quality.

In conjunction with California's extreme highway congestion, these statistics offer additional reasons as to why California has taken steps toward planning a state-wide, high-speed train system. In1994, the California Intercity High-Speed Ground Transportation Commission was formed and in 1996 they issued a set of baseline recommendations for the rail network. The Commission envisioned the first phase connecting Los Angeles with the San Francisco Bay Area, and a later phase extending south to San Diego and north to Sacramento.[4] The California High-speed Rail Authority (CHSRA) was created by the state Legislature in 1996 to develop a plan for the construction, operation and financing of a statewide, intercity high-speed passenger rail system. The Authority consists of nine members – five appointed by the Governor, two by the Senate Rules Committee, and two by the Speaker of the Assembly. All environmental, planning, and engineering work is performed by private firms under contract with the Authority.[5]

The California High-Speed Train Program Draft Environmental Impact Report / Environmental Impact Statement (EIR/EIS) lays out plans for a high-speed railway network for intercity travel through the area from the San Francisco Bay Area and Sacramento, the Central Valley, Los Angeles, and San Diego. The California High-Speed Rail Authority is the lead agency for the California Environmental Quality Act (CEQA) requirements, and the U.S. Department of Transportation's Federal Railroad Administration is the federal lead agency for NEPA requirements.[6] The purpose of and need for a high-speed train system in California, as laid out in the Draft EIR/EIS, is to alleviate the pressures that an increasing population's intercity travel will put on highways, airports, buses, and conventional passenger rail infrastructure. The EIR/EIS details how the proposed high-speed train system would improve intercity transportation problems with predictable, consistent, and shorter travel times, an alternative to highway congestion, and lower emissions.[2]

The Draft EIR/EIS describes three alternatives including a No Project Alternative, a Modal Alternative, and a High-Speed Train Alternative. The No Project Alternative depicts the State's transportation system – highway, air, and conventional rail – as it existed in 1999-2000 and as it would be in 2020 with the implementation of transportation projects already in

I118-1 cont.

1

planning. The Modal Alternative includes a proposal for improvements to meet the increased intercity travel demand in 2020 that would not be met in the No Project Alternative. The High-Speed Train Alternative examines various high-speed train technologies, corridors, and alignment and station options within the corridors.[7]

The June 2000 Final Business Plan was prepared for Governor Grey Davis and the California Legislature, and includes plans for the construction of a state-wide high-speed rail system.The Business Plan explains that in the year 2020, a total of 86 weekday trains in each direction could be provided to serve the statewide intercity travel market. Sixty-four of the trains would run between northern and southern California, and the remaining 22 trains would serve shorter distance markets. There would be a total of 20 express, 12 semi-express, 20 suburban-express, 12 local, and 22 regional trains in operation.[11] Its timetables demonstrate that on an express train one could travel from San Francisco to Los Angeles in 2 ½ hours, and from Sacramento to Los Angeles in just over 2 hours.

While the Authority has laid out alternatives for various corridors within the rail system, they have stated a preferred alternative in the Draft EIR/EIS that would connect the Bay Area to the Central Valley via a route parallel to Highway 152. This choice, known as the Pacheco Pass, would include proposed station stops in Los Banos, Gilroy, and Morgan Hill. Many agencies are opposed to this route because of the growth the rail line might induce in the low-density areas. However, the California High-Speed Rail Authority claims that a rail line would instead control growth by supporting transit-oriented development. North of the planned Pacheco Pass lies the proposed Diablo Pass – an alternative that environmental groups are adamantly against because it would go through Henry Coe State Park. While the Draft EIR/EIS only outlines these two corridor alternatives, the Authority's predecessor Commission believed a different route paralleling Interstate 580 and going through the cities of Tracy, Livermore, and Pleasanton would be the best connection from the Central Valley to the Bay Area. Several organizations believe that this route, the Altamont Pass, was not given proper consideration in the Authority's Draft EIR/EIS as an alternative to the Pacheco Pass or Diablo Pass.

The reasons for the elimination of the Altamont Pass as an alternative for a Northern Mountain Crossing are based on its supposed poor connectivity/accessibility, low ridership/revenue potential, significant environmental impacts, and lack of owning the right-of-way. However, each of these arguments has been countered by many Northern San Joaquin cities, rail advocacy organizations, and environmental groups. These groups and many other individuals claim that the Altamont Pass would reach more riders living in higher density cities, have less environmental impacts than the other two alternatives, and be much more cost effective than either the Pacheco Pass running through Gilroy and Los Banos, or the Diablo Pass running through Henry Coe State Park. This controversy has prompted the California High-Speed Rail Authority to extend its public review time on the Draft EIR/EIS to August 31, 2004.[8]

This report aims to summarize and explore the debate over whether or not the Altamont Pass should have received more analysis in the Draft EIR/EIS as a possible alternative to the Diablo and Pacheco Passes. I will be compiling arguments from various environmental and

I118-1 cont.

2

Comment Letter I118 Continued

transit advocacy groups, city and county politicians, special districts, and commissions. An examination of newspaper articles, periodicals, letters, websites, and interviews has led to an analysis of how these organizations position themselves in this controversy. My goal is to provide a document which conveys the arguments for supporting each of the Altamont and Pacheco Passes in retrospect to the reasons that the Altamont Pass was disregarded as a possible alternative – including accessibility/connectivity, ridership/revenue, and the environment.

I118-1 cont.

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2. THE REASONS

While there are still those who contend that a high-speed rail line should not even run between the Bay Area and Merced, there are many in support of the train serving this quickly growing region. This area includes the 13 counties of Madera, Merced, San Benito, Stanislaus, Santa Clara, Alameda, San Mateo, San Francisco, Contra Costa, Solano, Yolo, Sacramento, and San Joaquin. The population in this region grew by 14%, from 7.6 million people in 1990 to 8.7 million in 2000. By the year 2020, population in the region is expected to reach 10.8 million, increasing 23% over 2000 levels.[12] There remains yet another debate within the train-supporting community as to which high-speed rail corridor would best meet this increasing travel demand in this region.

The Altamont Pass was eliminated from the Draft EIR/EIS because the California High-Speed Rail Authority believed the needs for connectivity/accessibility, ridership/revenue, the environment, and right-of-way could not be met with this corridor alignment option. While the Authority addressed their primary reasons for removing the Altamont Pass as a viable option to the Pacheco Pass, there was less information provided in the Draft EIR/EIS for the secondary reasons. This section of the report will summarize the Authority's primary reasons for the removal and one of the secondary reasons, as the "right-of-way" was not sufficiently discussed in the document. In addition, each of the issues raised in support of these reasons will be analyzed. The issues are defined in the Draft EIR/EIS as follows:[9]

I118-1 cont.

1. Primary Reasons for Elimination
    a. *Connectivity / Accessibility* – Limited connectivity with other transportation modes (aviation, highway and/or transit systems) that would impair the service quality and could reduce ridership of the HST system was considered a criterion for failing to satisfy the project purpose.
    b. *Ridership / Revenue* – Longer trip times and/or suboptimal operating characteristics that would result in low ridership and revenue were considered criteria for failing to satisfy the project purpose.
2. Secondary Reasons for Elimination
    a. *Environment* – A high potential for considerable impacts to natural resources including waters, streams, floodplains, wetlands, and habitat of threatened or endangered species was considered a criterion for failing to meet project objectives.
    b. *Right-of-Way* – A lack of available right-of-way or extensive right-of-way needs that would result in excessively high acquisition costs for a corridor, technology, alignment, or station were considered criteria for project impracticability.

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2.1 Connectivity / Accessibility

The Draft EIR/EIS maintains that the key reason for the removal of the Altamont Pass as an alternative lies in the infeasibility of operating the line. It argues that the Altamont corridor would lack connectivity and accessibility because the line would have to split in three different directions at Newark/ Fremont to simultaneously serve San Jose, San Francisco, and Oakland (Figure 2-1).[8] However, the use of the Pacheco Pass would only require the line to split in two directions, occurring beyond the San Jose station. Because the Altamont line would have an additional split, it is thought that it would ultimately provide less train service to each of the Bay Area major metropolitan areas. All trains via the Pacheco Pass would be able to serve San Jose regardless of whether San Francisco, Oakland, or both were served[8].

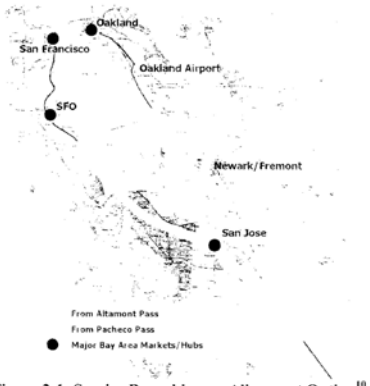

Figure 2-1: Service Branching on Alignment Option[10]

The Draft EIR/EIS also states that the Altamont Pass would be an operationally difficult line with connectivity problems because it would include a segment crossing the San Francisco Bay via a new rail bridge, which would add considerable costs to the project.[8] Between the three-way line split and the Bay crossing, the Draft EIR/EIS argues that the Altamont Pass would not be able to run the highest frequency of service to the major Bay Area markets and that its accessibility would be more limited than for the Pacheco Pass[8].

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating and financing agency for the nine-county San Francisco Bay Area. On May 28, 2003, its Board of Directors voted to maintain its preference for the Pacheco Pass alternative despite hearing arguments for the Altamont Pass, emphasizing the importance of serving San Jose and the Silicon Valley.[8] HSRA Executive Director, Mehdi Morshed, has noted that the

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I118-1 cont.

MTC's regional plans for transportation investments in the future, and how well they coordinate with the intercity system, is very important because the Authority hopes to complement their plans with the proposed high-speed rail system.[4]

The HSRA feels that the removal of the Altamont Pass alignment from the Draft EIR/EIS is consistent with the project's purpose and need because of its ineffectiveness to meet current and future intercity travel demand. Furthermore, they do not see this corridor option increasing the efficiency of intercity transportation[8].

Analysis

While the High-Speed Rail Authority believes the issue of connectivity / accessibility presents to difficult a problem, it is important to consider an analysis and response to this argument. The lack of feasibility for splitting the Altamont line in three directions toward Oakland, San Jose, and over the Bay toward San Francisco may be considered significant enough to exclude it as an option; however, sufficient studying of the Altamont corridor is the only way to confirm this. While there is the possibility of avoiding a Bay crossing by going into San Jose and up the Peninsula, the Authority notes that this concept would require trains to reverse direction at a stub end station in San Jose (minimum 10 minute additional travel times) to proceed north along the Peninsula.[8] This would add at least 22 minutes to the overall travel time versus using a Pacheco Pass option and would not meet the project purpose and objectives. However, there is no detailed explanation in the Draft EIR/EIS of this alignment option. A more thorough analysis of the Altamont Pass might reveal other ways to provide service via this route.

I118-1 cont.

The Draft EIR/EIS also attempts to demonstrate the connectivity / accessibility problem of a rail line splitting three ways versus one splitting only in two directions by showing the frequency of train service to stations in San Jose, Oakland, and San Francisco. In an example, it points out that if 18 trains were to enter the Bay Area via the Pacheco Pass, then all 18 would enter through San Jose and Oakland and San Francisco would each receive 9 trains. It also conveys that if 18 trains were to enter the Bay Area via the Altamont Pass, then San Jose, Oakland and San Francisco would each only receive 6 trains. These numbers of service frequency are used to prove that a two-way split may offer more trains to Bay Area stations than a three-way split (Table 2-1).

Table 2-1: Service Comparison Example for Sacramento to Bay Area (Altamont vs. Pacheco)[8]

Alignment Option	Trains Entering Bay Area	Trains per Station		
		San Jose	*Oakland*	*San Francisco*
Altamont Pass	18	6	6	6
Pacheco Pass	18	18	9	9

This example, however, fails to address why there are only 18 trains entering the Bay Area. With the omission of units it is unclear to understand at what service frequency eighteen trains would enter the Bay Area. While the timetables of the June 2000 Final Business Plan show that there are 18 trains entering the Bay Area in each direction every day, this table is somewhat confusing

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to a reader who is only aware that there are 66 trains entering the Bay Area in each direction every day, as stated in the Draft EIR/EIS. Perhaps it would make more sense to convey the figure of 66 trains, as this is the number referred to in the Draft EIR/EIS (Table 2-2).

Table 2-2: Service Comparison Example for Trains Entering Bay Area (Altamont vs. Pacheco)

Alignment Option	Trains Entering Bay Area	Trains per Station		
		San Jose	*Oakland*	*San Francisco*
Altamont Pass	66	22	22	22
Pacheco Pass	66	66	33	33

It is also interesting that such an emphasis is placed on the importance of serving the three metropolitan areas of San Francisco, San Jose, and Oakland when the initial phase of the project would only include service to San Francisco and San Jose – not Oakland. The timetable example for 2020 in the Final Business Plan includes the lines for San Francisco to San Diego, Sacramento to San Diego, and Sacramento to San Francisco. Since there is no intention of even serving Oakland by the year 2020, it seems more logical to place a line that enters at Newark/Freemont instead of avoiding the East Bay altogether by going to San Jose.

Furthermore, the BART system could be utilized in the East Bay to increase connectivity with a high-speed rail line. For example, one could take the BART from the 12th St. Oakland City Center Station and connect to the high-speed Altamont Pass 36 minutes later at the Fremont station, or 38 minutes later at the Dublin/Pleasanton station (Figure 2-2). Oakland could still have relatively quick access to the high-speed train system without having to commute via automobile to the nearest station. On the contrary, the people of the Sacramento region would have to drive to Merced to reach the Pacheco Pass, versus Modesto if the Altamont Pass was used.

I118-1 cont.

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Figure 2-2: Map of the BART system[25]

Connectivity / Accessibility	
Draft EIR/EIS Argument for the Removal of Altamont Pass Option	**Analysis and Response to Draft EIR/EIS Argument**
Altamont line would have to split in three different directions and cross the San Francisco Bay in order to serve the major Bay Area markets	A more thorough analysis of the Altamont Pass might reveal other ways to provide service without a three-way line split and a Bay crossing
Using the Pacheco Pass would only require the line to split in two directions, occurring beyond the San Jose station	While a two-way split may offer more trains to Bay Area stations than a three-way split, the Draft EIR/EIS fails to demonstrate this in a clear, consistent manner

I118-1 cont.

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Altamont route would not be able to run the highest frequency of service to San Jose, San Francisco, and Oakland	Since Oakland is not included in Phase I plans for 2020, the Altamont line through Newark/Freemont could provide service to the East Bay when the Pacheco could not
The HSRA does not see the Altamont Pass option increasing the efficiency of intercity transportation	The existing BART system could be used in conjunction with a high-speed rail network, connecting in several East Bay cities
The HSRA hopes to complement their plans with the Metropolitan Transportation Commission, who believe the Pacheco would better serve San Jose and the Silicon Valley	The HSRA should take the preferences of other Metropolitan Planning Organizations into account, as much Bay Area congestion results from Central Valley commuters

I118-1 cont.

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2.2 Ridership / Revenue

The High-Speed Rail Authority also claims that the Altamont Pass would generate significantly lower ridership / revenue than the Pacheco Pass would; therefore, they feel this is justification for the corridor's elimination as an alternative. Although the Altamont Pass would provide a more direct link between San Joaquin County and the Bay Area, the Authority argues that this area represents a relatively short distance market. Because short distance markets equate to less revenue potential than for longer distance travel, they feel that improvements to the existing commuter rail service, the Altamont Commuter Express (ACE), would be a better way to serve Central Valley / Bay Area commuters.[8]

As Table 2-1 demonstrates, the Pacheco Pass would provide more frequent and efficient service to the major Bay Area markets than the Altamont Pass. With San Jose receiving three times as many trains via the Pacheco Pass than it would with the Altamont Pass, the Draft EIR/EIS emphasizes the importance of serving the Silicon Valley and projects that this higher train frequency will result in higher ridership and revenue. Additionally, the HSRA argues that the greater ridership / revenue market is for long-distance travel. As a result, they prefer the Pacheco Pass as it would attract more riders because it has a 10 minute shorter travel time than the Altamont Pass using express trains. The faster travel times between San Jose and southern California would also result in the Pacheco Pass having higher ridership and revenue potential. For the 2015 forecasts, the Pacheco Pass is estimated to have 1.1 million more riders annually (5.5%) and $56 million more revenue annually (8.0%) for service to San Francisco than that of the Altamont Pass.[8]

I118-1 cont.

Analysis

There is more to analyze and respond to over the Draft EIR/EIS argument in support of the Pacheco Pass offering greater ridership / revenue than the Altamont Pass. For instance, the trip between Sacramento and San Francisco via the Altamont Pass on an express train would take 59 minutes, whereas the same trip via the Pacheco Pass would take 1 hour and 40 minutes.[8] However, according to the June 2000 Final Business Plan's Timetables, a trip from Sacramento to San Francisco would take 1 hour and 45 minutes on the 9 daily semi-express service level and 2 hours and 20 minutes on the other 9 daily trains running at local service level. The timetables do not even include an express train. This is just one example of a discrepancy between these two documents, making the reader question which time they should believe.

That the Pacheco Pass would offer more frequent train service to San Jose does not necessarily qualify the corridor for attracting the greatest ridership / revenue, as the Draft EIR/EIS argument does not consider all aspects of this topic. For instance, a person traveling from Los Angeles to San Francisco via a high-speed rail line would be choosing between an airplane and automobile as his/her mode of transportation. The additional 10 minutes that the Altamont Pass would take on an express train becomes almost irrelevant when comparing the time it would take one to travel this distance in a car or aircraft. However, the fact that the Pacheco Pass would take 40 minutes longer on an express train to arrive in San Francisco from Sacramento than the Altamont would have significant impacts on whether a person chooses to travel by automobile or high-speed rail. While Amtrak's Capital Corridor from the Sacramento region to the East Bay is

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Comment Letter I118 Continued

seeing a rise in ridership, the conventional train is still not competitive enough with the automobile because of schedule irregularity and fare prices. This increased interest in finding an alternative mode of transit, however, is evidence that there is a growing community of rail commuters, and possibly a strong potential ridership for a high-speed train.

The June 2000 Final Business Plan states that 14% of the current intercity travel by geographic market in California consists of trips between Sacramento and San Francisco. However, only 12% of the current intercity travel by geographic market is made up of trips from Los Angeles to San Francisco in the State. According to Mapquest.com, it should take 1 hour and 26 minutes to travel in an automobile from Sacramento to San Francisco; however, I-80's typical traffic conditions usually make this trip closer to 2 hours. A high-speed rail line via the Altamont Pass would make this trip significantly shorter at 59 minutes, while a 1 hour and 40 minute trip via the Pacheco Pass would have more difficulties competing with the automobile. With the proposal of the Pacheco Pass, the people of the Sacramento region would continue to face severe delays on Interstates 80, 580, and 680 as a result. Interstate 580 between the Bay Area and Stockton is projected to increase its average daily volume of vehicles by 60% between the years of 2000 and 2020.[26]

I118-1 cont.

Table 2-3: Traffic Volumes in 2000 and 2020 at Pacheco Pass and Altamont Pass

Major Highways	Average Daily Volume 2000	Average Daily Volume 2020	% Change 2000-2020
US 101 just south of San Jose	232,000	320,000	38%
I-580 between Bay Area & Stockton (at Pleasanton)	188,000	300,000	60%

The population density in each of the areas that the rail corridors pass through is an aspect of ridership / revenue that the Draft EIR/EIS seems to ignore. The region containing the Altamont Pass maintains a much greater population than the Pacheco Pass does. The populations of Tracy and Pleasanton, the two cities where the proposed stations are located on the Altamont Pass, total about 120,000 (Table 2-4).[27]

Table 2-4: Population Densities for Proposed Stations on Pacheco Pass[27]

HSR Proposed Stations	Population
Gilroy	41,464
Los Banos	< 25,000
Morgan Hill	33,556
Total	**< 100,020**

The populations of Gilroy, Los Banos, and Morgan Hill – the three cities where the proposed stations are located for the Pacheco Pass, total under 100,000 (Table 2-5).[27] These figures do not

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reflect the other cities along the Altamont Pass whose populations far outnumber those near the Los Banos segment of the Pacheco Pass.

Table 2-5: Population Densities for Proposed Stations on Altamont Pass

HSR Proposed Stations	Population
Tracy	56,929
Pleasanton	63,654
Total	**120,583**

I118-1 cont.

Ridership / Revenue	
Draft EIR/EIS Argument for the Removal of Altamont Pass Option	**Analysis and Response to Draft EIR/EIS Argument**
Improvements to the existing commuter rail service, the Altamont Commuter Express (ACE), would be a better way to serve Central Valley / Bay Area commuters	An express trip between Sacramento and San Francisco via the Altamont Pass would take 59 minutes, whereas the same trip via the Pacheco Pass would take 1 hour and 40 minutes
A route via the Pacheco Pass would provide more frequent and efficient service to the major Bay Area markets than the Altamont Pass would	The additional 40 minutes that the Pacheco Pass would take to arrive in San Francisco from Sacramento might sway whether a person chooses to travel by auto or by high-speed rail
The Pacheco's higher frequency of service and faster travel times between San Jose and southern California, forecast the route to have higher ridership and revenue potential	Freeway congestion in the Sacramento region, densely populated cities in the East Bay, and increased use of Amtrak's Capital Corridor could attract large ridership for the Altamont

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2.3 Environment

The Draft EIR/EIS notes that environmental impacts of the Altamont Pass are too great to consider it an alternative corridor. The strongest of these potential environmental impacts include the building of a new Bay crossing near the existing Dumbarton rail bridge. The HSRA believes that the potential environmental and economic costs would be too great to construct a new bridge across the San Francisco Bay.[8] They also argue that a new Bay crossing would impact sensitive wetlands, saltwater marshes, and aquatic habitat within and surrounding Don Edwards San Francisco Bay National Wildlife Refuge, and would require costly mitigation measures to replace or restore wetlands potentially impacted, directly or indirectly, by a new bridge.[8] The Bay Conservation and Development Commission (BCDC) has also discouraged any new or expanded use of Bay waters or shoreline habitat important to sensitive Bay species. The potential for project delays and increased costs were considerable factors in the review of the Altamont Pass option.[8]

Analysis

But even Bay Area environmental groups that oppose any new or expanding development across the Bay are not opposed to further analysis being done on the Altamont Pass to be included in the Final EIR/EIS. The BCDC, for instance, as well as other environmental groups concerned about the potential Bay crossing, indicated at a meeting in the Authority Chair's office on April 8, 2004, that they have no objections to a study of the Altamont Pass alternative.[13] A proposed segment of the line from San Jose to Oakland would cross the same Wildlife Refuge via the Mulford line, yet this route was not eliminated as a possible line on the Pacheco Pass. The environmental impacts of the Diablo Pass through Henry Coe State Park have been of much more concern to environmental organizations, yet the Diablo Pass was still studied as the only other possible corridor option from the Bay Area to the Central Valley to the Pacheco Pass. That the Bay crossing segment of the Altamont Pass would have environmental impacts is no reason to rule it out as an alternative.

Other environmental impacts involve the operation of the Pacheco Pass. Low-density areas such as Los Banos on the Pacheco Pass could be excellent candidates for sprawl if a high-speed rail line was to be built there. Despite plans for Transit-Oriented-Development around these high-speed rail stations near the less population region lining Highway 152, there is great potential for induced growth. Additionally, the San Felipe Lake on the Pacheco Pass is an area that the Audubon Society has listed as an Important Bird Area, as it is a critical habitat for many local and migratory bird species.[28] There is concern amongst many environmental groups – including the Nature Conservancy, Planning and Conservation League Foundation, and Audubon Society of Santa Clara, over any decisions made from the current Draft EIR/EIS.[15]

I118-1 cont.

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Environment

Draft EIR/EIS Argument for the Removal of Altamont Pass Option	Analysis and Response to Draft EIR/EIS Argument
The strongest environmental impact of the Altamont Pass is the building of a new Bay crossing near the existing Dumbarton rail bridge	The environmental impacts of the Diablo Pass through Henry Coe State Park have been of greater focus to environmental organizations than the potential impacts of the Altamont Pass
A new Bay crossing would impact sensitive wetlands, saltwater marshes, and aquatic habitat within and surrounding Don Edwards San Francisco Bay National Wildlife Refuge	A proposed segment of the line from San Jose to Oakland would cross the same Wildlife Refuge via the Mulford line
The Bay Conservation and Development Commission (BCDC) has discouraged any new or expanded use of Bay waters or shoreline habitat important to sensitive Bay species	The BCDC indicated at a meeting in the HSRA Chair's office on April 8, 2004, that they have no objections to a study of the Altamont Pass alternative
In defense of the Pacheco Pass, there are plans for Transit-Oriented-Development around the proposed station locations in Los Banos, Gilroy, and Morgan Hill	The low-density cities in the eastern segment of the Pacheco Pass are candidates for induced growth, and could potential harm local and migratory bird habitat

I118-1 cont.

2.4 Conclusions

The Draft EIR/EIS central argument for the elimination of the Altamont Pass is that this corridor would have to split in three different directions (versus the Pacheco's two) in order to serve San Jose, San Francisco, and Oakland; consequently, it would not be able to run the highest frequency of service to these major Bay Area markets. To counter this argument, the most critical fact to note is that high-speed trains would not even be in operation to Oakland by the year 2020 because it is not part of the initial Phase I construction; however, this metropolitan area might be better served with the Altamont Pass, as the BART system would connect at the Newark/Freemont and Dublin/Pleasanton stations. While the HSRA believes that a new Bay crossing would impact sensitive wetlands surrounding Don Edwards San Francisco Bay National Wildlife Refuge, there are far too many other environmental consequences on both the Pacheco and Diablo Passes to consider this a factor of elimination as a possible rail corridor. Moreover, further analysis of the Altamont Pass is the only way to accurately assess whether the Pacheco or Altamont corridors would best meet the needs of connectivity / accessibility, ridership / revenue, and the environment.

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Comment Letter I118 Continued

3. THE DEBATE

This section of the report looks at nineteen various environmental groups, transit advocacy organizations, special districts , and county and state politicians in order to gain a better understanding of how these organizations have responded to the elimination of the Altamont Pass as an optional corridor from the California High-Speed Train Draft EIR/EIS. An examination of newspaper articles, periodicals, letters, websites, and interviews has led to an analysis of how these organizations position themselves in this controversy. Conveyed are publicly or privately voiced answers and explanations to the questions: "Should the Altamont Pass have further analysis in the Draft EIR/EIS?" and "Does this organization support the Altamont or Pacheco Pass?" (Table 3-1). More details about the positions of these organizations are included in the Appendix.

3.1 Position on Altamont vs. Pacheco Debate: Environmental & Transit Advocacy Groups, Special Districts, and Government Officials

Regardless of which rail corridor is preferred, every environmental organization examined believes that the Altamont Pass should have further analysis in the Draft EIR/EIS. The Bay Conservation and Development Commission, Coastal Conservancy, and Save the Bay all indicated at an April 8, 2004 meeting in the Authority Chair's office that they do not oppose further analysis of the Altamont Pass alternative, because the Diablo Pass could have even greater environmental impacts.[15] The Loma Prieta Chapter of the Sierra Club believes that the HSRA had no legal authority to eliminate the Altamont corridor option from the CEQA process, and that further analysis is necessary to make a proper alignment preference.[18] The Advocates for Coe Park believe that the High-speed Rail Authority has broken state environmental laws by not including a study of the once-favored Altamont Pass alternative in the project EIR.[13] The Planning and Conservation League Foundation note that one positive reason for fully studying the Altamont Pass is that approximately 1 million more people live along this route, so it will serve existing population and development, rather than creating new sprawl in the Los Banos/Merced County area.[19]

I118-1 cont.

Similarly to the environmental groups, transit advocacy organizations also all agreed that the Altamont Pass should be studied in more depth and included as an alternative in the Final EIR/EIS. Transportation Involves Everyone is a transportation planning advocacy group that has urged federal regulators to halt the advancement of this high-speed rail project until the Altamont route has been fully studied.[22] Architecture 21 believes that the more communities that receive service in the first phase of the project, the greater the number of people who will support the project and vote for the bond.[24] The Train Riders Association of California Organization support high-speed rail, but not the exclusion of the Altamont alignment into the Bay Area.[17] The High-Speed Rail Watch Committee is firmly opposed not only to a rail route that would go through Henry Coe State Park, but one that avoids the Altamont altogether; consequently, they recommend that the Draft EIR/EIS be revised and re-circulated for another public comment cycle prior to any bonding vote.[15]

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Special districts in the State break this pattern, however, as not all of them agree that the Altamont Pass necessarily needs to be studied further. The Santa Clara Valley Transportation Authority's Chair, Don Gage, has discussed the high-speed rail project with legislators because he would like to see it come though the Pacheco Pass route.[14] The Board of Directors of the Metropolitan Transportation Committee (MTC) maintains its preference for the Pacheco Pass alternative despite hearing arguments for the Altamont Pass.[8] The Bay Area Air Quality Management District supports the decision of the MTC, their "sister agency," that the Pacheco Pass would best meet the needs of the Bay Area's transportation and air quality problems.[29] On the contrary, the Sacramento Metropolitan Air Quality Management District strongly recommends that the Final EIR/EIS includes the Altamont Pass alternative, and that it analyzes all three of the corridors more comprehensively before dismissing any of them.[21] The Sacramento Area Council of Governments (SACOG) believes that the ridership potential in the Sacramento area may have been underestimated by the HSRA consultants and the Board is urging that the ridership projections be re-evaluated; furthermore, SACOG recommends the Diablo Range Direct alternative if the HSRA does not re-consider and choose the Altamont Pass.[20]

I118-1 cont.

Government officials on the city, county, and state levels have also given their opinions on this debate. Darrell Steinberg, D-Sacramento, of the California State Assembly has urged the HSRA to consider the I-580 corridor through the Altamont Pass as a possible route for the trains between the San Francisco Bay Area and the Central Valley.[14] Scott Haggerty, Supervisor for Alameda County, failed to convince his colleagues on the Metropolitan Transportation Commission to urge a full study of the Altamont, noting that this corridor would ease congestion on I-580.[22] Roger Dickinson, District One Supervisor for Sacramento County, strongly favors the Altamont Pass alignment and notes that the Sacramento-Bay Area corridor is the third most heavily used in the United States.[23] Rudy Trevino, Mayor of Atwater, questions why the HSRA reversed findings of its predecessor agency, which concluded the Altamont route was best; moreover, he has also stated that he would be a vocal ally for the Altamont Pass, even if the results don't change.[22]

Table 3-1: Organizations' Positions on the Altamont Pass vs. Pacheco Pass Debate

Contact & Information Source	Organization	"Should Altamont Pass have further analysis in Draft EIR/EIS?"	Supporting Reason	"Does this organization support the Altamont or Pacheco Pass?"	Why?
	Bay Conservation and Development Commission	Yes	No Comment	Pacheco	Discourage any new or expanded line over the Bay
	Coastal Conservancy	Yes	No Comment	No Formal Preference	Discourage any new or expanded line over the Bay

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	Save the Bay	Yes	No Comment	No Formal Preference	Discourage any new or expanded rail line over the Bay
Melissa Hippard, Chapter Director	Sierra Club Loma Prieta Chapter	Yes	Environmental, Ridership, Right-Of-Way; incompatible with CEQA laws	No Formal Preference	EIR Needs Further Analysis
	Advocates for Coe Park	Yes	Environmental, Ridership; incompatible with CEQA laws	Pacheco	Focus is on protecting Henry Coe State Park; do not want Diablo route
Eddy Moore, Senior Project Manger	Planning and Conservation League Foundation	Yes	Environmental; incompatible with CEQA laws	No Formal Preference	EIR Needs Further Analysis
Ken Gosting, Executive Director	Transportation Involves Everyone	Yes	Ridership, Environment	Altamont	Ease I-580 congestion
Michael Kiesling, Director	Architecture 21	Yes	Environmental, Ridership	Altamont	Ease Congestion on I-80/580/680 and won't induce sprawl near Highway 152
Alan Miller, Executive Director	Train Riders Association of California	Yes	Environmental, Ridership. Right-of-Way, Accessibility, Cost	Altamont	Ease Congestion on I-80/580/680 and won't induce sprawl near Highway 152
Patrick Moore, Chair	High-Speed Rail Watch Committee	Yes	Environmental	Altamont	Ease Congestion on I-80/580/680 and won't induce sprawl near Highway 152
Don Gage, Office of the Board Secretary	Santa Clara Valley Transportation Authority	No Comment		Pacheco	Maximize Service to San Jose

I118-1 cont.

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	Metropolitan Transportation Commission	No Comment		Pacheco	Maximizes Service to San Jose
Suzanne Bourguignon, Environmental Planner	Bay Area Air Quality Management District	No Comment		Pacheco	Wants to Coincide with MTC
Larry Greene, Air Pollution Control Officer	Sacramento Metropolitan Air Quality Management District	Yes	Environmental, Ridership, incompatible with CEQA laws	No Formal Preference	EIR Needs Further Analysis
Martin Tuttle, Executive Director	Sacramento Area Council of Government	Yes	Environmental	Altamont	Most Efficient Route from Sacramento to Bay Area
Darrell Steinberg, D-Sacramento	California State Assembly	Yes	Environmental, Accessibility, Ridership, Cost	Altamont	Ease Congestion on I-80/580/680 and won't induce sprawl near Highway 152
Scott Haggerty, Supervisor	County of Alameda	Yes	Ridership, Environment	Altamont	Ease I-580 congestion
Roger Dickinson, Supervisor for District One	County of Sacramento	No Comment	Ridership	Altamont	Ease Congestion on I-80/580/680
Rudy Trevino, Mayor	City of Atwater	Yes	Ridership	Altamont	Ease Congestion on I-80/580/680

I118-1 cont.

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Comment Letter I118 Continued

3.2 Interpretation of Positions on Altamont Pass vs. Pacheco Pass Debate

The most significant piece of information found is not whether or not these organizations support the utilization of the Pacheco or Altamont Pass, but rather the fact that the overwhelming majority agree that there should have been further analysis done on the Altamont Pass. In fact, not a single organization has argued that the Altamont Pass does not need to be considered further (Table 3-2). Additionally, all ten of the environmental and transit advocacy groups examined believe that the Draft EIR/EIS should have studied the possible corridor alignment more thoroughly.

Table 3-2: Organizations' Preferences for Corridor vs. Further Analysis

		Corridor Preference		
		Altamont	Pacheco	No Formal Preference
Further Analysis in EIR/EIS	Yes	8	2	5
	No			
	No Comment	1	3	

There are also two kinds of supporters that emerged for the Pacheco Pass. The first group feels so strongly that the Diablo Pass would cause extreme environmental damage to Henry Coe State Park that they are in support of the only other alternative: the Pacheco Pass. However, it is important to note that even these groups believe further analysis should be done for the Altamont Pass. Then there are the organizations whose primary concern is serving the San Jose region. The Bay Area Air Quality Management District and its "sister-planning agency," the Metropolitan Transportation Commission, both support the Pacheco Pass as the best means to meet the increasing population and job growth in the Silicon Valley; however, neither agency has voiced support for researching the option of the Altamont Pass option.

3.3 Conclusions

There are several different reasons organizations give to support why they believe the Altamont Pass should have received more analysis in the Draft EIR/EIS. Several groups believe that the California High-Speed Rail Authority is in violation of California Environmental Quality Act (CEQA) laws, which require the proper studying of all viable alternatives. Organizations also note that the Altamont Pass would have greater ridership potential, as it would enter a more densely populated area including potential station locations at Tracy, Livermore, and Pleasanton. In contrast, the Pacheco Pass would pass through potential station locations in Los Banos and Gilroy, prompting environmental concerns of agricultural land consumption and induced growth / sprawl in these low-density cities. Another environmental concern is the growing congestion on Interstates 80, 580, and 680. Because the Altamont Pass would offer a significantly shorter travel time for those traveling between Sacramento and San Francisco, many argue that this route option would help alleviate vehicle miles traveled and the associated air pollution.

19

I118-1 cont.

4. CONCLUSIONS

It is as important to examine the reasons why the High-Speed Rail Authority felt it was necessary to remove the Altamont Pass as a possible corridor option from the Draft EIR/EIS as it is to summarize the debate surrounding this, so that a comprehensive and accurate assessment of the HSRA's controversial decision can be made. While there are claims that the Altamont Pass does not meet the criteria for connectivity / accessibility, ridership / revenue, and the environment, this report has demonstrated that these assertions will remain refutable until further study is done on this corridor. Additionally, that the public has become so vocal about making sure the Altamont Pass is included in the Final EIR/EIS may be reason alone for the HSRA to reconsider their decision. If no consideration is given to studying the Altamont Pass in greater depth, there could easily be lawsuits filed over the violation of CEQA codes, as several organizations have already noted.

Perhaps it would make a great deal more sense for the HSRA to support the Pacheco Pass option if the Altamont was given proper analysis first. The public might see their argument in a better light as to why the Altamont Pass would not serve the high-speed train's purpose. Not providing enough information on an issue while disregarding it as impractical does not build credibility. Realistically, the HSRA will have the final say on the project's design, so it makes sense for them to do the proper analysis before making a final decision. Even if after the analysis they maintain their preference for the Pacheco Pass, public attacks on their planning insufficiencies might subside. Of course, it is just as likely that even with suitable studies on the Altamont Pass some organizations may still remain unhappy with a decision for the Pacheco Pass and continue to advocate for the Altamont corridor until the very end.

How much good does all this debating actually do? With California's system of planning, the responsibility of monitoring actions often lies in the hands of the general public. The people will continue to hold any agency accountable for their planning process in order to be sure that laws are being upheld, and that the needs of the people and the environment are being met. Without public rhetoric on controversial planning efforts, perhaps we would be subject to a much greater degree of inadequate infrastructure projects.

I118-1 cont.

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Comment Letter I118 Continued

APPENDIX

a. Patrick Moore, Chair, High-Speed Rail Watch Committee

i. They are firmly opposed not only to a rail route that would go through Coe Park, but one that avoids the Altamont altogether. In their presentation before council, they showed two photographs, taken at about the same time of day, along the Pacheco Pass' Highway 152 and Interstate 580 that connects the Central Valley to the Tri-Valley cities of Livermore, Pleasanton and Dublin via the Altamont Pass. The I-580 route had nearly three times as many cars as along Pacheco Pass.[16]

ii. "The Altamont should never have been dropped. There are '10 times' more people in that part of the Bay Area."[16]

iii. "NEPA guidelines require that a project must contain all feasible alternatives for consideration. Throughout the DEIR, the California High-Speed Rail Authority (CHSRA) fails to support its conclusions regarding project impacts with appropriate analysis and provides little supporting evidence and documentation. Locally, the best example of these problems is the exclusion of the heavily-populated Altamont Pass (I-580 corridor) option from the environmental review process.[15]"

iv. "The DEIR is supposed to be providing that environmental information to the public and the CHSRA Board so an informed decision can be made by all interested parties. Unfortunately, the DEIR fails in this task. Because of this failure, the HSR Watch Committee is reluctantly forced to recommend that the DEIR be revised and recirculated for another public comment cycle prior to any bonding vote.[15]"

b. Mellissa Hippard, Chapter Director, Loma Prieta Sierra Club

i. Hippard notes that the Altamont Pass was considered by the HSR Commission's report in 1996 as the preferred alternative. It meets important criteria, especially maximizing the use of existing transportation corridors and rights-of-way. It also serves the Sacramento area more efficiently than the Pacheco Pass option, by about 45 minutes. It is the least likely to induce sprawl. The HSRA had no legal authority to drop this option from the process when they did.[18]

c. Alan Miller, Executive Director, Train Riders Association of California

i. Organization supports high-speed rail, but not the exclusion of the Altamont alignment into the Bay Area.[17]

I118-1 cont.

ii. "We want it built, but we want it built right the first time. On a project this expensive you can't go back and do it over.[17]"

d. Eddy Moore, Senior Project Manger, Planning and Conservation League Foundation

i. Moore explains some positive reasons for fully studying Altamont include: (1) Approximately 1 million more people live along this route, so it will serve existing population and development, rather than creating new sprawl in the Los Banos/Merced County area, and (2) Altamont would serve the East Bay, Modesto, Stockton, and Tracy in PHASE ONE of the project. The other alignments would not serve these areas until the distant future, when a possible phase two is added. The connection to Sacramento, which adds a great deal of ridership / revenue would be easier to build from a phase one Altamont system.[19]

ii. The position of this organization is that the state must first study each route and compare the outcomes for transportation and for the environment. Then, as CEQA intends, the public can make a fully informed decision.[19]

I118-1 cont.

e. Christopher Cabaldon, Chair of the Board of Directors, Sacramento Area Council of Governments

i. "The SACOG Board joins those asking for a re-evaluation of the Altamont corridor because of its potential benefits of creating a quick and direct connection between Sacramento and Bay Areas. We believe that the ridership potential in the Sacramento area may have been underestimated by CHSRA's consultants and the Board would urge that the ridership projections be re-evaluated.[20]"

ii. "Upon further study, if the Altamont option is infeasible, the SACOG Board would urge adoption of the Diablo Range Direct alternative.[20]"

f. Advocates for Coe Park

i. They believe the High-speed Rail Authority has broken state environmental laws by not including a study of the once-favored Altamont Pass alternative in the project EIR. The Advocates, however, endorse a Pacheco Pass route.[13]

g. Roger Dickinson, District One Supervisor, Sacramento County

i. Dickinson strongly favors the Altamont Pass alignment, based on the information he has received, in order to provide the best connection possible between the Sacramento region and the Bay Area. Currently, the Sacramento-Bay Area corridor is the third most heavily used in the United

Comment Letter I118 Continued

States. He advocates that the HSRA should plan high speed rail to take advantage of that fact and the even greater potential. [23]

h. Scott Haggerty, Supervisor, Alameda County

i. Haggerty failed to convince his colleagues on the Metropolitan Transportation Commission to urge a full study of the Altamont. He thinks the trains would ease congestion on I-580. [22]

i. Rudy Trevino, Mayor, City of Atwater

i. Trevino questions why the rail authority reversed findings of its predecessor agency, which concluded the Altamont route was best. He has also stated that he would be a vocal ally for the Altamont Pass, even if the results don't change [22]

j. Darrell Steinberg, D-Sacramento, California State Assembly Member

i. Steinberg said the Altamont route would cut the travel time between Sacramento and the Bay Area, serve a bigger population, possibly have less of an environmental impact than the routes to the south, and could save as much as $2 billion under consideration by the authority.[14]

ii. Steinburg has also urged the rail authority to consider the I-580 corridor through the Altamont Pass as a possible route for the trains between the San Francisco Bay Area and the Central Valley.[14]

k. Don Gage, Chair, Santa Clara Valley Transportation Authority

i. Gage supports the high-speed train, which might stop in his hometown of Gilroy, but he has not submitted a comment on the draft EIR.[14]

ii. "I have discussed it with some of the legislators because I would like to see it come though the Pacheco Pass route.[14]"

l. Larry Greene, Air Pollution Control Officer, Sacramento Metropolitan Air Quality Management District

i. "Dismissal of the Altamont Pass corridor alternative at this level may not be apporopriate. With the countervailing forces for and against the three corridors, we believe the EIR and EIS should analyze all three of the corridors more comprehensively before dismissing any of them. We strongly recommend that the environmental documents include the Altamont Pass alternative.[21]"

m. Michael Kiesling, Director, Architecture 21

23

I118-1 cont.

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Comment Letter I118 Continued

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26: California High-Speed Train Program Draft EIR/EIS, Table 1.2-1. California High-Speed Rail Authority. 27 January 2004.

27: California Department of Transportation, Southern California Association of Governments, Kern County Council of Governments, and Metropolitan Transportation Commission

28: Weinstein, David. *State's Rail Could Get Local*, Palo Alto Daily News. 21 June 2004.

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Response to Comments of Lauren Hilliard, August 24, 2004 (Letter I118)

I118-1

Please see standard response 2.18.1.

Comment Letter I119

I119

AUG 27 2004

3620 Market St., #5
San Francisco, CA 94131
August 25, 2004

Attn: California High Speed Train
Draft Program EIR/EIS Comments
925 L Street, Suite 425
Sacramento, CA 95814

The document should consider a 580/680 alignment over Altamont Pass to connect the Central Valley to the Bay Area. This route would greatly reduce the cost of the project, considerably reduce travel time between Sacramento and San Francisco, and avoid the environmental damage of the currently proposed Bay Area routes. One of those more southerly routes would cause impacts from construction that would permanently damage wilderness in Henry Coe State Park; another route would cross sensitive wetlands. The final EIR/EIS should fully address alignment options. I119-1

Lawrence Maxwell
Larmax@pacbell.net

Response to Comments of Lawrence Maxwell, August 27, 2004 (Letter I119)

I119-1

Please see standard response 6.3.1.

Comment Letter I120

I120

223 Donner Avenue
Livermore, CA 94551-4240

28 August 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Friends:

RE: Draft EIR/EIS

I have these comments regarding the line in the Central Valley and the Bay Area:

1. The line should generally follow the I-5/I-580 corridor rather than US 99.

   It is many miles shorter, lessening miles of construction and running times.

   Many fewer grade separations would be involved.

   Almost no environmental mitigations would be required. I120-1

   Property acquisition should cost much less.

   Conceivably it might fit into the I-5 median, with few new grade separations.

   There would be fewer conflicts with rail freight service.

   Central Valley cities could get quality passenger service on existing lines.

2. Running via the Altamont Pass should be studied further, with one leg running to San Jose from Livermore and another leg via I-580, I-238, and the former SP D line to Magnolia in Oakland. Service to San Francisco could be via BART, perhaps with a short new BART line connecting a Magnolia intermodal station with the Trans-Bay tube. There would be no need now for grade separating the entire Caltrain line between Santa Clara and San Francisco; (some of it should be done eventually for BART). This would obviate costly undergrounding and local demand for the proposed transportation Taj Mahal in San Francisco. I120-2

   A line over the Altamont should be new and shorter, not following the freight railroad grades. A good interim measure is HST only to San Jose, with a BART extension to an intermodal near Greenville Road in Livermore. BART would provide quality connections to almost the entire Bay Area. This would allow service much sooner and at lower cost until funding is found for a link from the Altamont to Magnolia, a Magnolia intermodal, and a new BART line to the tube.

Robert S. Allen
BART Director, 1974-1988
(925) 449-1387

Response to Comments of Robert S. Allen, August 28, 2004 (Letter I120)

I120-1

Please see standard response 2.15.1.

I120-2

Please see standard response 2.18.1.

Comment Letter I121

I121

August 24, 2004

Barry Breckling
P.O. Box 455
Morgan Hill, CA 95038

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

Subject: Draft High-Speed Train Draft Program Environmental Impact Report / Environmental impact Statement SCH 2001042045

Dir Sir,

I am a citizen of the State of California and of Santa Clara County, and I have lived in or near the Diablo Range most of my life. I know Henry W. Coe State Park intimately and likely know as much or more about the park than any other living person. The park is an extraordinarily beautiful and valuable slice of California that is well worth protecting. I am appalled that you have proposed possible routes through the park and that you have compiled a draft EIR/EIS, even though no one from your agency has ever stepped foot into the area of the proposed routes. Although the idea of California having a High-Speed Rail system may be fine, your work to date on the plan is ill conceived, and your EIR/EIS is woefully insufficient.

Even more disturbing is the fact that you have considered routes through a state park and a state wilderness, places set aside by the State of California, with legislative action and public funds, to be protected in their natural state in perpetuity. The value of these lands as natural areas, preserved for all time, is far greater to the people of California than any value the High-Speed Rail could ever provide. Short-term advantage to people, long-term disastrous loss. You have violated the public trust by even considering placement of train tracks through a state park. I121-1

In addition to protecting a large piece of the extraordinary biodiversity of the Diablo Range, Coe Park provides protection of the area's cultural past in hundreds of archeological and historic sites. To sit quietly at a house pit constructed by a human being a thousand years ago in the Robinson Canyon can be a life-changing experience.

Henry W. Coe State Park provides for the health, inspiration, and education of the people of California by preserving a representative piece of the state's extraordinary biodiversity, protecting some of its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation. The value of Coe Park to the people of California, as the Bay Area's population increases and human development spreads, will become substantially greater with each passing year.

I ask that the following be done:

- ☐ Remove all routes that go through Henry W. Coe State Park and the park's wilderness from consideration before the EIR/EIS is approved. I121-1 cont.
- ☐ Remove the route north of the park from consideration. The area between Altamont Pass and Pacheco Pass is an intact ecosystem worthy of protecting untrammeled by development. I121-2
- ☐ Consider the Altamont Pass as a route.
- ☐ Completely redo the EIR/EIS because it is a useless document. I121-3

Consider what your grandchildren and their grandchildren will value. Consider how they will judge whether or not you have served the greater good.

Sincerely,

Barry Breckling

cc: Allan Rutter, Administrator, Federal Railroad Administration

Response to Comments of Barry Breckling, August 24, 2004 (Letter I121)

I121-1

Please see standard response 6.3.1.

I121-2

Please see standard response 2.18.1

I121-3

Comment acknowledged. The co-lead agencies disagree with your assessment.

Comment Letter I122

I122

CHEESEMANS' ECOLOGY SAFARIS
20800 Kittredge Road, Saratoga, California, 95070, USA
telephone: 408-741-5550, 800-527-5550
email: info@cheesemans.com
www.cheesemans.com

Africa
Australia
South America
Central America
Whalewatching
Antarctica
Alaska
Arctic

August 27, 2004

Joseph Petrillo, Chair
California High Speed Rail Authority
925 L Street, #1425
Sacramento, CA 95814

Subject: Draft Environmental Report (DEIR)

Dear Mr. Petrillo,

It is outrageous that the Altamont Pass route for the development of high-speed rail transit is not in the planning now. That should be changed and included. It is a terrible thing to put a transit system through an undeveloped wilderness area of California that is home to our second largest state park (Henry W. Coe) or to take an off the beaten track route through the Diablo Ranges.

The Altamont Pass route would serve many more customers. It is obvious that you need to look at the whole picture and not just what San Jose wants. The costs through Pacheco Pass or through the Diablo Ranges would be much higher as well. It does not make sense to dismiss the Altamont Pass in your EIR.. I122-1

The way you have it is not an incentive for businesses to invest in it, as the routes are much longer. The losses of natural lands are huge. The way you have it does not benefit Californians. It may benefits San Jose. It will not succeed unless it benefits Californians, so they will want to take it instead of flying.

Sincerely,

Gail & Doug Cheeseman

Gail & Doug Cheeseman

P.S. Please include this letter in the Record. Thanks very much.

Response to Comments of Gail and Doug Cheeseman, August 27, 2004 (Letter I122)

I122-1

Please see standard response 6.3.1.

Comment Letter I123

Don't send the train through Henry Coe! Send it over the Pacheco Pass, please. Thank you, Kaci Elder
Hollister Ca. 95023
901 El Toro Dr.

I123

RECEIVED
AUG 30 2004

Orestimba Wilderness

Paradise Under Siege

[redacted]

The Orestimba wilderness[1] represents a small portion of California as it once was, long before the impact of modern history. It knows nothing of "progress" or "development," and what there was of human activity here was gentle on the land.

In 1975 the people of California, recognizing that what once was a vast wilderness had all but disappeared, resolved to protect some of the remaining remnants by passing the California Wilderness Act[2]. In 1985 this area was officially classified as a Wilderness Area[3], the highest level of protection afforded to land by the people of California. Today the seasons pass as they have for thousands of years. Humans are only sojourners here, and nature rules the land.

This wilderness was named for ores[4], the bear, in the language of the long vanished indigenous inhabitants. Not the black bear of the Sierra that we know today, but the great bear of California, the grizzly, whose presence haunted the Diablo Range until the late 1800's.

The first human inhabitants, the Indians, made their homes in favorable places in the Orestimba, in sheltered areas near the resources needed to sustain life. They planted seeds of red bud[5] obtained from the Miwok traders who had come from the east, and watched the seeds flourish into plants whose fibers the women used in their basketry. The men cherished the fragments of obsidian that were also brought by the traders and carefully worked these precious bits of stone into spearheads and arrow-points. Indian time moved in a circle, round as the moon by which they marked the changing seasons, round as the sun they worshipped, the shape of their homes, and the times for food gathering: seeds, roots, berries, and acorns, each harvested and savored in turn.

A time would come when the Indians would be visited by people who did not see time as a circle; a people whose world was linear, a world with a beginning and an end. These strangers came from the east, from the place where the canyon narrows before dropping into the valley beyond; the place we now know as the Orestimba Narrows[6]. The Spaniards were like no men the Indians had ever seen. They had light skin and light eyes, and they wore clothing of wonderful texture and color and were astride large, four legged beasts. They spoke in a language the Indians did not understand, but they were enchanted by the mysterious rituals and the gifts of glass beads. The Indians followed the Spaniards into another world; a linear world with a beginning and an end.

So for a time, the Orestimba was empty of a human presence, and was once again home only to the badger, deer and elk, and to the great grizzly bear for which it was named. One evening there appeared from the east, from the place where the canyon narrows before dropping into the valley beyond, a group of men on horseback driving a large herd of horses. They were bearded, and their clothing was dirty, as if they had been a long time from home. Their leader, a man of light complexion, rode a magnificent horse whose saddle and bridle

glistened with silver. In time, his name, Joaquin Murrieta[7], would be infamous throughout California. These men cut manzanita brush with machetes, constructed a large corral, and drove the horses inside. To conceal their presence, the men made no fire that night, and ate only cold food from their saddle-bags. When darkness came, they rolled up in their serapes and slept on the ground. At dawn they and their horses were gone; but they would reappear on occasion for the next several years. Their behavior never varied, and they were always gone by dawn.

[redacted]

Some years passed, and again from the east there appeared a solitary man accompanied by several dogs, driving a herd of sheep. He camped for the night by the stream, and the dogs watched over the sheep while he slept. Fortunately neither grizzly nor coyote appeared in the night to disturb the shepherd or his flock. When morning came, the sheep cropped most of the grass in the area, and by mid-day, the shepherd and his charges had moved on.

Shortly after, a lone man appeared riding a mule and leading another that was laden with tools and camping gear. The man explored the rocky outcrops on the hillsides above the stream, and where the prospect seemed promising he marked his claim by twisting the branches of a nearby canyon oak vertically[8]. He spent some days, digging, breaking rock, analyzing the samples, and then he, too, moved on.

In 1873 a man came to stay. Eli Robison and his bride were from Hill's Ferry, a small community in the San Joaquin Valley to the east. He brought with him his brothers and his friends. Together they built a home of adobe bricks along the banks of the stream. They also built a barn with sawn lumber and a corral for his horses[9]. They drove a herd of cattle up from the valley to the east and mules carrying a table, chairs and a bed-frame. Because Eli was the first homesteader, the early map-makers called the canyon, the stream, and the largest hill in the area by his name, Robison[10].

Eli and his wife[11] were the first, but others would soon follow; more homesteaders, seeking some land of their own, their own bit of Eden. Most would stay only a short while, defeated by the summer heat and the winter cold, the uncertain water supply, and by the ever present threat of the great bear, ores.

In time, even the great bear would be gone from the stream and the country that carries his name. Eli Robison would move on, but other ranchers would follow. Their cattle and horses would prosper, but it was a hard life for the ranchers and their families who lived lonely and isolated, far from the companionship of neighbors and the advantages of town.

In 1981 the land was purchased by the State[12] and became a major addition to Henry W. Coe State Park. Here park visitors would find peace for

Comment Letter I123 Continued

their souls in a place far away from the stresses and haste of their everyday world, and they would see a bit of California as it was when the Indians made the Orestimba their home.

Wilderness cannot be manufactured by human hands. What little remains will never grow any larger; it can only be reduced in size until tiny pieces remain that have no value for the natural world. The whole is, indeed, greater than the sum of its parts. The Orestimba wilderness represents twenty five percent of the preserved state wildernesses in Northern California. If the Orestimba Wilderness Area is bisected by the high-speed train, the wilderness will cease to exist[13]. It will no longer be a unique portion of untrammeled California, and like the great bear for which it was named, it will be forever extinct.

This is the human story of the Orestimba. Who will write the next chapter? We are about to test the meaning of "preservation and protection in their natural condition" in the California Wilderness Act. Will the Orestimba remain a place of tranquility and peace, or will the murmuring stream, the silent rocks and hillsides be reshaped by earth moving equipment into smooth, terraced slopes; to be forever shattered by the scream of the bullet trains, rising up from the east every 20 minutes, from the place where the canyon used to narrow before it dropped to the valley beyond?

Teddy Goodrich
Historian, Pine Ridge Association

This article was written to alert each of you to the threat to the Orestimba Wilderness. I encourage you to make your voice heard in defense of this precious heritage.

©March 2004, Pine Ridge Association

Don't send the train through Henry Coe! Send it over the Pacheco Pass, please.

Thank You.

Kaci Elder
Hollister, CA 95023

I123-1

3

1. The official State name for the area is "Henry W. Coe State Wilderness". However, it is shown on maps as, and commonly called, the Orestimba Wilderness.

2. The Wilderness Act, California Public Resource Code §§5093.30 through 5093.40, directs State Agencies to review State property with the intent of identifying roadless areas that might be suitable for preservation as wilderness.

3. The Henry W. Coe General Plan, after public review and comment, was approved by the California State Park and Recreation Commission on May 10, 1985. Pursuant to the California Wilderness Act, lands within the park were reviewed during the General Plan process to determine what parts, if any, should be classified as State Wilderness. The area now known as the Orestimba Wilderness was officially classified as such by approval of the General Plan. See page 57 of the Henry W. Coe General Plan.

4. Ores means bear in the language of the Ohlone. The meaning of "timba" has been lost. The earliest written version appears in Father Viader's 1810 diary: *Orestimac*. Other versions include Horestimba on an 1843 diseño of Rancho del Puerto and Orestinoc on the diseño of the Orestimba land grant of 1844. Local old timers call it Orris Timbers.

5. Red bud grows along Robinson Creek in the Orestimba, far south of its normal distribution. The Indians may have deliberately cultivated it here, as they did wild tobacco.

6. *"These narrows were cut more than 300 feet deep and at the bottom are so narrow that no road has been built (1975) through the Narrows in the Orestimba... While describing the Orestimba Narrows, a San Joaquin Valley pioneer, A.D. Davenport, was sitting in his living room. When asked how wide was the Orestimba Narrows, he looked around his chair and said, 'Oh, about as wide as this room.' We were riding in our Hudson car, when another pioneer, Billy Newsome, was asked the same question. He looked around himself and answered, 'about as wide as this car.'"*
Latta, Frank -- *Handbook of the Yokuts Indians*, page 128.

7. Joaquin Murrieta and his men rounded up stray horses and stole others, driving them up into the hills by way of the various drainages to the east, Orestimba, Garzas, Quinto, etc. He and his gang drove the horses down the crest of the Diablo Range to Mexico, where the horses were sold.

8. It was once common practice to mark mineral claims by twisting the branches of a nearby tree. This old twisted tree is the only remaining evidence of the presence of this unknown miner.

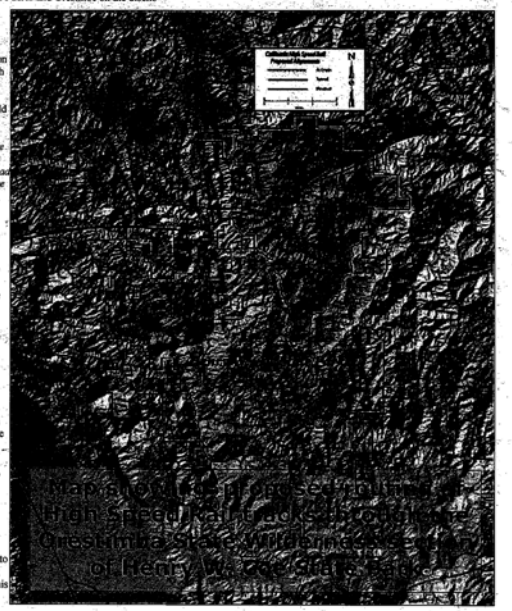
9. *"I built my house and established my residence on the land in the fall of 1873. I have a house 46 by 16 feet, a barn 44 by 16 feet, one and one half miles of brush and pole fence -- An orchard of 50 fruit trees part bearing -- a cattle corral -- I have set out 6 grape vines & 25 bearing blackberry vines -- my improvements are worth $1,000.00."* (Homestead Proof—Testimony of Claimant, July 3, 1883)

10. Old maps identify Robison Canyon and Robison Peak. More recent map-makers changed the spelling to Robinson.

11. Eli and his bride were married in 1874.

12. 34,800 acres purchased from H. D. Perrett in September 1981.

13. By definition, construction of a train is prohibited in State Parks, not to mention State Wilderness Areas. The area would first have to be removed from the State Park system and classified for some other use.



Map showing the proposed California High Speed Rail track through the Orestimba State Wilderness Area of Henry W. Coe State Park

4

Response to Comments of Kaci Elder, August 30, 2004 (Letter I123)

I123-1

Please see standard response 6.3.1.

Comment Letter I124

I124

LDMAssociates
Engineering and Management Consultants
1205 Hillview Drive, Menlo Park, CA 94025-5510
Phone: 650-325-8019 fax: 650-325-0451 e-mail: dmona9182@aol.com

To: California High Speed Train
Draft Program EIR/EIS Comments

From L. David Montague

29 August, 2004

Subject: COMMENTS ON HIGH SPEED RAILDRAFT ENVIRONMENTAL IMPACT REPORT

Background

The Caltrain strategic plan calls for improvements to the commuter train system. These include:

- Already completed purchase of the Southern Pacific rights of way and trackage between San Francisco and Gilroy, and from Redwood City across the Dumbarton rail bridge to Fremont
- A mix of local trains and new express trains known as the "Baby Bullet" that began service recently between San Francisco and San Jose using diesel powered engines. Eventually all would be electrified.
- The addition of passing tracks to allow more efficient scheduling of the baby bullet express trains that only stop at a few stations between San Jose and San Francisco
- Continued grade separations throughout the commute corridor that will improve safety, traffic flow, and eliminate the noise of train horns that currently must be sounded at all on grade crossings. I124-1
- Future electrification of the entire corridor, intended to provide even lower noise levels, more environmentally friendly operations as well as higher acceleration to top speed for faster service.

Most of these improvements to date have been funded by local Measure A passed by Peninsula voters. Current and future Measure A funds have been earmarked for electrification. If properly done emphasizing the criteria to minimize impacts to communities, residential and business property along the corridor as well as project cost, these improvements

meet Caltrain's goals and would provide clear benefits to the Peninsula with continued voter support. Studies are currently on-going to develop solutions achievable within the current Caltrain rights of way that meet those criteria .

High Speed Rail use of this existing corridor would iimpose requirements that preclude meeting the above criteria causing dramatic environmental impacts and make the desirable solutions unworkable. We therefore oppose it. I124-1 cont.

The High Speed Rail Authority plans call for a track routing from southern California up the central valley and coming over to the Santa Clara Valley either through Pacheco Pass or through Henry Coe State Park, and then up to San Jose and the Bay Area. While the original route was to come from the central valley to the Bay Area through the Altamont Pass to Fremont, lobbying by San Jose and Silicon Valley luminaries resulted in the routes shown in the EIR. I124-2

Both Caltrain and the High Speed Rail Authority have assumed that "economic benefits" justify having the HSR continue from San Jose to San Francisco through the Caltrain peninsula commute corridor widened to accommodate four tracks that would be required to bypass local trains. The economic benefit seen by Caltrain is that funding from HSR would be used to help pay for grade separation and electrification of the corridor, and potentially contribute to its maintenance, while the economic benefits for HSR would be a direct connection to the anticipated San Francisco rider-ship market.

What are the HSR Environmental Issues on the Peninsula?

- Additional right of way for High Speed Rail tracks causes major impact in the extensive non-industrial areas adjacent to the existing corridor. I124-3
  - Permanent taking of valuable residential and commercial property
  - Loss of many trees now screening adjacent surviving homes from tracks and train noise
  - Major loss of value to adjacent surviving properties
  - Construction causes even more un-necessary destruction and impact to local property.
  - Increased cost of the project
- High Speed Rail offers no benefits to Peninsula residents

Comment Letter I124 Continued

- With a quiet electric Caltrain baby bullet from Gilroy to SF, why do we need HSR running up the Peninsula in excess of 100 mph with its major impacts?

The fundamental problem as we see it is that the HSR concept is incompatible with the environment along the Peninsula corridor. It has major negative impacts to property along the right of way because of the additional right of way width and permanent loss of trees required for the construction of a four-track system in the corridor, as well as the safety and aerodynamic noise issues of trains running at speeds in excess of 100 mph through Peninsula residential communities. These impacts involve major disruptions and devalue both commercial and residential property.

These impacts, both during extended construction and permanently have not been adequately included nor assessed in the draft EIR that has been posted. Moreover, if HSR does not connect to regional transit, and instead overrides it, HSR subverts Bay Area regional transportation objectives, adds dramatically to the cost of corridor upgrades, and diverts ridership. I124-3 cont.

As projected, HSR in the Peninsula corridor subverts the will of the voters for a fast effective commuter service.
Measure A was passed by Peninsula voters specifically to improve transportation infrastructure along the Peninsula in order to mitigate growing highway congestion. It was not to provide a fast train convenient for travel between San Francisco or San Jose and downtown Los Angeles. HSR offers no benefit to Peninsula community residents or businesses. If HSR is allowed to drive the Peninsula corridor as proposed, it will actually impede improved commuter service and increase the cost. The voters who passed measure A will have been betrayed with a bait and switch that negatively impacts peninsula residents without benefit. The inevitable result will be a delay in getting needed corridor grade separations started and completed and the creation of a powerful constituency opposed to the HSR project in its entirely.

Viable alternates not considered
Alternate routes such as the Altamont Pass have been dropped from consideration without justification. I124-4
Solutions that integrate with regional transportation and reduce HSR project cost have not been included.

- HSR if built to San Jose should terminate there, or continue up the east side of the bay thru industrial areas, not thru residential areas along the peninsula. Instead, it should connect at Diridon Station with Caltrain's baby bullet. This reduces HSR project cost. I124-5
- The Altamont Pass route offers another option to terminate at Fremont, connecting with existing/planned regional transit, or then proceed south to San Jose and/or to Oakland. Caltrain crossing the Dumbarton corridor can connect with the HSR and BART at Fremont using the refurbished Dumbarton rail bridge. I124-6

Either way, SF and Peninsula riders can connect to HSR via Caltrain baby bullet and/or BART by simply walking across a platform.

Environmental and economic benefits of the alternates to the San Francisco Peninsula HSR route

- An integrated transportation solution using BART and Caltrain regional transit to connect to HSR when and if it is approved. If the ridership market is really as projected, this approach enhances regional transit ridership rather than competing with it, and reduces HSR project cost.
- Caltrain can Implement minimum impact grade separation and electrification – once, properly -- starting now at affordable pace within existing rignt of way.
- The rail bed in the corridor can remain at current grade at most crossings at a lower total construction cost. I124-7
  - Earliest relief of traffic congestion, train noise, and diesel pollution.
  - Least impact to Peninsula residents, businesses
  - Allows at least one additional track where needed for passing
  - Funding via renewed Measure A and federal grants, and where appropriate for interconnects, with HSR funding earmarked for that purpose.

We trust that these comments will receive serious consideration in the final environmental assessment.

Respectfully submitted,

L. David Montague

Response to Comments of L. David Montague, August 29, 2004 (Letter I124)

I124-1

The Authority acknowledges but disagrees with your assessment. The Authority has been working in cooperation with the Caltrain JPB and Samtrans, as well as other local and regional agencies and believe that the concept of HST and improved Caltrain service sharing tracks and right-of-way is consistent with local and regional goals for the corridor (which include grade separations, electrification, and extension of the system to the Transbay Terminal). Many comments in favor of the proposed HST on the San Francisco Peninsula were received from agencies and the public, including MTC, the City of San Francisco, Caltrain JPB, Samtrans, the Transbay Terminal JPB, the City of Los Altos Hills, the City of Milpitas, the City of Santa Clara, the County of Santa Clara, the City of Morgan Hill and the San Francisco Chamber of Commerce.

In coordination with Samtrans, at a conceptual level of design, it has been concluded that the improvements needed for HST service would be almost completely within the existing Caltrain right-of-way, thereby minimizing impacts to neighborhoods, trees, and the natural environment. Should the HST project move forward, more detailed project specific environmental analysis (such as determining property and noise impacts, construction impacts, and indicating any trees scheduled for removal) would be completed. While the Program EIR/EIS acknowledges that there would be potential increases in noise impacts primarily as a result of increased frequency of trains, there would also be a reduction in existing noise levels due to the elimination of horn noise and gate noise from existing services as a result of the grade separations at existing crossings. The Authority acknowledges, but disagrees with your assessments. HST service would have many benefits to the Peninsula and would expedite rather than delay much needed improvements on the corridor such grade separations and electrification. In addition to providing HST service to San Francisco, SFO and the Peninsula, the infrastructure improvements needed would result in a faster, safer, more reliable with a greater capacity to run more frequent Caltrain commuter rail service. The full grade-separation of the Caltrain corridor would improve local automobile traffic flow and reduce air pollution at existing rail crossings.

Please also see standard response 6.1.4.

I124-2

Please see standard response 2.18.1.

I124-3

Please see response to Comment I124-1.

I124-4

Please see standard response 2.18.1.

I124-5

Please see response to Comment I124-1.

I124-6

Please see standard response 2.18.1.

I124-7

Please see response to Comment I124-1.

Comment Letter I125

I125

August 26, 2004

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

I

Re: Support for High Speed Rail Project – City of Visalia Site

Dear Mr. Morshed:

As an active member in our community, and a valley resident since youth the subject of the High Speed Rail Project is of concern to me. I'd like to thank you for the opportunity to respond to the Draft EIR/EIS on the High Speed Rail project proposed for the State of California. I endorse the project and support the potential alignment along the Union Pacific corridor with a station site in Visalia, California. It is my belief that a station site in Visalia will best maximize ridership opportunities throughout Tulare, southern Fresno and Kings Counties. At the time estimated for the completion of the High Speed Rail project, the regional population for this area is projected to reach 750,000 persons. In addition, the Union Pacific alignment would be located in existing transportation corridors so there would be less potential for significant environmental impacts (e.g. reduced auto emissions, etc. due to shorter driving distances to access trains).

We understand there is some expressed concern regarding the Union Pacific alignment and, if chosen as the preferred route, it would travel directly through the downtown areas of some of the smaller cities located in southern Fresno County and southern Tulare County. I would like to express my support for the evaluation and the possibility of a by-pass route around these smaller rural communities as a resolution to concerns expressed by these communities. I125-1

Finally, I believe the proposed Union Pacific alignment would maximize operational and capital costs, while minimizing natural resource disruption. The Union Pacific alignment would provide numerous employment opportunities to the many agricultural communities along the route. High-Speed Rail related growth in service industries would diversify local job markets and provide jobs for low-skilled workers, thus contributing to a reduction of the area's historically high unemployment rate of 17%. The UP alignment would provide the highest potential benefit to helping to reduce unemployment.

Thank you again for the opportunity to comment on the Draft EIR/EIS and the proposed High Speed Rail Project. Please feel free to contact me if you have any questions or clarification of any of the comments stated herein. (559-636-7266 ext. 102)

Sincerely,

Dru Quesnoy
Loan Officer, Irwin Mortgage Corporation
Board Member of the Visalia Economic Development Council
President of the Visalia Breakfast Rotary

Response to Comments of Dru Quesnoy, August 26, 2004 (Letter I125)

I125-1

Please see standard response 6.21.1 and standard response 6.15.4.

Comment Letter I126

Jun 18 2000 3:44AM HP LASERJET FAX p.2

I126

August 30, 2004

AUG - 6 2004

Steven Weil
588 West Barstow Avenue
Fresno, CA 93704

Ms. Carrie Pourvahidi
Deputy Director
California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814

SUBJECT: Comments on the EIR/EIS for the proposed California High-Speed Train System Project

Dear Ms. Pourvahidi:

As a resident of Fresno County, a property owner in Fresno and Madera Counties and a longtime registered voter and concerned citizen, I hereby make the following comments on the above-referenced document:

The high speed train system route within Fresno County and Madera County should be located entirely along the Burlington Northern Santa Fe (BNSF) alignment, with the exception of the following:

1) The route should follow the loop ("bypass") westerly of Fresno, generally as depicted in the EIR/EIS, except that the loop should swing more westerly than currently depicted north of W. Whitesbridge, extending in an arc out to the Dickerson alignment just south of the San Joaquin River to create an adequate buffer for urban development envisioned in the Fresno 2025 General Plan;

2) The westerly loop referenced in #1 above should continue north into Madera County across the San Joaquin River approximately at the Dickerson alignment, continuing northeast in a gentle "S" curve, crossing Freeway 99 and the Union Pacific (UP) right of way approximately at Avenue 8 and rejoining the BNSF alignment depicted in the EIR/EIS well south of Avenue 12, to avoid impacting the Madera College Growth Area along Avenue 12 west of the BNSF.

I126-1

The high speed train system route should not occur at any location along the UP alignment in Fresno and Madera Counties. The Fresno station should be located along the above referenced western loop ("bypass") where it intersects the alignment of the San Joaquin Valley Railroad (SJVRR -- former UP branch line) just north of State Highway 180 (W. Whitesbridge).

Jun 18 2000 3:44AM HP LASERJET FAX p.3

Ms. Carrie Pourvahidi
August 30, 2004/Page 2

S. Weil Comments
HST EIR/EIS

To mitigate the potential growth inducing impacts of this station location, notably on prime agricultural land, establish a direct link to the historic Santa Fe station currently under development at the current Amtrak stop in downtown Fresno and interlink the high speed rail station with the emerging metropolitan and regional transit system as well as the regional airport, Fresno Yosemite International, the following facilities should be constructed in tandem with the high speed train system, fully funded by the high speed train system program as mitigation measures and/or feeder facilities to the system itself:

1) Relocation of the existing BNSF freight corridor through Fresno to an alignment parallel to the high speed train system western loop;

2) Construction of a light rail transit system on the freed-up BNSF right of way through Fresno, linking the northwest sector of the metropolitan area directly to the emerging multimodal facility at the historic Santa Fe station;

3) Construction of a direct light rail link between the high speed train system station on the western loop to the metropolitan light rail transit system referenced in #2 above, with this link to adjoin the current SJVRR into Fresno combined with a small length of new right of way to connect to the current BNSF (new light rail) alignment;

4) Extension of the light rail system utilizing the existing BNSF right of way easterly parallel to McKinley Avenue to Fresno Yosemite International airport, providing a direct light rail link between the high speed train system station and the airport.

I126-1 cont.

Viewed as a whole, the high speed train system station on the western loop would thus be interconnected with transit links to downtown Fresno at the historic Santa Fe station currently under development, to various stops north and south of downtown along the entire length of the current BNSF right of way through Fresno and to the regional airport.

The physical effect of the high speed train system right of way combined with the parallel relocated BNSF freight right of way, with appropriately spaced east-west grade separated road crossings, could be leveraged to become a "green line" creating a physical barrier (currently lacking) to urban expansion westerly into prime agricultural land. Thus, what may at first appear to be a threat to ag land preservation (a high speed rail station on the western loop) would be turned into an ag land preservation measure with the creation of a strong physical barrier to urban encroachment.

Comment Letter I126 Continued

Jun 18 2000 3:44AM HP LASERJET FAX p.4

Ms. Carrie Pourvahidi
August 30, 2004/Page 3

S. Weil Comments
HST EIR/EIS

The Fresno station, thus positioned on the western loop, could receive service from any number of high speed trains, express or otherwise, based on market demand. The negative impacts of traffic and land consumption from parking (as is obvious at busy airports) would be minimized at this station location. Downtown Fresno would continue to be the focus of multimodal interconnectivity, with the historic Santa Fe station now under development fully utilized and the investment in that facility protected.

The costs of the added elements of this package: The relocation of the BNSF freight line and the development of the light rail system elements referenced above, could be feasibly covered by the cost savings of not constructing a high speed train system segment along the UP corridor through Fresno. Avoiding the UP corridor avoids a whole series of problematic and costly challenges including accommodating both an elevated high speed rail structure and needed east-west grade separation structures over the UP corridor at numerous locations, dealing with constrained right of way, reestablishing a multimodal station remotely from the one currently under development, mitigating the noise and other impacts of what is in effect a central city route as well as other issues likely to arise. I126-1 cont.

Sincerely,

Steven Weil

Response to Comments of Steven Weil, August 30, 2004 (Letter I126)

I126-1

Please see standard response 6.20.5.

Comment Letter I127

I127

197 Fair Oaks Lane
Atherton, CA 94027
(650) 324-8238
August 28, 2004

California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Subject: California High-Speed Train Draft Program EIR/EIS Comments

Dear California High-Speed Rail Authority:

I have reviewed the Draft Program EIR/EIS for the Proposed California High-Speed Train System and offer comments and suggestions below. In addition to environmental concerns, several ideas are included to make High-Speed Rail more economically viable and more likely to receive voter approval in California's troubled financial situation.

MINIMIZE S.F. BAY AREA DEVASTATION

The EIR/EIS is proposing two almost parallel routes, each about 50 miles in length, north from San Jose, on opposite sides of San Francisco Bay, to Oakland and San Francisco. Each of these routes would bring construction devastation and permanent degradation of countless established communities. Each route also requires tremendous acquisition costs for some of the highest priced real estate in California. Every effort should be made to minimize this community ruination. Options such as the following should receive a comprehensive environmental and economic analysis. I127-1

1. Terminate High-Speed Rail at San Jose and utilize Caltrain Baby Bullets and BART upgraded express service for the final links to San Francisco and Oakland.

2. Have High-Speed Rail go to either downtown San Francisco or Oakland but not both. BART trains run between San Francisco and downtown Oakland in less than fifteen minutes with three trains every fifteen minutes on weekdays.

In general it appears that the EIR/EIS gives little consideration to utilization of and integration with existing rail and urban commuter lines. If the California High-Speed Rail Authority and other transportation agencies could coordinate planning and funding, it should result in a more cost and service effective overall transportation system.

1

RECONSIDER ALTAMONT ROUTE

It appears that the Altamont Pass route, after having previously been considered the preferred alternative from the Central Valley to the San Francisco Bay Area, has been excluded from consideration in the EIR/EIS. This alternative has environmental and economic advantages that should be reconsidered and thoroughly evaluated for the following reasons:

1. The alternative route through Henry Coe State Park has significant negative environmental as well as cost impacts (tunneling under the park) and would probably not be viable.

2. The Pacheco Pass alternative would make travel times between Sacramento and San Francisco or Oakland so lengthy as to be non-competitive with both automobile and air travel. I127-2

3. The Altamont Pass alternative avoids major negative environmental impacts, such as tree removal, and major disruption of established residential communities along the southern portion of the Caltrain Corridor.

4. If either the Oakland or San Francisco terminus were eliminated, as suggested above, it would not be necessary for the system to split in three directions at Newark / Freemont. It would only be necessary to split in two directions to serve San Jose and either San Francisco or Oakland. This would overcome one of the major reasons presented for rejecting the Altamont alternative.

USE THIRD RAIL ELECTRIFICATION

The EIR/EIS indicates that the system would be electrified using overhead wires. Serious consideration should be given to the alternative of a grade-level electrified third rail (similar to BART), especially in residential urban areas where the system is safely grade separated, for the following reasons:

1. Overhead wires present a very negative visual impact that is counter to the modern trend of undergrounding utility wires. I127-3

2. The overhead wires would require extensive removal and pruning back of mature heritage trees in residential areas and parks along the right-of-way. These trees are an irreplaceable natural resource, which would provide visual screening as well as noise insulation from the high-speed trains. The impact of tree removal, including indemnification of property owners, has not been adequately addressed in the EIR/EIS.

2

Comment Letter I127 Continued

3. Grade level third rail electrification would probably cost less to construct than an overhead wire system.

4. Third rail electrification should cost less to maintain than overhead wires since work could be done at grade level.

5. Third rail electrification avoids the need for ongoing pruning of overhanging trees.

USE TRENCH IN URBAN AREAS

I127-3 cont.

In urban residential areas evaluation should be made of placing tracks in a trench similar to the approach used in the Alameda Corridor in Los Angeles. Here a freight rail line was constructed in a trench for its entire length from the Port of Long Beach to Los Angeles. This approach would:

1. Minimize visual and noise impacts to streets and properties.

2. Provide safety advantages. A 100 to 124 mph derailment in a populated area, either accidental or from sabotage, would cause far less devastation and loss of life if constrained in a trench.

COMPLETE LOS ANGELES – SAN JOSE SEGMENT FIRST

I127-4

Serious consideration should be given to scheduling the project so that the segment between Los Angeles and San Jose is completed and made operational as quickly as possible, even before completion to San Francisco or Oakland.

1. The major reason is to start generating revenue as early as possible to help fund remaining segments and reduce total bond requirements.

2. This should also provide an opportunity to gain operational experience and work the bugs out before completing the system to other destinations.

3. It would also defer the need for major funding for the very high-cost link between San Jose and either San Francisco or Oakland if it is decided to construct this extension.

4. On an interim basis service between San Jose and San Francisco could be by Caltrain with its fast Baby Bullet trains. Interim service to Oakland could be by BART.

3

Thank you very much for your consideration of these ideas in developing your final EIR/EIS.

Sincerely,

Arthur J. Ringham

4

Response to Comments of Arthur J. Ringham, August 28, 2004 (Letter I127)

I127-1

Please see standard response 6.1.4.

I127-2

Please see standard response 2.18.1.

I127-3

All steel-wheel-on-steel-rail HST trains capable of maximum speeds of at least 200 mph (322 kph) rely upon overhead electric lines for power. The Eurostar HST system operates with a third rail power supply at reduced speeds (100 mph {161 kph}) through the Channel Tunnel. Please also see standard response 2.9.2 and standard response 2.10.3.

The Authority worked in coordination with Samtrans to develop the conceptual plans for the HST design along the Caltrain corridor. Through many parts of the alignment, the typical section has been assumed to be elevated (on fill) or depressed. Design concepts such as the use of trenching in urban residential areas should be considered as a part of future project specific studies should the HST proposal move forward.

I127-4

Please see standard response 10.1.7.

Comment Letter I128

I128

August 26, 2004

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

To whom:

We are writing to express our concern with the plans for high speed rail on the Peninsula. As residents and homeowners in Menlo Park for the past 13 years, we have enjoyed the small-town atmosphere of the Peninsula. We **strongly oppose** the addition of high speed rail through the Peninsula because its accompanying four tracks and raised grade crossings would significantly impact the quality of life here. In addition, the potential loss of trees along the route would severely change both the aesthetic and the environmental benefits of this area. I128-1

We urge you to consider the Altamont Pass route for the high speed rail. I128-2

Laura and Brian Steuer
428 Felton Drive
Menlo Park, CA 94025

Response to Comments of Laura and Brian Steuer, August 26, 2004 (Letter I128)

I128-1

Acknowledged. Please see standard response 6.3.1.

I128-2

Please see standard response 2.18.1.

Comment Letter I129

I129

Larry Alley
2499 E. Gerard Ave. #136
Merced, Ca 95340
209-723-4481

AUG 31 2004

June 6, 2004

Mr. Joseph Petrillo, Chairman
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Chairman Petrillo and Members of the Board:

I am pleased to submit this letter of support for the draft program EIR/EIS and the analysis and studies that identified high-speed trains as the preferred system alternative to address the future transportation needs of California.

I am a novice on transportation issues but clearly see the benefits of supporting Castle Airport, Aviation and Development Center as a hub for future High Speed Rail. There are several reasons that should make this a key factor in choosing this site. I129-1

- Its location is the center of California.
- A direct link to Amtrak with a spur on the former base.
- A direct link to a proposed rail system to service UC Merced and a future rail to Yosemite Park.
- It has the acreage necessary for the hub without the taking of depleting farm land.
- It has the capacity to support an additional Airport to our national system.

High Speed Rail Comments for EIR/EIS Page 1

With the dire predictions of over capacity on our Highways and Airports, Castle Airport, Aviation and Development Center are the perfect infrastructure for a High Speed Rail hub. Not to mention a high unemployment rate in this area that would benefit the State and this area. I encourage the board to take a very hard look at this location as the most practical of any other proposal. A perfect infrastructure for the 21st century and a great benefit for the future High Speed Rail system. I129-1 cont.

Thank you very much for the opportunity to provide these comments.

Sincerely,

Larry Alley

Cc: Congressman Dennis Cardoza
Congressman George Radanovich
California Senator Jeff Denham
California Assembly Member Barbara Matthews
Merced County Supervisor Kathleen Crookham
Merced County Supervisor Gloria Cortez Keene

High Speed Rail Comments for EIR/EIS Page 2

Response to Comments of Larry Alley, June 6, 2004 (Letter I129)

I129-1

Please see standard response 6.19.1.

Comment Letter I130

FROM :DILLARD FAX NO. :323+225-6620 Aug. 31 2004 04:20PM P1

I130

JOYCE DILLARD
P.O. Box 31377
Los Angeles, CA. 90031
Email: dillardjoyce@yahoo.com

FAX (323) 225-6620

August 31, 2004

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

FAX (916) 322-0827

Our concern centers on the area of Los Angeles in regards to open space and school acquisitions. This project has no considerations or planning for the minority and low-income residents.

The Cornfields and Taylor Yard were purchased specifically to provide park space to poverty areas underserved. The land titles were held by the railroad companies then sold to private developers then purchased by the taxpayer at extremely over-inflated prices.

Nowhere do we remember reading that a High-Speed Rail was being routed by the Los Angeles River to the Union Station.

The Mitigated Negative Declarations (MND) for The Cornfields and Taylor Yard had no mitigation for this rail system. We answered both MNDs. The State Parks and Recreation Agency decided against an Environmental Impact Report (EIR). I130-1

We feel that issues of Air Quality, Noise and Land Use have not been addressed properly and honestly.

Los Angeles Unified School District (LAUSD) now plans to build a high school on one of the Taylor Yard parcels. This project will affect the attention span and learning capabilities of students. The health issues need to be addressed.

So far, the expectations of the Metro Gold Line have far exceeding the actual usage. Los Angeles is becoming automobile parking poor. Public transportation has proven to be poor due to lack of attention to customer needs IE bathrooms, time, security and instructions.

FROM :DILLARD FAX NO. :323+225-6620 Aug. 31 2004 04:21PM P2

California High-Speed Rail Authority
California High-Speed Train
Draft Program EIR/EIS Comments
Page 2
August 31, 2004

Housing in the area is being constructed for the workforce. "Workforce" does not mean poverty. Unless a job is within 10 minutes of the end of a rail line, the use of the rail is insignificant.

The University of California at Los Angeles (UCLA) has done studies in the Albion Community of the Lincoln Heights Neighborhood that is part of the Central City North Community Plan. The problem here is that the Community was excluded from input. Plans have been made without concern from the REAL needs of the community.

This is a developer's paradise.

Our elected officials, both local and state, have chosen not to inform the surrounding communities of such an important project. I130-1 cont.

The Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) was granted for the Taylor Yard project. This block grant is $1,575,000. The purpose of this grant is to improve poverty areas. Now the purpose looks like scenic improvement for the High-Speed Rail.

According to your own tables in "Bakersfield to Los Angeles Region-Land Use and Planning, Communities and Neighborhoods, Property, and Environmental Justice Technical Evaluation" Table 4.3.2-1 the poverty levels in the Los Angeles Union Station (LAUS) route area range from 80-92%.

Property values will decrease. Lifestyles may worsen with health and quality of life issues being ignored.

Outreach for this project is poor.

We ask that the poor communities be addressed in this issue of transportation, not just the workforce communities. The use of taxpayer dollars designed to improve the conditions of poverty are being used for improvements for middle-to high-income populations.

Total Pages: 2

Response to Comments of Joyce Dillard, August 31, 2004 (Letter I130)

I130-1

Please see standard response 6.24.2. Please also see standard response 8.1.16.

Comment Letter I131

I131

Douglas Lee Frazier, AIA
15 Highland Blvd.
Kensington, CA 94707

August 30, 2004

CALIFORNIA HIGH-SPEED RAIL AUTHORITY
925 L Street, Suite 1425
Sacramento, CA 95814

To the Attention of the Members of CAHSRA Board

Please find the enclosed document submitted to you as a commentary on the Draft Program EIR/EIS.

You or your representatives may contact me at their convenience to clarify any aspect or any questions twith respect to this commentary.

Sincerely,

Douglas Lee Frazier

Douglas Lee Frazier, AIA

SAN FRANCISCO GRAND CENTRAL (SFGC)

A 21ST CENTURY VISION

Whole Document - Pages 1-29
+Attachements

DOUGLAS LEE FRAZIER, AIA

Comment Letter I131 Continued

EXECUTIVE SUMMARY

This commentary on the California high-speed rail system (HSR), submitted at the end of the environmental review public comment period, addresses the proposed route of the train into the Bay Area.

San Francisco Grand Central, a 21st Century Vision, is a belief that there is a better way to bring high-speed train service into San Francisco and the Bay Area.

When an HSR system is built in the Bay Area, its design should take advantage of the breath-taking views, the spectacle of the natural and man-made setting of San Francisco, and enter the city grandly, on elevated tracks and not through a tunnel to underground platforms.

This commentary was originally intended to offer suggestions to improve the functioning of the redeveloped Transbay Terminal (TBT). It now appears that the Transbay Terminal improvement project will be delayed due to its dependence on significant funding on the High-Speed Rail Program for a shared Caltrain/HSR tunnel extension from the current Caltrain station at 4th and Townsend.

This document was prepared with the certainty that HSR service to San Francisco and the Bay Area may is achievable within the near future by re-examining some of the basic assumptions of the currently proposed route and the consideration of new concepts.

It is the opinion of this commentary that the shared Caltrain/HSR concept was not a balanced solution for the Bay Area as a whole.

Therefore, the proposals herein would accelerate the construction of the HSR into the Bay Area, by making fundamental changes to HST routes, station locations, and station concepts.

I131-1 In addition, the changes should include substantially more private sector joint development, including sharing of risk and reward. These opportunities are available both to San Francisco and to Oakland.

Another exciting component of these proposals is the opportunity, for the first time, to provide continuous, wide, safe pedestrian paths and bikeways from both Emeryville and downtown Oakland, all the way into downtown San Francisco.

These ideas are offered to assist the California High Speed Rail Authority, The Transbay Joint Powers Authority, Caltrain, the cities of San Francisco, Oakland, and all other interested agencies, individuals and organizations to remain optimistic that HST is appropriate and essential, and should be built as soon as possible to serve all citizens of the Bay Area and California.

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In view of the Governor's decision to postpone the Nov. 2004 ballot referendum, until 2006, it is suggested that the EIR not be closed but give another year, until 2005, to allow for more time and further consideration of the HST Project.

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ACKNOWLEDGEMENTS AND LEGAL DISCLAIMER

The author wishes to thank the team that helped him with the revision process of this commentary for their patient and active support. Alphabetically, Veronique Bucherre, PhD writer, geographer and active environmentalist, founder of The Rainbank Group, Ltd.; Patricia Holmes, social anthropologist; Philip Jimenez, Professor of Law in one of the Bay Area best known Universities; and T. Potworowski, a retired telecommunications engineer and former International Executive.

The author would also lake to thank all those, notably Bay Area transit commuters, who have provided a further insight by sharing their own experiences and expectations.

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This document was prepared by Douglas Lee Frazier, AIA, and, unless specifically noted, reflects only the opinion of the author. It is submitted as a private, unsolicited comment about the proposed California High Speed Rail system and, in particular, how it should enter the San Francisco Bay Area and downtown San Francisco.

All information, comments, opinions, and observations presented in this document were neither commissioned nor sponsored by any public or private organization, and are submitted as a response to CAHSRA's announcement for public comments pertaining to the EIR/EIS for the HST project.

The author submits all due apologies to any individual, organization, consultant, or agency who have studied, in whole or in part, any of the comments in this document and might not be referenced here. The author has endeavored to cite all sources of similar information or research. I131-1 cont.

Although the writer arrived at the term *San Francisco Grand Central* spontaneously, it has been seen in newspaper articles and is used on a website describing the proposed Transbay Terminal Redevelopment; *www.sfcityscape.com*. There appears to be general agreement upon the significance of an appropriately "grand" name for the project.

The opinions as expressed by the author in this document, including any original graphic material, are copyrighted. Nonetheless, individuals or organizations interested in issues raised by this document are encouraged to pursue these ideas to further validate or invalidate any or all of the assumptions upon which this document is based.

SECTION 1 – INTRODUCTION

I. PURPOSE OF THIS COMMENTARY

SFGC suggests that further study of HSR issues for the Bay Area should consider options that were not included in the EIR/EIS review, mainly:

- An aboveground HSR route into Oakland, rather than the proposed underground stations at Oakland 12th Street BART Station and/or West Oakland BART;
- A new HSR route from the Oakland High Speed Train (HST) Station to the existing Bay Bridge eastern approach and Yerba Buena Island, to connect with the West Span of the Bay Bridge;
- Re-use of the existing piers of the East span of the Bay Bridge, if structurally feasible;
- An integrated pedestrian and bikeway sub-structure, attached to these new HST Bay crossings to allow continuous pedestrian and bike commuting from Emeryville and Oakland directly into downtown San Francisco; and
- The modification of the currently proposed Transbay Terminal (TBT) to take advantage of greater private sector funding support and joint development opportunities.

There is a significant difference between "Bullet" as originally used to describe true high-speed trains in Japan, and "Baby Bullet" as used by Caltrain.

Technology applied in Europe and Asia has turned these HSR systems, which were initially intended to complement air traffic, and progressively replaced it, into considerable systems that the best airlines eventually joined to ensure better passenger service and increased revenues. I131-1 cont.

Train passengers on what will be the world's most advanced HST system should not be subjected to viewless, sporadic switching delays, freight and commuter trains mechanical problems, and track blockages on a rail network that slowly winds its way into downtown San Francisco on underground tracks.

A dramatic approach above the Bay will greatly intensify the attraction of the HSR approach to travel within California over air/car transportation. Furthermore, such choice has a well-known and widely recognized positive impact on energy and environmental conservation.

II. THE PURPOSE OF SFGC

The purpose of San Francisco Grand Central is to improve HSR service to SF, functionally and esthetically, by creating an innovative engineering design to bring HS trains into SF on new secondary structures attached to the West Span of the Bay Bridge, and into an aboveground extension of the TransBay Terminal.

Rail systems are highly complex linear systems, with profound three-dimensional impacts on served communities. The intent of this document is to consider esthetic and functional issues about the way such a complex linear system may be woven into the fabric of downtown SF.

Comment Letter I131 Continued

The continuation of the rail alignment in the interconnecting approaches to downtown calls for a broad consideration of their impact on the central Bay Area and adjacent communities through which the alignment should pass. It is necessary to consider and quantify a limited number of basic terms and concepts of high-speed trains in general. These concepts are discussed in the text that follows, recognizing, nonetheless, that certain technical issues are beyond the scope of this document.

The EIR/EIS contains three main sections, 1), No Build; 2), Highway/Air; and 3), HSR options.

This document has been prepared as a commentary on a small, albeit important, part of the EIR/EIS, based upon acceptance of the third option, i.e., the complete implementation of a true HST system linking Northern and Southern CA.

I131-1 cont.

With some exceptions, this paper does not address any other part of the EIR/EIS and proposed HST system or areas through which it might run outside the greater Bay Area.

Since, as stated in the EIR/EIS, *no special studies were carried out for a new San Francisco Bay crossing*, it is hoped that this initial commentary will be followed by further consideration. To that effect, this document, updates and reviews can be found at www.sfgc.info

SECTION 2 - SFGC: A VISIONARY EXPERIENCE

PRIMARY AND SECONDARY STATEMENTS

I. PRIMARY STATEMENTS

A. AESTHETICS: THE VIEWS - The construction of a California HST system in the Bay Area should take advantage of its world famous breath-taking views and enter San Francisco not in dark tunnels but splendidly elevated above the Bay.

CAHSRA (California High Speed Rail Authority) and Caltrain have included a coordinated plan to bring High Speed Trains into San Francisco on the Peninsula and through proposed tunnels into the Transbay Terminal.

In addition, Caltrain Draft Strategic Plan (CDSP) and the Transbay Terminal Redevelopment Plan include brief discussions about continuing the HST through additional tunnels and out to the East Bay underground and underwater, without scheduled time-frames or cost estimates.

These extensions are very important but should not create contingencies for High-Speed Rail implementation.

These previous studies seem to conceive the high-speed train as a deluxe version of an inter-city train. In fact, the HST is more closely related to a jet airliner than to any conventional trains now operating in the US.

The CAHSRA Business Plan is based on direct competition with airline service. A part of the appeal of HSR travel is its ability to provide the experience of flying without leaving the ground and without delayed departures or arrivals.

I131-1 cont.

The success of the CAHSRA Business Plan is less certain if the system cannot deliver as promised, very quickly after announcing the service. A plan that depends on the incremental introduction of service, requiring several years to ramp up to advertised running times may, ultimately, jeopardize wide acceptance by the public.

B. A TRUE 21ST CENTURY PROJECT - Any California HST system should introduce a truly new, 21st Century state of the art system rather than update available remnants of the existing US rail system, some of it dating as far back as the 19th Century.

This is an opportunity to plan appropriately from the beginning without ever having to readjust the aims or the possibilities.

In the August 5, 2004 edition article of the SF Chronicle, Mitchell Schwarzer, an author and professor of Architectural History, addressed the important qualifications for the new SF Planning Director, noting the erosion of an appreciation for high quality planning and urban design in the city.

> «The saddest thing has been the silence. During the past decade the S.F. Planning Department [...] has slipped from public view and political importance [...] worst of all,

Comment Letter I131 Continued

quality architecture found no place in a world of design guidelines that forbade innovation [...] City planning in S.F. must swing from reaction back to action. We have to find ways to increase density and alleviate the housing crisis. We have to upgrade the infrastructure, especially mass transit and vehicular corridors leading into the city. We have to encourage a larger role for cutting-edge design».

C. Elegant recycling - In view of the current economic difficulties of bridge construction and retrofit costs, each opportunity must be taken to maximize the limited financial resources available. A more efficient project delivery strategy must be developed to embark on this project.

The current Oakland-Yerba Buena Island span could be elegantly recycled as the HST Bridge from Yerba Buena Island into Oakland, thus minimizing new construction and demolition costs.

I131-1 cont.

II. Secondary Statements

A. Operational and practical benefits - HST use of shared tracks and tunnels to enter an underground station at the Transbay Terminal would compromise various operational and practical benefits.

1. HST operation in an above-ground approach to the station, as proposed by this commentary, will minimize, if not eliminate, such problems
2. However, the assumption that the HST should run from San Jose to both San Francisco and Oakland during the initial phases, is not in the best interest of the Bay Area and the HST system.

B. Private sector investment - More efficient planning, design, construction, and commissioning processes are required, and must incorporate substantially larger shares of private or joint development investment.

SECTION 3 - UNDERGROUND PLATFORMS VS. CITY LIGHTS

Table 1 makes a point-by-point comparison between Caltrain's proposed Peninsula and underground approach into San Francisco and San Francisco Grand Central proposed East Bay and aboveground approach into San Francisco.

TABLE I: COMPARISON TOWARD A BETTER CHOICE

A. Caltrain Peninsula approach	B. Advantages of SFGC
1. According to The EIR/EIS proposal, i.e., to bring the HST into the Transbay Terminal via shared underground tracks entails some delays that, though manageable to some degree, will be a permanent *handicap* and limitation on passenger operations of both systems.	1. A HSR should be designed to take maximum advantage of technical and technological developments with respect to safety, speed, and comfort. Keeping the HST separate from Caltrain or any other conventional rail system will allow these advances to be implemented more quickly and efficiently. In addition, a shared underground approach to the Transbay Terminal will impose immediate and permanent restrictions on the expansion of HST service. Consequently, it will prevent the development of the HST to its full potential in Northern California and, in particular, the Bay Area and will seriously limit expansion of Caltrain to the TransBay Terminal.
2. The shared or parallel tracks of the HST and Caltrain on the Peninsula would be essentially redundant. The CAHSRA Business Plan, i.e., to share service with Caltrain, seems to indicate that both systems will gradually lean toward similar services, with the Baby Bullets experience and HST making multiple stops on the Peninsula.	2. There is less redundancy between HST and BART or between HST and the Capitol Corridor on the SE Bay. BART is an intensely used commuter rail and the Capitol corridor, although considered an intercity train by Amtrak, functions more like a commuter train, with groups of commuters riding only for segments of its total service length. The ability of a transportation service to attract passengers depends, in part, on how potential riders perceive these advantages. To that effect, one element of perception stems from the array of services offered by the system.

I131-1 cont.

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	It is not clear just how their services will differ and this may point to a plan in the making to merge both systems into one. Until then, in the eventuality of a problem caused by one of the systems, passengers of either system might not readily understand the shared operations. As a result, they may blame the wrong system or, worse yet, blame both systems. On the other hand, delays experienced by one system may influence dissatisfied passengers in their continued support and patronage of a specific system. The systems must demonstrate their own ability to deliver the advertised level of service or be ready to suffer the consequences of discontented patrons. This, in itself, is a strong incentive to a better performance: the system must unremittingly compete with itself –a most demanding challenge.
3. The current Caltrain right of way is the only option for shared rail right of way on the Peninsula.	3. In contrast to the singular Caltrain rail right-of-way on the Peninsula, the SE Bay route has multiple rail right-of-ways between Oakland and San Jose. Although BART and the freight railways own all of these, there are more potential options for planning and negotiating the alignment sharing (with the exclusion of operating systems or tracks) for the HST. Expectedly, property acquisition for expanded rights-of-way on the Peninsula will be costly and may require use of eminent domain. The *magnitude* of these costs is acknowledged in the Caltrain Draft Strategic Plan (CDSP) for the various scenarios. On the Bay, major property acquisition should not be required for most of the alignment from Oakland to San Jose, if appropriate rights-of-way access agreements can be negotiated with BART or the freight railway property owners.
4. The EIR/EIS proposes, urban stations	4. Minimizing the number of station

I131-1 cont.

located approximately 15 miles apart. This blurs the difference between HST and the Baby Bullet trains.	locations is critical to efficient high-speed rail operations but the train must stop at enough places to generate the projected revenues. Between Oakland and San Jose, the current Capitol Corridor/Amtrak service provides service at approximately 15-mile intervals and serves the low end of the EIR/EIS station spacing. This station spacing service is now also provided by the Baby Bullets on the Peninsula. In keeping with efficient HST schedule planning, station spacing should be approximately 50 miles, except for key stations such as major urban centers and airports.
5. The future of freight traffic on Caltrain tracks is also at stake. How far north on the Peninsula do the freight trains travel? Even if they operate primarily at night, they will pose an operational conflict with the HST. Not unlike Caltrain, which is, by definition, a commuter railway carrying most of its passengers at rush hours, the HST will also have rush hour peaks. However, it will most likely serve substantial numbers of longer distance commuters, traveling to and from Southern California who will depart earlier in the morning and arrive in large numbers, later into the evening. These high-speed passenger operations would conflict with slow, evening hour freight operations	5. Freight railway operations on the East Bay are substantially more extensive than on the Peninsula. The freight system plays a significant part in the Bay Area and the region's economy. It is essential to obtain their cooperation and it would be to everyone's advantage to gain their support. This is better achieved with the understanding that the HSR system should in no way interfere with freight operations, since the two systems are separate in concept. The issue is not simple and is beyond the scope of this comment.
6. The Caltrain DSP suggests that the ultimate system (The Build-out Scenario) would be four parallel tracks running from San Francisco to San Jose. How much of this right of way is now under Caltrain control? At what cost would this be accomplished?	6. The evaluation of right-of-way acquisition on both sides of the Bay should be given a clear and direct analysis if CAHSRA is not able to proceed with preliminary design of both routes. Bay Area voters need to understand the time frame and costs for each route if only one is to be implemented[1].
7. The Caltrain route on the Peninsula runs directly through or in close proximity to dense residential communities. Will these	7. Residential development is intensive on the East Bay; however, extensive tracts of unutilized or under utilized industrial

I131-1 cont.

[1] Amtrak may join Caltrain in designing a tunneled, underground and under water approach into the San Francisco Transbay Terminal, and offer Coast-to-Coast service.

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communities be receptive to the additional railway construction that, by HSR definition, will not serve most of them directly?	property lay along the existing freight rail and BART rights-of-way. These properties are inherently less sensitive to infrastructure enhancements than residential property. Individual communities must render approval for construction of the HST through their respective communities. Depending upon the specific routes chosen, more or less community approval will be required. Given the more limited number of communities on the East Bay than on the Peninsula (approximately one third); the approval process would go forward more efficiently on the East Bay. Caltrain and the CAHSRA will have to negotiate with a larger number of communities to obtain their approval prior to expanding Caltrain's right-of-way on the Peninsula. (*See Annex 1 - Table II: Involvement of Bay Area Communities*)
8. With how many individual property owners will Caltrain and the CAHSRA have to negotiate to expand Caltrain's right-of-way on the Peninsula?	8. On the East Bay, the number of individual property owners with whom acquisition negotiations would be required should be significantly fewer than on the Peninsula. The parcels adjoining the potential rights of way on the East Bay are generally larger and fewer in number, which should allow a shorter acquisition process
9. What are the implications of installing a new signal and communications system to accommodate joint operations on the same tracks by Caltrain, HST and freight trains	9. The Caltrain DSP acknowledges that, in order to run on shared tracks, new signal and communications systems would be required. There is a whole sub-discipline of signal and signaling communications, described as systems integration, used when rail traffic is mixed. It is possible to eliminate or at least minimize this technology while providing straightforward operations, if tracks are not shared.
10. According to the preferred Alternative Study, 3 tracks are proposed. EIR/EIS does not include projections about how Caltrain and HST schedules and operations will be coordinated with the	10. It is not clear how many approach tracks can realistically be constructed under Rincon Hill to insure optimum train frequency for both HST and Caltrain.

I131-1 cont.

proposed platforms.	
11. Where will routine HST train cleaning and servicing occur?	11. Cleaning and servicing of terminating express trains can be done from passenger platforms but it is not ideal. This strategy poses an even greater problem if Caltrain and HST share the same tracks, and passengers of both systems -- with possibly conflicting schedules-- share the same platforms. In the proposed SFGC Station, these services may be addressed by temporarily restricting passenger access to the HST specific upper platform, thus reducing passenger inconvenience. It may also be possible to locate a cleaning crew at the proposed Oakland Station. In addition, potential rights-of-way with multiple tracks and platforms appear to be available in Oakland.

I131-1 cont.

Comment Letter I131 Continued

SECTION 4 – SAN FRANCISCO GRAND CENTRAL

I. INTEGRATION WITH THE TRANSBAY TERMINAL

Height - The height of the HSR Terminal is determined by gradient limitations for level platforms at station.

Radius - Existing radius of the area above the Transbay Terminal access ramps is approximately 750 feet and may accommodate smooth quiet arrival and departure of trains.

Platform length - Available site conditions appear to allow platforms of about 1300 feet long.

Tracks - As the HST approaches SFGC, the tracks must fan out into at least three tracks to allow as many passenger platforms as possible. This document considers the minimum number of adequately sized passenger platforms to be six. I131-1 cont.

HSR Platforms - HSR platforms would be the top level of the HSR terminal and all ticketing, baggage, and related concourse level activities would be located on floors below. These lower floors will be interconnected to the floors of the Transbay Terminal, providing potential development of these areas based on the conceptual design in the Transbay Development Report. The only significant change is the removal of the HST component from the lower levels of the Transbay Terminal.

SECTION 5 - DESCRIPTION OF BAY AREA SEGMENTS

This descriptive summary of the segments is organized in the sequence through which the HST would travel enroute from San Jose to SFGC. The sequence of segments begins as the railway enters the south edge of downtown Oakland. (See Sketches Nº 1, 2 and 3)

I. SOUTH OF OAKLAND AND DOWNTOWN OAKLAND

An elevated or viaduct structure is assumed to carry the railway into a new station located adjacent to the south side of Route 880, located between Broadway on the southern or eastern end and Market Street on the north or west. The station is located to allow the option of a new BART station under and within the HST station.

A. MAIN FACTORS IN STATION SELECTION FOR OAKLAND

1. Appropriate alignment with adjacent segments
2. Walking distance to Downtown Central Business District,
3. Walking distance Jack London Square and Amtrak Station,
4. Preservation of maximum areas of existing fabric of Jack London Square entertainment district and nearby historic industrial and commercial structures,
5. Option to explore BART transfer Station with the alignment,
6. Opportunities to use private sector joint development to enable the Oakland Station to become a catalyst for planned public and private investment in the area to establish appropriate new construction of residential, retail, commercial and light industrial structures and facilities.

B. OTHER IMPORTANT FACTORS

1. The Oakland Station also has the potential to become a major East Bay Intermodal Transit facility if a new BART Station is feasible within or immediately adjacent to the station. The Station will obviously have direct access to I-880 and I-980 for AC Transit and other bus systems. I131-1 cont.

The Oakland HST Station may also have significant joint development potential due to the existing low-density uses and scattered vacant parcels. This Station site, including its adjacent area, between downtown Oakland and Jack London Square, has undoubtedly been the subject of numerous planning studies and this recommendation may even conflict with critical projects in planning phases.

If the fate of the suggested site, or substantial portions of it, has already been determined, alternate sites can be studied. The issue of the location of an acceptable HST Station site in Oakland, above ground, is critical to the entire message of this commentary, i.e., that the urgent transportation issues for California, coupled with diminishing availability of major funding from public sources, necessitate a review of the entire strategy of bringing HST into the Bay Area.

The EIR/EIS concluded that the Oakland HST could not be co-located with the existing Amtrak Station. The opinions of this commentary concur, based upon the above-mentioned criteria. Further detailed investigation of HST coordination with the Amtrak Station, under updated criteria may be appropriate, but is beyond the scope of this document.

Comment Letter I131 Continued

Opportunely, the Amtrak station is not far from the proposed location shown on the topography is relatively flat. Passengers with baggage or children, or mobility-impaired passengers transferring between Amtrak / Capitol Corridor trains, downtown Oakland, and the HST network, can now be transported by the local Shuttle Bus. These passengers also could be served by a small fleet of electric or pedal powered taxis, a potential tourist feature.

During busy holidays, weekends and festivals, some adventurous entrepreneur may be willing to try a horse and carriage operation to link the Amtrak Station with the proposed HST Station. Ultimately, Oakland may find that a fleet of downtown streetcars may be the best long term goal for this type of connection, as successfully demonstrated in Portland, Seattle, Denver, San Diego, San Jose, and of course the overwhelming successful MUNI F Line in San Francisco.

II. Oakland Station to Bay Bridge Approach

A. The proposed alignment from the Oakland Station to the northwest to the Bay Bridge . is located immediately south of the I-880 elevated roadway. It will need to merge with the existing freight railway alignment and requires negotiations with the freight railroad owners for permission to construct the HST tracks in such a way that they will not interfere with the movement of freight trains.

B. This is not a simple request and should be planned in such a way that both the HST and the freight rail owners will benefit from this shared use.

III. Recycled Bay Bridge Piers - See East Span Bridge

A. The proposed bridge cross section is intended to use the existing East Span piers that would otherwise be demolished when the new East Span is complete, subject to a complete civil/structural analysis to verify their suitability for this use. At this time, without such detailed information, the assumption is made that, due to the significantly lower total loads, the existing piers would be adequate.

B. It is further assumed that the physical dimensions of the piers will also support more than the relatively light HST loads. They and have been illustrated with a proposed light rail system that would be the basis of restored East Light Rail system which could cross to YBI, between the HST tracks and descend to YBI to make a lop of Treasure Island and support the important redevelopment plans, now underway.

I131-1 cont.

IV. Yerba Buena Island tunnels

A. The Metropolitan Transportation Commission (MTC) Bay Bridge Rail Feasibility Study of July 2000 contains a discussion of tunnels through YBI. This document accepts the proposition that a pair of tunnels is feasible to construct through YBI.

B. The specific design and location of these tunnels will align the HSR tracks with the outside of the west span of the Bay Bridge (described in the following Segment Section) where it is anchored to the land mass of the Island and where the lattice tubes will continue to carry the HST into S.F.

V. Pedestrian PATHS (See Section 9 – Pedestrian and Bicycle Commuting, and Maps)

A. YBI and Treasure Island residents, workers, visitors and tourists have the option to use either pedestrian tube on the Bay Bridge to access the islands and the proposed ferry terminal in the existing harbor. See additional discussion on this proposed ferry service in Chapter 11, Related Issues

B. Pedestrian paths from the Bay Bridge Eastern and Western spans will connect at YBI allowing a variety of pedestrian and biking options from complete Transbay commuting on a daily basis to short partial crossings with options to connect to ferry service for a combined mode round trip.

C. A significant additional pedestrian option is the extension of the pedestrian tubes over the new HST Bridge to and through the Oakland Army Base. This optional route would allow easy bicycle commuting from the downtown Oakland area with access to the new Middle Harbor Shoreline Park.

VI. Bay Bridge

A. A basic premise of this proposal is that it is realistic to re-examine the MTC Bay Bridge Rail Feasibility study, prepared by consultants for the MTC in July 2000 and update the evaluation criteria. It is assumed that more detailed structural analysis of the Bridge and investigation of more creative structural solutions would indicate the concept is feasible.

B. Any definitive engineering analysis or recommendations are entirely beyond the scope of this commentary. A more focused discussion of Engineering issues is included in Section 8.

C. To restate the qualifications to the scope of this document from the Introduction, these comments are offered to continue a more detailed dialogue of the issues of HST service for the Bay Area and update the discussion with relevant current issues.

D. The Sketch also indicates the continuation of the pedestrian path and bikeway that originated with connections from bike and pedestrians routes on the East Bay, in Emeryville.

E. Also included in the sketch, shown dotted, is a proposed automated people mover transit system that will provide the commuting link from Treasure Island to San Francisco. Adding this system to the Bridge is not discussed at any length in this document. It will be included in the list of Related Issues, in Section 10, for future study.

I131-1 cont.

F. The HST will not be traveling at high speed on the Bridge. In fact, it should cross the Bridge at about the speed of commuter traffic, between 40 and 50 miles per hour, continuously decelerating as it approaches the final turn into San Francisco Grand Central. Trains that are departing SFGC could probably travel at higher speeds but during the crossing, the view is one that most passengers will probably enjoy at less than the fastest possible speed. Most passengers, even regular business passengers, will probably interrupt their reading or discussions to enjoy the view.

A longer discussion of the Visual Considerations is included in Section 7;
A longer discussion of the Pedestrian and Bikeway components is included in Section 9;
A longer discussion of the Engineering Concept is included in Section 9.

VII. The Embarcadero

Here the HSR tubes will begin to depart from direct alignment with the Bay Bridge deck structure and will ascend or descend, as required to begin alignment with the final slow turn into the HST Terminal at SFGC.

Comment Letter I131 Continued

VIII. Rincon Hill

A. Passing over Rincon Hill, the HSR lattice tubes will return to a more conventional viaduct, although a high, wide, and structurally complex deck, supported by foundations that must be coordinated with the new Transbay bus viaducts and other Bridge approach modifications now under way.

B. Rincon Hill, in addition to being the west end of the Bay Bridge, is an established residential neighborhood with all of the concerns that residents of any community would have. The impact of infrastructure projects such as these on Rincon Hill is profound. It is the intent of this proposal to coordinate in every possible way with recent detailed planning studies and approved development plans, while addressing the severe financial and operational issues of the proposed HST station co-located under the redeveloped Transbay Terminal. It should be noted that the proposed above ground HST is essentially located in what could be described as "air-rights" space of existing bus and car freeway off ramps and the extended right of way of Essex Street.

C. The urban design challenge of gracefully inserting this major new element into Rincon Hill is acknowledged as both difficult and controversial. It is the sincere hope of this proposal that, before the concept is rejected out of hand, that highly qualified planners, urban designers, and architects be given an opportunity to explore various configurations. The opportunity for more housing is always a first thought but any uses must be explored within the context of the approved plans and surrounding context.

D. It is further proposed that the intermediate space that will be created below the HST platform level, be considered to provide physical fulfillment for some of goals of the Rincon Hill Plan.

E. With respect to rail engineering track geometry, it is expected that the proposed turning radius from the Bay Bridge approach into the SFGC Terminal, approximately 750 feet, should provide a quiet slow arrival and departure for the high speed trains. Individuals who have visited Europe and Asia and traveled on those high speed trains can verify that the trains glide into and out of the stations nearly without noise. I131-1 cont.

F. The proximity of the HST Terminal Building to existing and proposed buildings may not be in agreement with existing planning guidelines and zoning regulations. This may be the type of challenge for the new SF Planning Director that Michael Schwarzer was referring to in the SF Chronicle article quoted in the Introduction to this proposal.

G. The primary pedestrian access to the pedestrian tubes is considered to be at Spear Street where there is a direct interface with MUNI, waterfront attractions. See additional discussion of the Pedestrian and Bikeway Component in Section 9.

H. The residents of Rincon Hill should be asked whether the Pedestrian and Bikeway tubes should continue into the community or terminate near the Spear Street entrance. If the residents decide that the system should extend into the edge of the neighborhood, the degree of access that non-residents might have to their points of access should be considered.

V. San Francisco Grand Central

Finally, the HST will arrive at the Terminal Station after making a slow right turn at the same point as the existing Fremont Street Ramp, although at a higher elevation. See the discussion of SFGC in Section 4. I131-1 cont.

Comment Letter I131 Continued

SECTION 6 - COST COMPARISONS AND FINANCING CONSIDERATIONS

I. BALANCING COSTS AND POTENTIAL PRIVATE SECTOR REVENUES

Cost will ultimately determine the future of this project. It is assumed that at some point in the future, all other project factors will reach a balance with cost and the project will go forward. It is an underlying belief of this document that HST implementation can proceed faster if the project's priorities are given a genuine review with special emphasis on greatly expanding the private sector participation and, in return, allowing it to share risks and rewards.

II. HISTORY OF FUNDING MAJOR TRANSIT INFRASTRUCTURE PROJECTS

A. This concept of transit projects joint development may have found its sources in the US and, like so many other innovations, adopted and improved by other societies such as the Asian examples in the post WWII era.

B. The contemporary participation of the private sector in transportation projects is via joint development in properties at and adjacent to stations. This formula has been successful in funding HSR projects such as the Shinkansen in Japan and similar systems in Taiwan, Korea, and Hong Kong. (*See Appendix for general descriptions and links to these projects*).

III. REQUIRED RESEARCH

A. EXPLORING CREATIVE BUSINESS STRATEGIES

1. Joint development, which typically occurs around and over stations, provides cost sharing at those locations. A review of High-Speed systems cost estimate or budgeting will show that the greater costs are the "civil works", i.e., the hundreds of miles of rights-of way, earth work, track work, power and communications systems and, greater yet, the trains.

2. This proposal suggests that, in addition to the joint development with private sector funding participation around stations, new strategies should be explored to extend the joint development funding opportunities to non-station sections, along the alignment.

B. POTENTIAL JOINT DEVELOPMENT OPPORTUNITIES ALONG RIGHTS-OF-WAY

1. Telecommunications: the need for direct routes cabling in telecommunications has been a source of revenue to transit systems. Experts can determine if this is still a potential source of revenue for HST;

2. Piped utilities along rights-of-way, including these proposed Bay Bridge HSR routes, may be additional revenue opportunities;

3. Electrical power is needed along the alignment for powering the trains. A basis of the CAHSRA business plan is a substantial continued population growth in the future requiring improved transportation options. Such growth will also need new electrical generation and distribution systems. If the HST will serve these expanding population

I131-1 cont.

centers, the opportunity may exist to co-locate power distribution rights-of way with the HST. Efficiencies of environmental approval may also be possible and the visual impact of towers may be mitigated by some consolidation of routes;

4. More specific to the Bay Area, possible expanded joint developments include:

a. Oakland Army Base - As noted in the introduction, this proposal includes a bridge and viaduct route through the Oakland Army Base. The adjacent freight railroads are also working under some access limitations to the Port of Oakland. Although the issues are complex, there may be ways in which the all parties, i.e., the Base, freight railroads, the City of Oakland, other adjacent property owners, and the CAHSRA, might coordinate adjustments to uses of the available land to the benefit of all parties involved. This concept presents great potential and is worth pursuing.

b. BART-Oakland - As noted in the project description, a new BART station is proposed at the Oakland HST Station. This new station offers some smaller scale joint development opportunities, both at the Station and in the surrounding area.

c. BART-SF - In addition, the new BART Station (at or near Market Street) offers the opportunity to take some rush hour Trans Bay Tube passenger load off of BART if a direct and convenient transfer to HST is provided. A complex issue, the details of which are beyond the scope of this document, but let us assume that it can be done. This would increase BART capacity by adding another rail option. A net impact may be fewer buses arriving at the TBT.

d. AC Transit buses - Consequently, the total number of AC Transit express buses crossing the Bay Bridge could be reduced. However, many of these buses will be picking up passengers in the East Bay. They could possibly terminate in Oakland, and AC Transit, needing a place to park its buses, may be a candidate for leasing or acquiring some available industrial property in the area.

e. Driving commuters - Driving commuters may also choose to park in the area and take BART or the HST in Oakland and would thus create the need for parking structure that then could support a mixed-use residential, retail, commercial development, eventually stimulating growth for everything from daycare to health care and senior citizens facilities.

f. Finally, as a potential joint development opportunity, CAHSRA, should consider the potential tourist revenue that could be generated with marketing to the travel and hospitality community. Hotels located at stations are an obvious opportunity. The new cruise terminal proposed under the Bay Bridge, at Spear Street, appears to offer a new, albeit small but steady, source of revenue. HST passengers should be able to choose to ride only Oakland on a round trip, walk on the pedestrian path, or make a joint booking with HST to travel to Southern California by train one way and by cruise ship on return. European airlines and railways have proven the potential of this joint booking.

I131-1 cont.

Comment Letter I131 Continued

SECTION 7 - VISUAL CONSIDERATIONS

I. San Francisco Grand Central

The scope of this document does not comment upon issues of architectural design for the Transbay Terminal or the proposed HST Station. The understanding of the numerous factors examined in detail by the consulting teams for The Transbay Redevelopment Project and the Rincon Hill Plan, and other related studies and designs could not possibly be assimilated during the preparation of this proposal.

The merit of the recommendations of those designs and studies is accepted and considered as design criteria, guidelines, or standards, for any further development of the ideas described in this document.

The sketches in this document that have architectural implications are offered as a means to communicate the idea of San Francisco Grand Central. They are a preliminary attempt to place the proposed building, SFGC and the proposed elevated HST Station in the existing context for examination by the public.

The development of this document has provided some insight into the features of both the Rincon Hill Plan and the Transbay Redevelopment plan.

An understanding of the importance of daylight throughout the Transbay Terminal is acknowledged by a suggestion that the HST Station also be as open and clear as possible. It is further suggested that, if technically feasible, appropriately safe glazed openings in the slab below the trains be investigated to allow passengers on the concourse to notice the shadow of the high-speed trains arriving and departing.

I131-1 cont.

In response to the Rincon Hill Plan, it is understood that a building of the magnitude of the HST Station be carefully studied to reduce its real and perceived mass and that the continuity of recognized pedestrian elements such as Folsom Avenue be allowed to penetrate the building to the maximum possible degree. This recommendation takes precedence over other sections of this document that discuss the significant potential joint development opportunities of the SFGC and the elevated HST Station.

It is hoped that these ideas will be catalysts for preliminary investigation of integrating the HST into the Transbay Terminal and Rincon Hill urban design.

A final suggestion that is offered both as a consideration for any design study of the SFGC: it is not necessary to design a highly detailed structure to initiate HST service. As visitors to Japan may have noticed, the high-speed rail stations in Tokyo and other cities are often very utilitarian. Finishes are serviceable first and spaces are functional, if not grand. This is not to suggest that standards should be lowered. It is a suggestion that the desired level of detailing and finish could be evaluated for phased implementation in order to expedite the inauguration of HST service. There may even be programmatic options such as using the lower levels of the super-structure of the HST building for temporary storage of buses while the Transbay Terminal project is under construction.

II. The Bay Bridge

The Golden Gate Bridge is probably the most recognized icon of SF and the Bay Area; however, the Bay Bridge is more impressive in many ways.

It is longer and as result of using similar technology of the graceful curving main suspension cable of that era, it has to repeat itself creating a rhythm of two bridges with five spans, hence carrying the rhythmic motion into the city. On the San Francisco side, riders and commuters often see the Bay Bridge on the oblique and from below: they are thus offered the excitement of the soaring arc over the Bay.

The arrangement of the first bridge tower on the west side of the Embarcadero, at the end of Spear Street, allows a substantial overlap of bridge and land. The image of the Bridge from the south along the Embarcadero is that the suspension cables are anchored right into the base of Rincon Hill, which in fact, it is.

It is this strong, stable, yet dynamic, spirit of the Bay Bridge, with its harmony of proportions, which should be protected by and if possible, reinforced by any proposed changes.

A goal of this proposal is to illustrate how an addition of railway structure to the Bridge can be configured to maintain the strong horizontal clarity of the structure.

The tubular lattice structure of the railway enclosure is scaled to fall entirely within the vertical distance between the upper and lower decks. This is important because the concept maintains several existing conditions about the visual experience of the automobile passenger riding: from the upper deck nothing should encroach on the view of the vehicle passenger at 5 feet above roadway level in the outer lanes. The experience of the first time visitor to the city should always be as spectacular as it is today and has been since the bridge was built.

I131-1 cont.

To accomplish this, the structure must be supported primarily from the lower deck. See the bridge section and Sketch Nº The tubular lattice will inevitably further obstruct the view of eastbound traffic. However, this can be mitigated if the system is designed to keep the heaviest structure at the bottom approximately at the level of the lower deck roadway.

The scale, proportions, and structural modules of the lattice should match the existing bridge truss panels allowing appropriate attachment points between the two systems. A structural design goal will be the attainment of the lightest possible structure. Creative structural designers should be able to achieve an adequately rigid and flexibly compatible system that is in visual harmony with the Bridge.

The resulting composition should do no harm to the image we have of the Bridge and in fact should be an enhancement of the whole.

There is no way to add the structure for the HSR to the Bridge without permanently altering the appearance of the Bridge. Materials, construction details, and finishes must be chosen carefully to provide a structurally appropriate, pleasing composition.

The aim is to enhance the appearance and image of the Bridge. This will not be easy for many purists.

Comment Letter I131 Continued

High strength steels and advanced concrete formulations, etc. not only offer creative structural solutions; they offer low or no maintenance finishes. Additional elements on the Bridge should be an asset, not a liability, adding sparkling wonder..

The fortuitous location of Yerba Buena Island provides an appropriate background and separation from the original East Span.

Now that there is a new strong bi-directional element on the Bridge, the image of YBI as a backdrop is no longer entirely correct. This proposal requires that the railway lattice tubes penetrate YBI on either side of the existing two-level tunnel. These tubes may need to begin to slope up on the west side of YBI in order to exit the east side of the island above the bi-level approach from the new East Span.

I131-1 cont.

SECTION 8 - ENGINEERING ISSUES

All of the following opinions have been developed after very limited reviews of available relevant reports. The opinions are presented with qualifying or clarifying factors, including references to the original sources. It is hoped that interested individuals and organizations will explore and validate or invalidate these assumptions.

I. Construction over Streets

A. Buildings that span city streets are structural challenges but so is tunneling under existing streets and buildings.

B. The proposed design of San Francisco Grand Central HST Station also spans streets and viaducts, and brings in the complexity of the heavy roof loads of arriving and departing trains.

C. Examples of elevated train stations in seismic zones are not common in the United States, but many stations have been built in Japan, above buildings and streets, and continueto function successfully resist earthquakes.

II. Attaching the HSR to the Bay Bridge

A. It should be understood that the Bay Bridge was originally designed to carry commuter rail service and did so until 1959 on the two outer lanes of the lower deck. This arrangement would of course be the preferred configuration of renewed rail service on the Bay Bridge. However, extreme dependence on personal automobile access to the city will render this approach unrealistically far into the future.

B. See Bay Bridge Rail Feasibility Study, prepared in July 2000 for the Metropolitan Transportation Commission. This report explored four different options to add rail service on the Bay Bridge. At the time the report was prepared decisions about the status of the East Span were pending. It can be assumed that the East span will be demolished. However, this proposal includes a recommendation that the existing piers be evaluated for re-use for a new HSR bridge.

C. The Bay Bridge Rail Feasibility Study included evaluations of three types of rail service: Light Rail service, such as MUNI streetcars, current BART commuter rail, and conventional passenger rail such as Caltrain or Amtrak, including high-speed versions of these systems. This commentary will only consider an advanced, light weight high speed train. The Study also examined the routes or service areas that these options might serve on the east side of the Bay Bridge. This document does not consider further these explorations. The discussion of the high-speed train service on the East Side of the BB is limited to a review of possible routes, or alignments from YBI to downtown Oakland. See Section 6 – Description of Bay Area Segments.

D. The weight of any train system is of critical importance in a discussion on installing tracks on the Bay Bridge.

I131-1 cont.

Comment Letter I131 Continued

E. The Study examined three possible options: an upper deck addition on each side of the outside of the suspension system; a similar addition at the lower deck level and a third option underneath the lower deck.

F. None of these options are considered feasible by this commentary. Options 1 and 2 are shown as large roadway platforms that are braced and attached to the existing bridge as extensions of the roadways or the upper or lower desks. The third option, the tracks suspended below the lower deck is conceptually and structurally the most realistic of the three. Nevertheless, it is impractical for two significant reasons: Approximately 30 feet of shipping clearance below the bridge would lose and it requires major structural modifications to cut the tracks through the center of the top of the tower supports. It also changes the appearance of the bridge from the middle and distant views, making the suspended structure much deeper. Part of the harmony of the countless views of the bridge as an element in the image of the city is the subtle balance between the structural necessity and the visually logical balance of a suspension system and a suspended structure. This last option would alter the visually correct image as we know it.

III. Building Rails Overhead vs. In Tunnels

A. Bay Area residents are familiar with the proven integrity of the overhead railways of BART. These viaduct structures are approaching 30 years of age and have received very limited structural improvements while allowing virtually uninterrupted reliability. (This is not to say that they are state of the art. Structural engineering design for seismic forces is a continuously evolving science. In addition, the November 2006 ballot will ask Bay Area residents to approve bonds to fund long overdue seismic improvements.)

B. Advances in materials sciences and structural design can offer appropriate overhead viaduct designs for the proposed HSR alignment in this commentary. These new viaduct structures must be a *combination, synthesis state of art, structural work of art, structurally efficient and visually pleasing* element in the landscape, whether urban or rural.

C.

D. The cost of tunneliing anywhere is high and in a seismic zone, under a major metropolitan area is very high, even for short distances. Tunneling methods vary but the complexity of the task, extreme coordination requirements, identifying known underground structures such as foundations and , dealing with unknown underground structures when they are encountered, utilities, property rights, pedestrian and vehicular traffic disruption all contribute to extremely high costs.

E. The geometric requirements of railways impose even greater limitations. The radius of turns for trains is quite large and when an acceptable layout is coordinated with the specific restrictions of the site costs can become literally prohibitive.

I131-1 cont.

SECTION 9 - PEDESTRIAN AND BICYCLE COMMUTING

I. Bike/Pedestrian Opportunities

The new East Span of the Bay Bridge will finally provide pedestrians and bicyclists the opportunity to cross halfway to San Francisco. The MTC website reports that a 15.5-foot wide bicycle and pedestrian lane will be provided on the east bound deck. This will open a new opportunity for recreational hiking and biking as far Yerba Buena and Treasure Island but there is no mention of continuing the path on the West Span.

An integral part of this proposal is the combined pedestrian/bicycle path on each side of the HST support structure. As noted in the discussion of security issues, this pedestrian pathway will also serve as an emergency exit from the railway in the event a train must be evacuated while on the Bridge. A one-way exit gate will provide security to maintain separation of the two corridors at all other times.

This West Span pedestrian corridor or "tube " will for the first time, allow pedestrian and bicycle commuting from the East Bay, all the way into SF.

It is proposed that this smaller pedestrian tube be approximately 10 feet wide on each side so that both tubes are bi-directional. Joggers, bikers, and hikers must have the opportunity to acknowledge each other from opposing directions and experience the occasional but inevitable chance happy meeting of friends and acquaintances on the Bridge.

Unlike the Golden Gate Bridge, the new Bay Bridge pedestrian route should be completely contained. Current events dictate that this pedestrian route be securable and patrolled, for the foreseeable future. Therefore the open air tube is a fully secure, lattice structure with the a continuous security grille that still allows generous clearance, more that enough to press a face up to or easily compose a photograph of a passing ship.

I131-1 cont.

In the description of individual HST segments, the proposed HST railway bridge to the Oakland Army Base is described in further detail. This railway to and through the Oakland Army Base, to downtown Oakland can also be designed to carry pedestrian is a similar secondary tube. In this way, a recreational and commuting pedestrian and bicycle option is created directly between the downtowns of Oakland and SF.

Security can be maintained by charging a nominal fee to all bicyclist, joggers, and tourists to fund a specially trained security staff who will be immediately available in the event of a train emergency, or other serious condition such as high winds or earthquake. With mobile communications and monitoring equipment a security staff of EMT trained personnel should be able to manage the entire length of the paths.

The inherently limited access will make fee collection manageable and offer the opportunity for allied law enforcement agencies to apply minor routine screening of individuals wishing to cross, if necessary.

As the TransLink fare card access system is introduced the Bay Area, it should be possible for bike and pedestrian commuters to move through entry points quickly.

Comment Letter I131 Continued

Yerba Buena Island will be accessible by pedestrians and bikes from both sides of the Bay. Improvements to ferry service for the planned future development of Treasure Island would be a compliment to the new pedestrian and bike routes. I131-1 cont.

CONCLUSION

Development of the High-Speed Rail Program and of the Transbay Terminal has encountered delays that may present a unique opportunity: they leave us all enough time to search for possible enhancements to both projects, and for what should be the most exciting High-Speed Train Station in the United States, if not in the world.

This commentary was prepared with the hope that those who will read it will then consider its contents and reflect on the merits of any or all of the ideas, thoughts, suggestions, and concepts.

Not too long ago a noted architect said that "So many things can go wrong with any building project, it is a wonder anything gets built at all". SFGC carries "all the things that can go wrong" to a whole new level, excuse the pun.

There are extreme challenges to everyone involved, from community and local political leaders, public officials and agency directors and staffs including all of the Transbay Redevelopment Project teams, planning, zoning, and building officials, Transbay and Rincon area property owners, businesses and residents, consultants in all of the specialties and disciplines. I131-1 cont.

In considering a new California High-Speed Rail System, such a visionary proposal may be taken with some skepticism. Some readers might ask themselves how this could be done; others might assume that the problems are insurmountable and that this cannot be done. In all instances, one should remember historical It-can't-be-done's and remember how Americans took the lead in finding solutions.

This document aims at rallying not just support but the suggestions and ideas of those who will not be defeated by the thought of failure.

Eventually, all of us will one day be passengers on the HST. As future HST passengers, let us ask ourselves one more question: "When I catch the 4:05 P.M. departure for Los Angeles, where would I like to board the train, on an bright open platform under the sky, with a view of the City, the Bridge and the Bay, or on a platform 30 feet underground?"

Comment Letter I131 Continued

ACRONYMS

CAHSRA - California High Speed Rail Authority

DSP - (Caltrain) Draft Strategic Plan

EIR/EIS - Environmental Impact Report / Environmental Impact Study Commissioned by the US Department of Transportation Federal Railroad Administration

HSR - High Speed rail system, including trains, rails, etc.

HST - High Speed Train(s), a term often mistakenly used as meaning HSR

TBT - Transbay Terminal

MTC - Metropolitan Transportation Commission

SFGC - San Francisco Grand Central (aka San Francisco HST Station)

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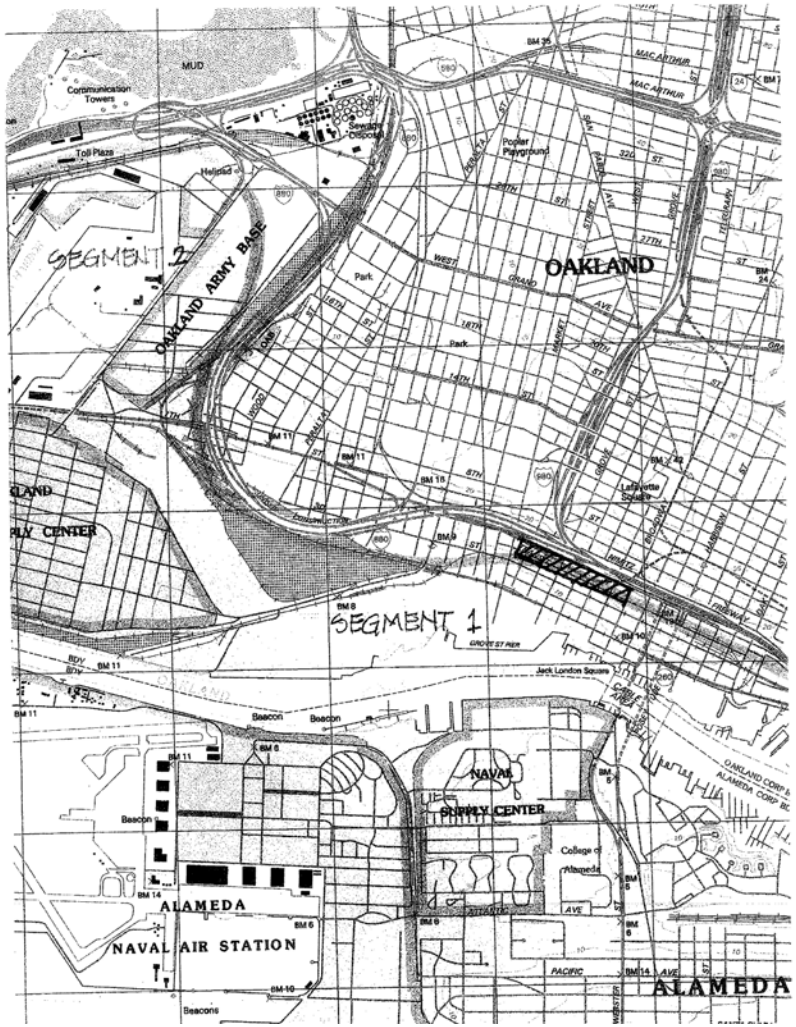
Comment Letter I131 Continued

SFGC – A 21st Century Vision

ANNEX 1

TABLE II: PENINSULA COMMUNITIES V/V EAST BAY COMMUNITIES
(train stops – North to South)

A. PENINSULA COMMUNITIES	B. EAST BAY COMMUNITIES
South San Francisco	Oakland
San Bruno	Hayward
Burlingame	San Leandro
San Mateo	Union City
San Carlos	Fremont
Redwood City	(Milpitas)
Atherton	Santa Clara
Menlo Park	San Jose
Palo Alto	
Mountain View	
Sunnyvale	
Santa Clara	
San Jose	



Douglas L. Frazier, AIA - 32 - August 30, 2004

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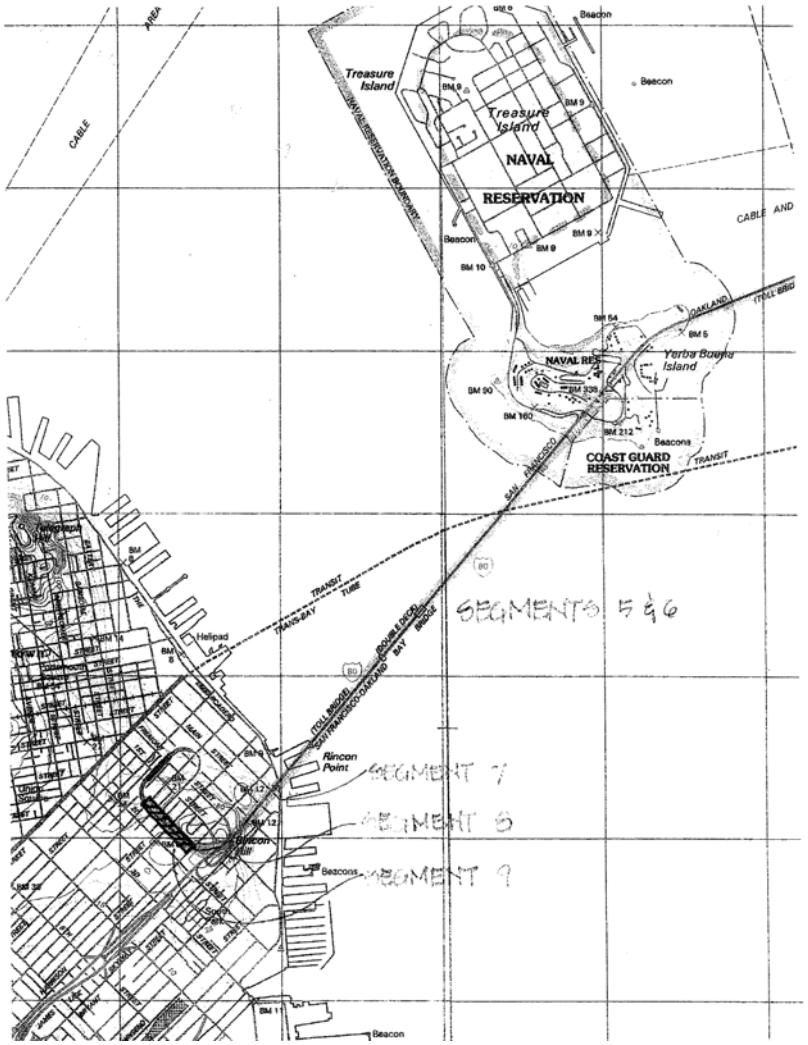

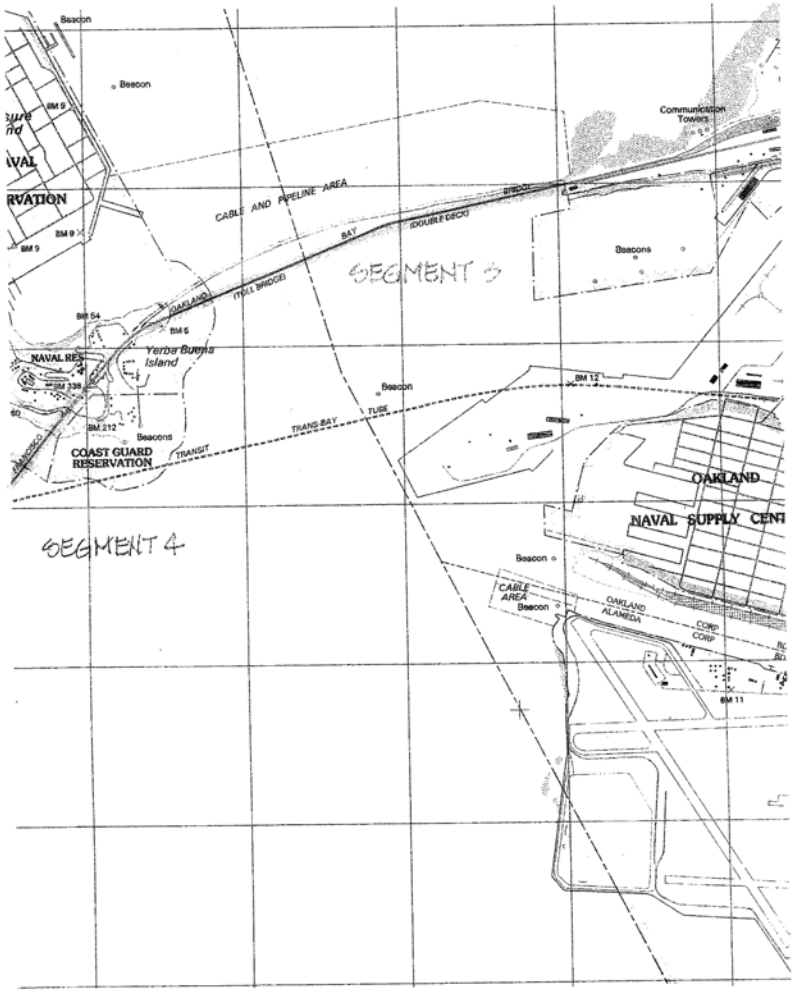

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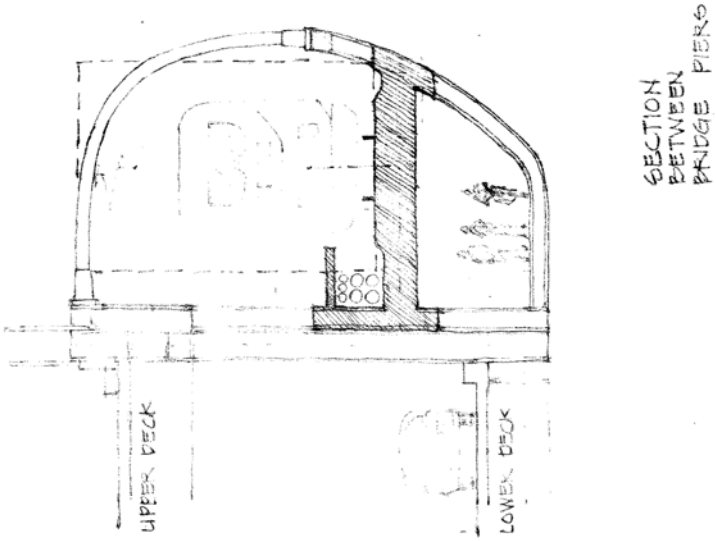
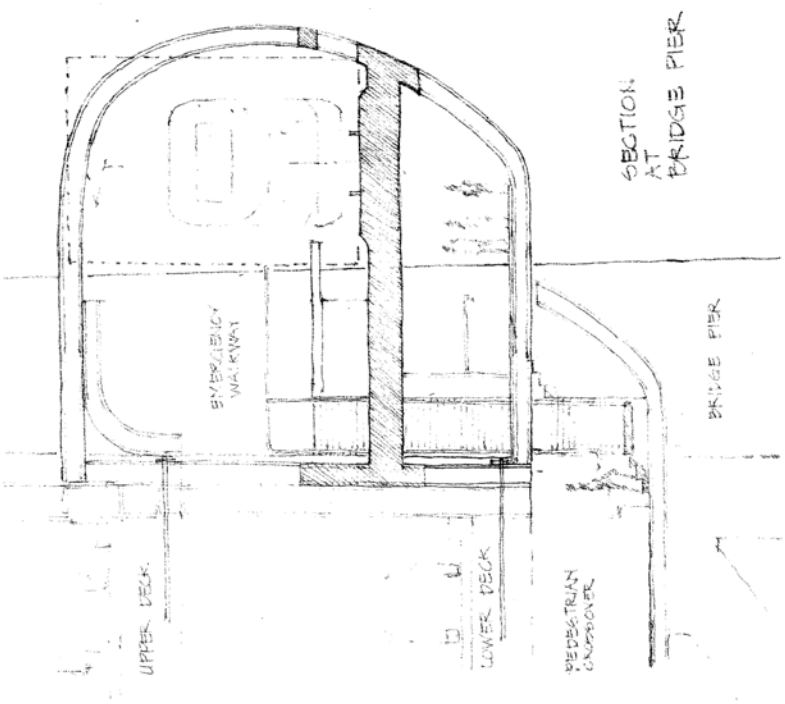


SECTION BETWEEN BRIDGE PIERS



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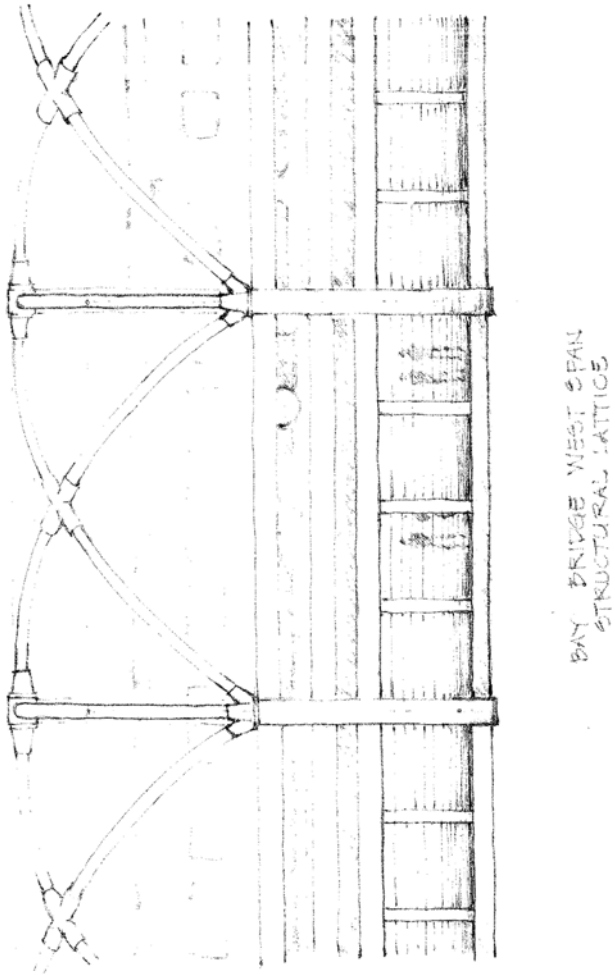
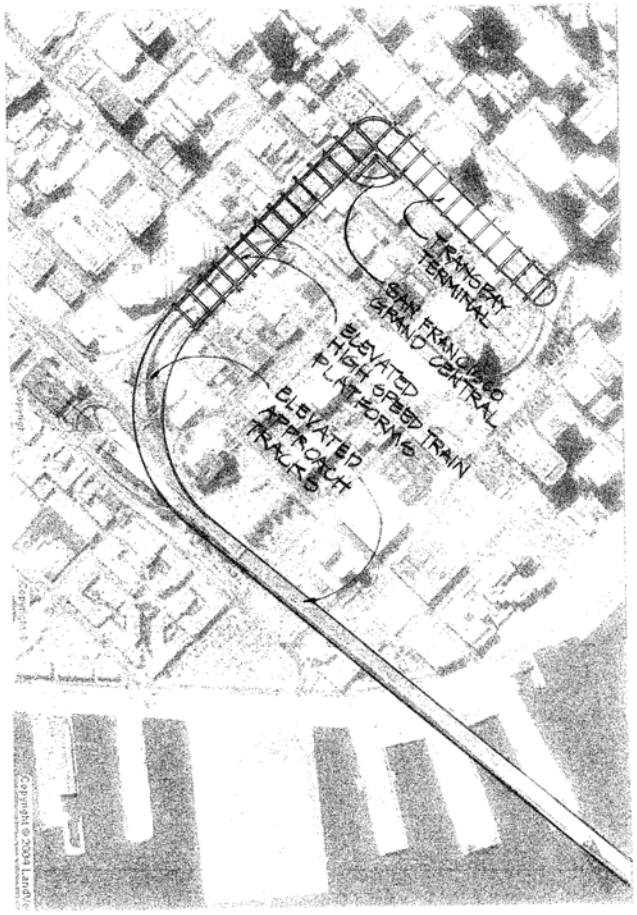
Comment Letter I131 Continued





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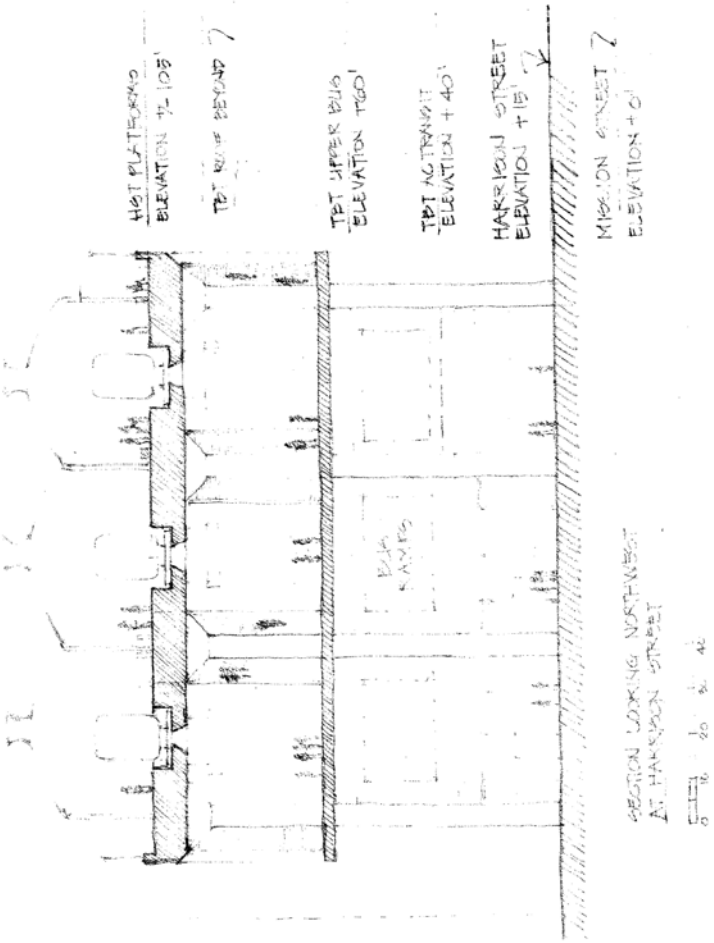

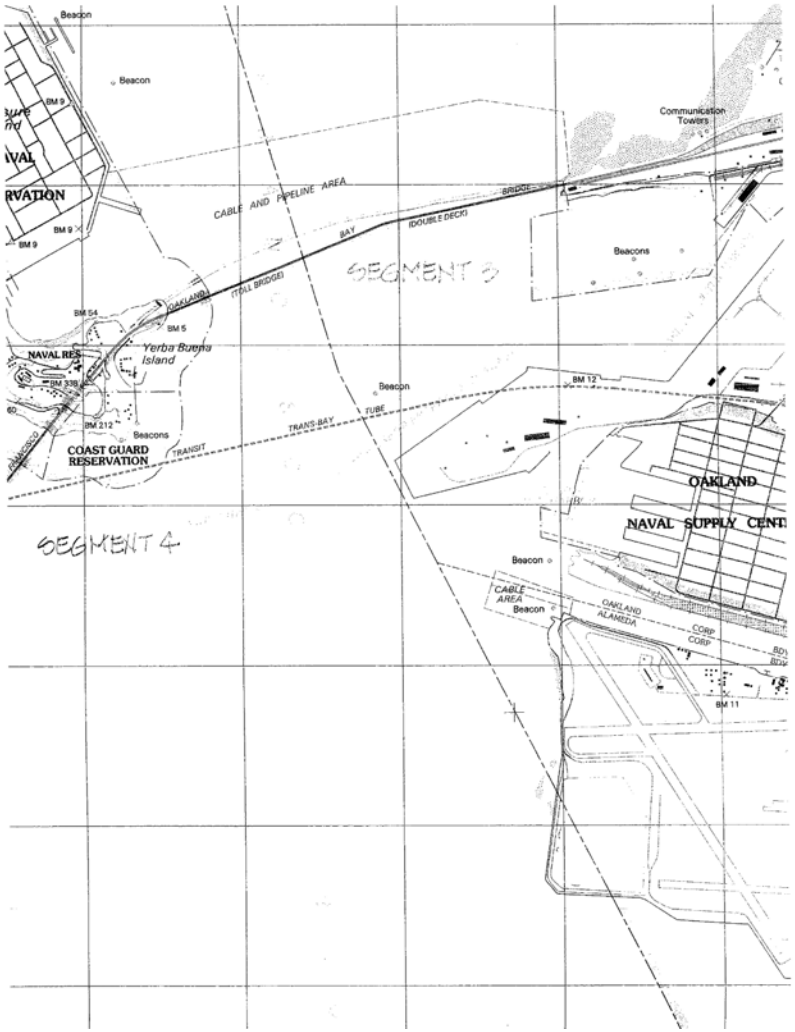

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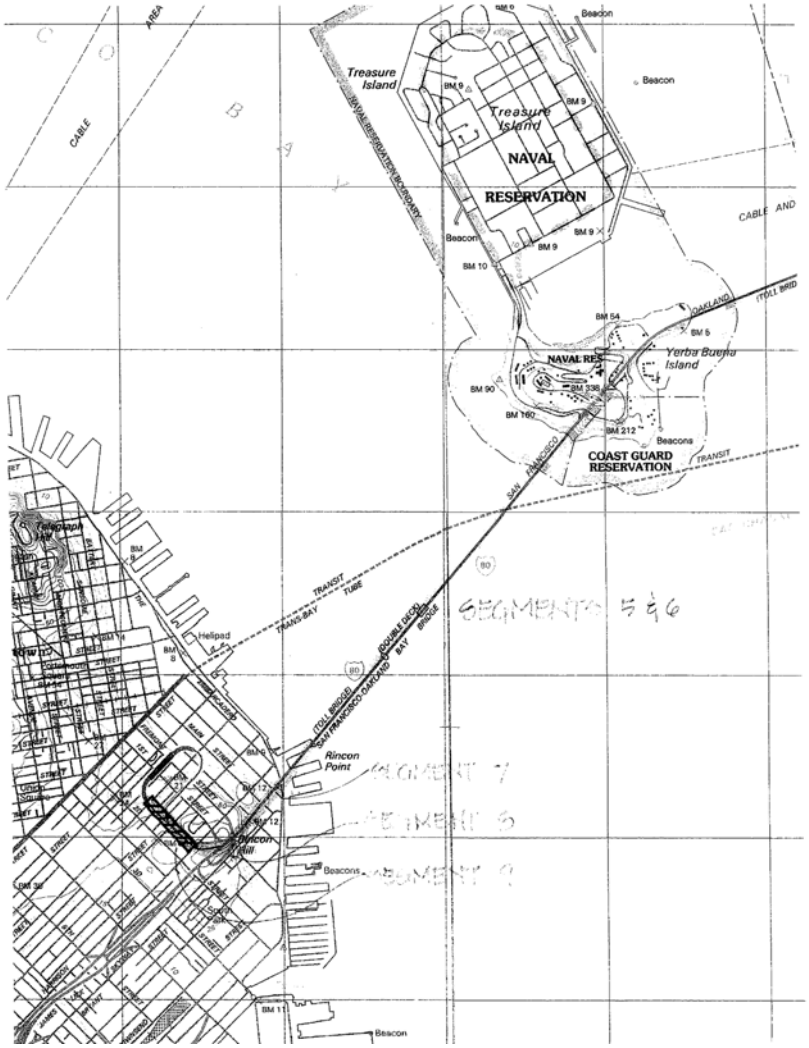

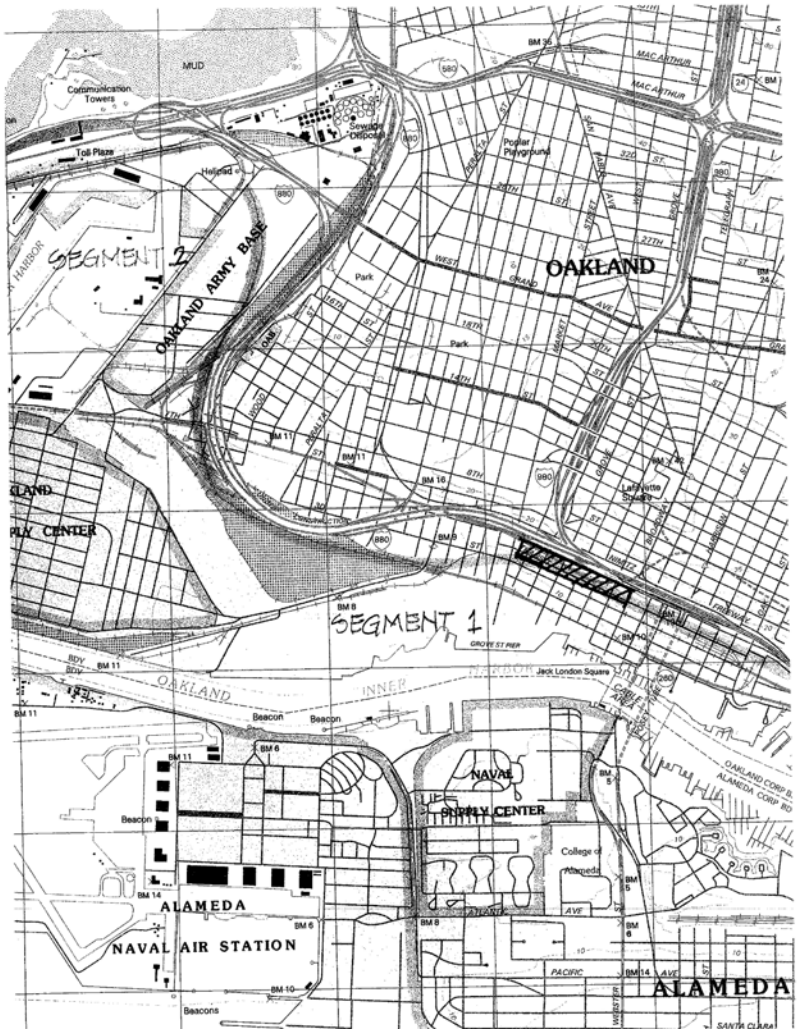

Response to Comments of Douglas Lee Frazier, August 30, 2004 (Letter I131)

I131-1

Available studies indicate that the use of the existing Bay Bridge (Western spans) for HST operations and construction of new Bay Bridge (for Eastern spans) would not be a feasible or practicable option for service between the East Bay and San Francisco. Please see the findings of the MTC studies, Bay Bridge Rail Feasibility Study, July 2000, and Structural Assessment of Rail on the Bay Bridge, October 22, 1999. Also, the option you have suggested would not provide direct HST service to San Francisco International Airport or the mid-Peninsula, and would not be compatible with the Transbay Terminal JPB's design for the Transbay Terminal as detailed in their project specific EIR/EIS (Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project, March 2004 , SCH No.95063004). However, please also see standard response 6.2.1.

Comment Letter I132

May 28 04 02:09p Marc A. Garcia 209-722-0500 p.2 **I132**

GARCIA LAW FIRM

May 25, 2004

AUG 31 2004

Mr. Joseph Petrillo, Chairman
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814

Dear Chairman Petrillo and Members of the Board:

I am pleased to submit this letter of support for the draft EIR/EIS and the analysis and studies that identified high-speed trains as the preferred system alternative to address the future transportation needs of California.

Specifically, I am advocating the adoption of the "Diablo Route" as the preferred route and Castle Aviation and Development Center as the stop and potential maintenance facility for the California High Speed Rail System.

As both an attorney and small businessman, I envision the high-speed rail system as a vital component to future economic prosperity in the Central Valley. Transportation between major metropolitan areas in Northern and Southern California have yet to be linked in a manner consistent with the environmental concerns and projected increase in both population and traffic congestion. The High Speed Rail System not only addresses these concerns, but provides the inclusion of the Central Valley as a necessary and imperative link in the chain. I132-1

After analyzing the different routes presented for review in the draft EIR/EIS, the "Diablo Route" offers the most viable opportunity for maximum ridership and efficient transportation between the Northern and Southern parts of the state. Furthermore, Castle Aviation and Development Center provides the access and size availability to house the maintenance facility. In the past several years, Merced County has consistently generated double-digit unemployment rates. A stop/maintenance facility would significantly and positively impact our community economically. Projected figures estimate the creation of 2,000 or more jobs to Merced County.

Thank you very much for the opportunity to provide these comments.

Respectfully yours,

Marc A. Garcia
Attorney at Law

Cc: Congressman Dennis Cardoza
Congressman George Radanovich
California Senator Jeff Denham
California Assembly Member Barbara Matthews
Merced County Board of Supervisors

Marc A. Garcia 732 West 18th street Merced Ca 95340 209.722.5997 (Tel) 209.722.0500 (Fax)

Response to Comments of Marc A. Garcia, May 28, 2004 (Letter I132)

I132-1

Please see standard response 6.3.1, standard response 6.19.1 and standard response 2.35.1.

Comment Letter I133

I133

Libby Hogan
2499 E. Gerard Ave #108
Merced, Ca 95340

AUG 31 2004

Date June 21, 2004

Mr. Joseph Petrillo, Chairman
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

Dear Chairman Petrillo and Members of the Board:

I am pleased to submit this letter of support for the draft program EIR/EIS and the analysis and studies that identified high-speed trains as the preferred system alternative to address the future transportation needs of California.

I strongly urge the Members of the High Speed Rail Authority to take a very hard look at Castle Airport, Aviation and Development Center as the hub for the proposed system. It seems to be the most perfect infrastructure to include major airport facilities, train spur from Amtrak and the necessary land requirements.

I'm really concerned about farm land depletion in the proposed High Speed Rail system. By using Castle Airport, Aviation and Development Center it would certainly reduce the over-all impact of farm land by using this location. I133-1

Finally, the unemployment rate in this area is one of the highest in the State. A hub a Castle Airport, Aviation and Development Center would certainly help the economic conditions for the Central Valley and the state.

Thank you very much for the opportunity to provide these comments.

Sincerely,

Libby Hogan

Libby Hogan
Travel Agency

Cc: Congressman Dennis Cardoza
Congressman George Radanovich
California Senator Jeff Denham
California Assembly Member Barbara Matthews
Merced County Supervisor Kathleen Crookham
Merced County Supervisor Gloria Cortez Keene

Response to Comments of Libby Hogan, June 21, 2004 (Letter I133)

I133-1

Please see standard response 6.19.1.

Comment Letter I134

I134

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VIA FACSIMILE AND MAIL (916) 322-0827

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

Re: Comments of the Luckhardt Family on the Draft Program Environmental Impact Report/Environmental Impact Statement for the Proposed California High-Speed Train System

Ladies & Gentlemen:

This letter provides the comments of the Luckhardt family, which include Charles E. Luckhardt, Jr., John D. Luckhardt, Charles E. Luckhardt, III, and Jane E. Luckhardt, on the Draft Program Environmental Impact Report/Environmental Impact Statement for the Proposed High-Speed Train System ("Draft EIR/EIS"). These comments are timely filed prior to the close of the extended public comment period concluding on August 31, 2004.

Charles Luckhardt, Sr. purchased property in the San Antone Valley in the 1930s. The Luckhardt family currently owns approximately 1200 acres in the San Antone Valley near the Jump Off Creek (the "Ranch"). The Ranch includes low mountains with brush and valleys with grassland, trees, creeks and ponds. The Ranch is primarily in a natural state. The property has two dwelling units in two separate locations and dirt roads provide access to the houses and different areas of the property. Other developments on the Ranch are ponds, small outbuildings and small concrete drinking troughs around springs for cattle. The entire property is not fenced and nearby cattle ranchers run cattle on sections of the Ranch. The valley contains one county road running down the center of the valley.

The Luckhardt Family is supportive of improvements in travel options for Californians and would like to support a High-Speed Train. Unfortunately, the Draft EIR/EIS fails to provide the necessary studies and analysis to provide a full and complete evaluation of the impacts of this proposal. The Luckhardt Family is also disappointed that without any real evaluation or consideration the California High-Speed Rail Authority and the Federal Railroad Administration (collectively referred to as the "Authority") dropped the Altamont Pass alignment, which would provide superior service between existing commute areas in the Northern San Joaquin Valley and the Bay Area along an existing transportation corridor. I134-1

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The proposed Northern Tunnel through the Diablo Range alignment from Merced to San Jose would cross the Ranch and divide the valley where the Ranch is located. Since the Ranch is largely undisturbed rangeland within a valley that is also largely undisturbed, the Luckhardt Family is concerned about the environmental impacts of adding a long linear feature to this valley. The High-Speed Train corridor would significantly impact the natural environment of the valley and significantly impact its inhabitants both human and animal. Unfortunately, the Draft EIR/EIS does not address the environmental impacts of the High-Speed Train at even a basic level of detail with which a decision maker could make an informed decision on the project let alone a decision between alignment options. The project itself is not adequately defined and the screening of environmental impacts included in the Draft EIR/EIS does not even rise to the level at which it could be called an environmental analysis. Where and how will animals be able to cross the tracks? What access will the Authority provide for ranches that are split by the tracks? Since stream flooding is common in the spring, will all crossings for animals and humans be at or above grade? Will firefighters have adequate access to both sides of the track? How will the noise from the train impact animal behavior in previously quiet areas? I134-1 cont.

The Draft EIR/EIS attempts to use a tiered approach to avoid addressing the environmental impacts of this project. If the Draft EIR/EIS were only evaluating whether such a High-Speed Train would be a good idea for California, maybe a cursory review of impacts like that included in this document would be sufficient. But, since this document attempts to make decisions on the alignment of the train, the analysis is woefully inadequate.

1. Summary of Concerns

As further described below, the Luckhardt family has concerns about the Draft EIR/EIS that need to be addressed prior to completing the environmental review of the proposed High-Speed Train System.

- The Authority has inhibited the Public's ability to comment on the Draft EIR/EIS by only providing the document in electronic form. I134-2
- The Draft EIR/EIS' environmental analysis is inadequate and any decisions based thereon would be arbitrary and capricious. I134-3
- The Draft EIR/EIS does not include specific mitigation measures or performance standards to mitigate significant impacts. I134-4
- The Authority should include a thorough analysis of the Altamont Pass alternative. I134-5
- The Draft EIR/EIS' discussion of growth inducing impacts lacks supporting analysis. I134-6
- The air quality analysis is out of date. I134-7

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- The noise analysis does not address quiet rural areas. I134-8

2. The Draft EIR/EIS Is Not Accessible to the Public

Despite requests by the Luckhardt family for a hard copy of the Draft EIR/EIS in person and over the phone to the California High-Speed Rail Authority ("Authority"), we were only able to obtain a compact disk ("CD") of the document. The Draft EIR/EIS fills two 4-inch binders without printing all of the appendices. It is virtually impossible to read a document of this length on a computer screen. We were instructed by staff at the Authority to take the CD to Kinkos and have it printed. Taking the document to Kinkos to have it printed poses a variety of issues. The first issue is that the disk is set up so that each section is in a different file. Therefore, the entire document cannot be sent to print at one time. In addition, there are a variety of maps and figures in the document that are unreadable in black and white. These have not been set out or identified in any way so that one could print the rest of the document in black and white and easily get maps and figures printed in color. Although most of the figures are in files at the conclusion of each chapter, the chapters themselves may also have color figures within the text of the chapter. (Draft EIR/EIS Chapter 5.) Thus, a member of the public either has to go through and look at each individual file for sections that can be printed in black and white and figures that need to be printed in color, have the entire document printed in black and white wherein the figures are unreadable, or have the entire document printed in color wherein the figures are readable but the cost is excessive.

The Authority states the Draft EIR/EIS is an effort to comply with the California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA"). (Draft EIR/EIS at F-1; CEQA Cal. Publ. Res. §§ 21000 et seq.; NEPA 42 U.S.C. §§ 4321, et seq.) "The basic purposes of CEQA are to: (1) inform governmental decision-makers and the *public* about the potential significant environmental impacts" of proposed activities. (14 C.C.R. § 15002[a]]1] *emphasis added*.) In accordance with NEPA, agencies shall make environmental impact statements available to the public. (40 C.F.R. § 1506.6[f].) In making any record available to a person "an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format." (5 U.S.C. § 552[a][3][B].) The Authority could reproduce and have available to the public copies of the Draft EIR/EIS for the actual cost of reproduction. The cost of reproduction for the Authority for a number of the documents would clearly be less expensive than the cost to each individual member of the public who takes a disk to a copy house to print one copy. The Authority could also have the document printed so that only those pages with color graphics are printed in color. By providing only a disk, the Authority is clearly violating the intent and requirements of both CEQA and NEPA to provide the public an opportunity to participate in the environmental review of this project. While it is helpful to have information available on websites and available by electronic means because they can be accessed from computers at any time of day, large documents such as the Draft EIR/EIS should also be available in hard copy so that members of the public who are interested can review and comment on the entire document. I134-9

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3. The Level of Analysis in the Draft EIR/EIS is Insufficient

The Draft EIR/EIS declares that it is a program-level or first tier environmental document. (DEIR/EIS at F-1.) As a result of that declaration, the document states that the potential environmental impacts of the proposed High-Speed Train system are evaluated at a conceptual and planning level. (*Id.*) This conceptual and planning level of analysis is obvious and consistent throughout the document. The courts have interpreted tiering as "a process by which agencies can adopt programs, plans, policies or ordinances with EIRs focusing on a single 'big picture,' and can then use streamlined CEQA review for individual projects." (*Koster v. County of San Joaquin* [Third District 1996] 47 Cal.App.4th 29; Cal. Res. Code Section 21068.5) Similarly NEPA provides for tiering to evaluate a program environmental impact statement to a second analysis of lesser scope or site-specific statement. (40 C.F.R. Section 1508.28.) These regulations have been interpreted by the Council on Environmental Quality (CEQ) to be used when the programmatic level EIS would be followed by a site-specific or project-specific EIS. (Council on Environmental Quality, *Forty Most Asked Questions Concerning CEQ's NEPA Regulations*, at 24 C.) I134-10

Unfortunately with the Draft EIR/EIS, the Authority will be making specific routing decisions for the High-Speed Train. In fact, the minimal environmental analysis provided supposedly includes a specific route and 100 feet on either side of the alignment. (Draft EIR/EIS at 6-1.) Therefore, although the Authority has specific alignments for each proposed segment, the Draft EIR/EIS provides only a scant description of the overall impacts of each of the alignments. The next step of a site specific analysis would then potentially move the alignment to avoid, for example, a small wetland but would not be able to move the alignment from one valley to the next to avoid environmental impacts. The Draft EIR/EIS provides extremely little analysis in the form of short descriptions, tables and checklists in the appendices but no real evaluation of the resources impacted by each of the different routes or the potential environmental impacts from the alignment through those areas. The entire document does not include scientific studies or ground level surveys of existing conditions that would allow a reasoned analysis of the potential environmental impacts of the High-Speed Train. Therefore, the Authority is making major decisions on route locations with inadequate environmental analysis upon which to base those decisions. Therefore, any decision on alignments based upon the minimal analysis presented in the Draft EIR/EIS would be arbitrary and capricious. (5 USC § 706.)

(a) The Project Description Fails to Provide a Complete Description of the High-Speed Train

The Draft EIR/EIS does not include even a rudimentary description of the project in a complete and concise location in the document. Nowhere in the document is the actual configuration of the track, required right-of-way, or fencing described. The reader can only get a general feel of the project from the photo simulations provided in Chapter 3.9 where the impacts on the natural environment are striking as demonstrated by Figures 3.9-15 and 3.9-18B. For elevated sections of the track, how high will the track rise above existing roads and other obstacles? Nowhere in the document are the construction techniques described including construction corridor width, I134-11

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equipment required, staging areas, etc. The Draft EIR/EIS does not meet the project description requirements of CEQA to provide the "project's technical, economic, and environmental characteristics." (See 14 CCR § 15124[c].) The document also fails to include a list of the agencies expected to use the Draft EIR/EIS in their decision making. (14 CCR § 15124[d][1][A].) I134-11 cont.

(b) The Screening Level Analysis of Alignment Options is Insufficient to Support a Selection Between the Options Presented

The specific alignment of concern to the Luckhardt Family is the Northern Tunnel route through the Diablo Range. The document provides a scant seven pages of a table to address the differences between five different alignments between the cities of San Jose and Merced. The shortest alignment is 86 miles long and the longest alignment is 117 miles long. (Draft EIR/EIS at 6-10.) The discussion of environmental impacts is a scant two or three sentences per subject area for a minimum of 86 linear miles of impact. For a minimum of 86 linear miles the analysis is a table with only phrases describing the impacts. This minimal review hardly provides the environmental analysis needed to make a decision on an alignment.

The minimal screening evaluation conducted to review the impacts of these alignments is demonstrated by the land use discussion, which states, "no potential impacts" to communities for the Northern Tunnel route. (Draft EIR/EIS at 6-13.) This three word conclusion fails to mention a large development under construction west of Highway 5 within the alignment. This development has been in the planning process for some time and should have been discovered by the Authority through a request to the local planning department. The Draft EIR/EIS's failure to obtain information on large planned developments in the region reveals the dearth of real analysis conducted on these routes. The document fails to include land use maps and lists of potential projects. One wonders if the preparation team simply hired a plane to fly the route. I134-12

The biological resources section of the table simply states that the Northern Tunnel route would "potentially impact fewer special-status species than other alignments." (Draft EIR/EIS at 6-15.) This statement is not supported by any study of any kind. The document does not allow a reasoned person to determine whether any one alignment would reduce the impacts to special-status species because no studies have been completed to allow a real evaluation of the alternatives.

The noise section concludes that the Northern Tunnel alignment would have low potential impacts even though this alignment moves through quiet open countryside with low background noise. (Draft EIR/EIS at 6-12.) The proposed project includes 64 trains each weekday between northern and southern California. (Draft EIR/EIS at S-4.) The analysis does not include any noise monitoring of the background levels to determine the amount of impact caused by one alignment in comparison to any other alignment. The document fails to recognize the impact of adding a constant flow of train travel at a level of 64 trains a day creating noise levels between 90 dBA at 100 feet from the track to an area that is otherwise rural and quiet with noise levels probably around the low 30s dBA. (Draft EIR/EIS at Figure 3.4-7; the estimate of noise level in

rural areas is taken from evaluations of projects in rural areas of California and is included only as an estimate to show the relative level of impact of the High-Speed Train in rural areas. Commission Decision, Cosumnes Power Plant Project, Docket No. 01-AFC-19, September 2003 at 125-126.) The trains will pass through these rural areas at a pace of two or three an hour with higher levels during commute times. I134-12 cont.

A simple summary table of environmental impacts does not support a decision between linear alignments of 86 to 117 miles of High-Speed Train. Any decision on alternatives based upon the minute level of detail provided in the Draft EIR/EIS would be arbitrary and capricious.

(c) The Draft EIR/EIS Does Not Include Specific Mitigation Measures or Significance Determinations

The Authority concludes that the High-Speed Train alternative is the environmentally superior alternative. (Draft EIR/EIS at 7-5.) And yet, the Draft EIR/EIS fails to identify significant environmental impacts and instead uses phrases like "consider sound barriers along noise sensitive corridors". (Draft EIR/EIS at 7-9.) Which corridors? How much benefit? Where topography raises the receptor or the High-Speed Train, will the barriers still be effective? What about impacts to wildlife? Will noise impacts to wildlife be considered noise sensitive corridors? The specific subject area analyses focus on potential mitigation strategies but do not provide any specific actions that will be taken by the Authority to address these impacts. (*See* Draft EIR/EIS at 3.4-23 to 3.4-25.) This approach violates the mitigation requirements of CEQA that 1) any mitigation include a performance standard, and 2) agencies not allow the physical change that would cause the impact to occur without satisfying the performance standard. (14 CCR § 15126.4.) The mitigation proposed in the Draft EIR/EIS in Table 7.3-1 does not meet either of these requirements. I134-13

Furthermore, the determinations of significance included in Table 7.3-1 are similarly flawed. (Draft EIR/EIS at 7-6 to 7-13.) The determinations of significance depend upon the unspecified mitigation measures discussed above and use terms like "potentially less than significant". (Draft EIR/EIS at 7-8.) This description does not provide the decision maker with adequate information about whether there will or will not be a significant impact.

4. The Authority Should Not Have Eliminated the Altamont Pass Alternative

The alternative route discussions are inconsistent and contradictory. In discussing the Altamont Pass option the Draft EIR/EIS dismisses the improved service from the Northern San Joaquin Valley to San Francisco that would occur across Altamont Pass because, "this represents a relatively short distance market, which holds less revenue potential and is more appropriately served by improvements to the existing commuter rail service, the Altamont Commuter Express (ACE)." (Draft EIR/EIS at 2-38.) Nonetheless, reduced service from San Joaquin Valley to the Bay Area was used as a reason to dismiss the Panoche Pass alternative. (Draft EIR/EIS at 2-35.) Therefore, the Draft EIR/EIS dismisses the Altamont Pass option which would provide improved service from the Central Valley population centers of Sacramento, Stockton and Tracy to the Bay I134-14

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Area by claiming that service from the Northern San Joaquin Valley can be better served by the ACE train. And yet, the Draft EIR/EIS dismisses the Panoche Pass option because it does not serve Northern San Joaquin Valley. The Draft EIR/EIS cannot discount improved service to the Northern San Joaquin Valley on one hand for Altamont Pass and use a lack of service to the same area to dismiss the Panoche Pass option.

The route options selected for splitting the train into three different routes at Newark/Fremont makes absolutely no practical sense. A much more obvious routing would be one line south to San Jose and one line north to Oakland. San Francisco could be served either under or over the Bay from Oakland, with a connection to BART in Oakland, or up the Peninsula from San Jose. A two track alternative would reduce the train split from three splits to two as is currently the plan from north of San Jose. If an option through San Jose to San Francisco or from Oakland to San Francisco using BART is selected, impacts to the Bay are eliminated. Altamont Pass provides the added benefit of following existing transportation corridors and avoiding the creation of a new transportation corridor from the San Joaquin Valley to the Santa Clara Valley. The Altamont Pass alignment is the only route between San Jose and Merced that meets the Authority's own goal of maximizing the use of existing transportation corridors. (Draft EIR/EIS at 5-2.) Thus, the Altamont Pass alignment would minimize impacts to new and as yet undisturbed property and natural areas. I134-14 cont.

5. The Subject Area Analyses are Insufficient

Each subject area analysis is only described at a screening level. None of these specific subject area sections are sufficient. The Luckhardt Family has included detailed comments on the air quality and noise sections of the document as a demonstration of the problems that occur in the other sections. However, we do want to point out that the biological resources , cultural resources, land use and visual resources discussions do not provide specific survey level detail that would allow a selection of alignment alternatives between Merced and San Jose. Each section includes a short set of conclusions about the various alignment options without any supporting studies and seems to rely upon the amount of land disturbed or cultural sites recorded as a determinate for impacts. The screening level of analysis presented in the biological resources, cultural resources, land use and visual resources discussions is insufficient for an alignment decision of the magnitude contemplated by the Draft EIR/EIS. I134-15

(a) The Air Quality Analysis is Now Out of Date Due to the New Federal $PM_{2.5}$ Standard and the Severe Non-Attainment Status of the San Joaquin Valley Air Basin

The air quality analysis does not include $PM_{2.5}$. $PM_{2.5}$ is now regulated separately from PM_{10}. The Draft EIR/EIS analysis does not reflect the impact of the different alternatives on $PM_{2.5}$. The analysis also does not include a discussion of the current status of the San Joaquin Valley Air Basin as "severe". Both $PM_{2.5}$ impacts and the severe status of the San Joaquin Valley Air Basin need to be included in the Draft EIR/EIS. I134-16

The Air Quality discussions of both the Sacramento Valley Air Basin and the San Joaquin Valley Air Basin attribute the growth in PM_{10} from vehicles as primarily fugitive dust from paved and unpaved roads (draft EIR/EIS at 3.3-12 to 3.3-13.) Just from the casual eye, one can imagine the differences in PM_{10} generation from a dirt road and a paved road. Although the High-Speed Train may reduce the numbers of cars on the freeways between major cities, it could not conceivably be considered to reduce vehicle miles traveled along unpaved roads in either the Sacramento or San Joaquin Valley Air Basins. Unpaved roads are typically driveways and smaller county roads serving households or outlying areas. None of these areas or vehicle miles traveled would be reduced by the High-Speed Train. People taking the High-Speed Train would still need to get from their homes along dirt driveways and dirt-county roads out to the main roads and major metropolitan areas to access the High-Speed Train. Since the information provided in the Draft EIR/EIS does not split out different sources of PM_{10}, it is impossible to know whether the High-Speed Train would truly create any PM_{10} reductions in the Sacramento or San Joaquin Valley Air Basins. (Draft EIR/EIS Tables 3.3-4, 3.3-5, 3.3-6, 3.3-7 and 3.3-9.)

In regards to CO, Table 3.3-9, which indicates that there are no values available for CO impacts under the modal alternative by county, finds potential modal impacts by County. (Draft EIR/EIS at Table 3.3-9.) One wonders how the authority was able to come to conclusions under the potential modal impacts section showing the amount of change from the no-project alternative when the only values that are given for CO are on a state-wide basis. I134-16 cont.

The High-Speed Train alternative comparison of air quality impacts presents a very skewed view of the air quality improvements claimed by the High-Speed Train alternative. The High-Speed Train alternative correctly includes emissions from power generated from power plants needed to provide the electricity to support the High-Speed Train in statewide emissions. But, the power plant emissions increases are not included in the emissions summary by air basin. (Draft EIR/EIS Table 3.3-9.) Therefore, all of the individual air basin emissions reductions shown in Table 3.3-9 only include the reductions from the High-Speed Train but none of the increases caused by the High-Speed Train alternative. For example, the San Francisco Bay Area shows a benefit of 1.8% for CO whereas the statewide benefit for CO is less than 1%. The PM_{10} benefit for the San Joaquin Valley Air Basin is shown as 3.06%, whereas the statewide impact, which includes the power plant emissions, is 0.78%. The ozone pre-curser TOG is listed as a benefit of 2.38% for the San Joaquin Valley Air Basin whereas the statewide benefit is 0.64%. Thus, the air quality benefits are highly skewed in favor of the High-Speed Train in the individual air basin discussion where increases in emissions to provide power to the High-Speed Train have been omitted. It is important also to note that this table includes PM_{10} impacts that have not been delineated between unpaved road dust and other emissions sources. Therefore, simply reducing the PM_{10} emissions by a reduction in vehicle miles traveled further skews the analysis in favor of the High-Speed Train alternative. Driving along dirt roads would be necessary for the individuals to reach any of the transportation options and would not decrease with the High-Speed Train alternative.

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(b) The Noise Section Fails to Provide Sufficient Analysis to Support a Conclusion on Noise Impacts and Severely Understates the Impacts to Quiet Rural Areas

The Draft EIR/EIS provides one general number for ambient noise levels in rural areas of L_{eq} of 40 dBA in Henry Coe Park. (Draft EIR/EIS at 3.4-13.) No information is provided regarding how the Authority came to determine this noise level for Henry Coe. No information is provided for the location of the noise monitor or the length of time over which the monitor operated. Did the analysis include nighttime hours? How close was the monitor placed to highway 152? What were the noise levels over time? Where there any single event occurrences that impacted the monitor? How often were the monitors checked? What were the technician's observations? There is no way to determine the accuracy of the measurements from the information provided. The Luckhardt Family notes that the noise levels along the Northern Tunnel route would be substantially lower than the levels measured for Henry Coe because there are no major highways through the area contemplated for the Northern Tunnel alignment. (Noise measurements conducted in rural areas as part of the California Energy Commission power plant siting proceedings have found rural area noise levels in similar settings to be in the low 30s L_{90}. *See* Commission Decision, Cosumnes Power Plan Project, Docket No. 01-AFC-19, at 125-126, Sept. 2003.)

I134-17

Furthermore, there is only one measurement provided over many miles of High-Speed train alignment. One noise level measurement does not provide sufficient detail to describe the conditions along miles of High-Speed Train where the noise levels are very high. Furthermore, the noise assessment uses L_{eq} and L_{dn} and a distance of 1000 feet from the track to determine the additional sound impact. These measurement types, which tend to reduce the impact of noise from periodic events like passing trains, and distance of 1000 feet are referenced to a Federal Railroad Administration ("FRA") manual that seems to refer only to impacts on people within buildings. (Draft EIS/EIR at 3.4-C-1, referencing U.S. Department of Transportation, Federal Railroad Administration, "High Speed Ground Transportation Noise and Vibration Impact Assessment," Washington DC, 1998 and at 3.4-C-2 and Figure 3.4-9. The Luckhardt family notes that we have been unable to determine that the referenced FRA manual has been adopted by the FRA as a regulation under the Administrative Procedures Act ["APA"]. If not adopted under the requirements of the APA, it is an underground regulation and cannot be used to provide justification for using the methodology provided in the manual. The Luckhardt Family further finds the FRA manual sections included in the Draft EIR/EIS to be inapplicable for rural applications due to the fact the impact chart does not include areas with ambient noise levels below 40 dBA. Therefore, we infer that the FRA manual was not created to address impacts from high-speed rail installations in rural environments. [The impact levels start at an existing noise exposure level of 40 dBA which exceeds the noise levels found in typical rural environments, Draft EIR/EIS at 3.4-D-2.]) In addition, the manual and the evaluation presented in the Draft EIR/EIS fail to address the impacts of the High-Speed Train traveling through a valley such as that contemplated by the Northern Tunnel alignment where the sound will echo.

The noise section does not contain any analysis of the real impacts on rural areas or attempt to comply with the CEQA significance criteria. The analysis determines a low noise impact on rural areas from the High-Speed Train. (Draft EIR/EIS at 3.4-10.) This conclusion flies in the face of the CEQA significance criteria selected for this Draft EIR/EIS, "a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project." (See Draft EIR/EIS at 7-4, selecting the environmental checklist for CEQA significance criteria.) The impacts section provides only the following conclusion for wilderness areas, the High-Speed Train "would introduce new noise sources along corridors through wilderness areas where the alignment is at grade or elevated." (Draft EIR/EIS at 3.4-17.) This short description hardly provides an analysis of the impacts to areas such as the Northern Tunnel alignment. Nor does it provide any guidance on the potential for significant increases in the ambient noise level in these quiet rural areas. I134-17 cont.

6. The Discussion of Grown Inducing Impacts Lacks the Underlying Analysis and Provides Only Conclusions.

The selected analysis period of 2035 is insufficient to give a complete picture of the impacts of the High-Speed Train. (Draft EIR/EIS at 5-5.) Although the year 2035 may provide insight into the impacts of a High-Speed Train after it is in operation, by using only 2035 (approximately 30 years from now) the analysis builds in a whole level of additional uncertainties and margin for error. Since land speculation around the potential High-Speed Train stations has already begun. Growth inducing impacts from the High-Speed Train option would be visible much earlier than 2035. The analysis should include at least one if not two intermediate years closer in time to allow for more accurate discussion of potential growth.

The discussion of financing of the alternatives does not fully address the cost of the High-Speed Train alternative. The initial estimate of $25 billion in costs is expected to be funded through "revenue sources that would not require direct tax increases or significant diversion of general fund revenues." (Draft EIR/EIS at pages 5-8 to 5-9.) The types of revenues described to cover this $25 billion are general obligation bonds, federal grants or loans, airport user fees, passenger facility charges and local funds. The general obligation bond amount is listed at $10 billion. (Draft EIR/EIS at 5-9.) This analysis assumes that over half of the cost of the High-Speed Train system will come from other funding sources. The analysis does not provide the interest rates used or any indication of whether the analysis took into account the current cost for California General Obligation Bonds or if the analysis assumed prior higher bond rating levels. The Draft EIR/EIS states that the modal alternative will decrease employment in part because of the increased taxation and user fees that might be needed to fund its higher initial capital costs. (Draft EIR/EIS at 5-10.) But, when discussing the fundings options for the High-Speed Train, the discussion includes existing airport user fees and state transportation revenue such as gas taxes. (Draft EIR/EIS at 5-9.) Since these existing funding sources are fully utilized at this time, one wonders how the High-Speed Train system expects to receive a large portion of these existing tax and fee sources without resulting in a subsequent impact on existing transportation corridors such as roads and bridges. Diversion of these funds to the High-Speed Train would in I134-18

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turn drive higher levels of gas taxes and airport user fees as well as other fees and funding sources. Given the current level of increased fees throughout the State of California from any entity that can increase fees, it seems quite naïve of this document to assume the High-Speed Train alternative could be funded from existing fee sources without a need for additional taxes.

The Draft EIR/EIS notes that estimated project costs have increased for the High-Speed Train alternative from $25 billion to $37 billion and yet, the discussion still assumes that the full $37 billion can be funded from the same funding sources that would have provided the $25 billion without any increase in fees or taxes (Draft EIR/EIS at 5-36.) The higher estimated cost does not include any additional bonding amount over the $10 billion previously stated in the earlier discussion. At this point, the bonding amount is approximately a quarter of the cost of the High-Speed Train alternative. Unless some magical amount of federal funding comes into the High-Speed Train alternative, either an increase in bonding capacity or fees would be required. Given the current level of State of California bonding, additional bonding may impact the State's ability to cover existing expenditures without increasing taxes. Although the current budgeting process seems to have avoided a direct increase in taxes, it has included numerous increases in fees with the current level of funding. Therefore, this analysis seems to greatly overstate the ability of the State of California to fund its share of the cost of the High-Speed Train alternative without increasing fees or taxes. Since the analysis of employment impacts from the High-Speed Train alternative does not include any impacts from increased fees or costs or increased taxes for debt service to the State of California, the analysis highly overstates the benefits of the High-Speed Train alternative.

I134-18 cont.

The most obvious piece of information missing from the growth inducing impact section of the document is a discussion and analysis of the impacts of the location of the stations on land development in relatively undeveloped areas. The document claims that "most of the alignment options would not create meaningful differences in overall urban area size or station-area development density." (Draft EIR/EIS at 5-21.) The discussion goes on to show a growth effect in the Antelope Valley, but fails to recognize the difference in the alignments between the Northern San Joaquin Valley and the Bay Area. Much of the discussion focuses on development in Merced, but fails to note that development patterns will differ dramatically if the project goes through Los Banos and Gilroy with stations in those locations. The Draft EIR/EIS has no discussions of the potential advantages to commuters living currently in Gilroy or Los Banos and commuting to the Bay Area for work or any increase in housing density near these stations.

For those of us living in the Northern San Joaquin Valley, it is absolutely astounding to see the conclusion that is reached in the Draft EIR/EIS that "additional population growth under the HST Alternative is driven by internal job growth (i.e., job growth that occurs in the same county as population growth) relative to initiation of the HST service, rather than by potential population shifts from the Bay Area and Southern California accompanied by long-distance commuting." (Draft EIR/EIS at 5-17.) Given the bedroom community developments in Tracy, Stockton, Los Banos, Woodland, Davis, Sacramento and various other locations in the Northern San Joaquin Valley, this conclusion proves that the analysis performed is inaccurate. The

analysis clearly fails to note the business location advantages of the "brain trust" created in the Bay Area by the concentration of numerous highly recognized educational institutions. The High-Speed Train alternatives will provide access to job centers in the Bay Area from affordable housing areas such as Merced and Los Banos. It is implausible for any analysis of this type of high-speed access to the Bay Area to exclude a detailed discussion of the growth inducing impacts of bedroom communities in the Northern San Joaquin Valley. Furthermore, the discussion in the Draft EIR/EIS simply presents these conclusions and does not provide any of the underlying analysis to indicate why certain industries would locate in locations like Merced as opposed to the Bay Area, and in fact, the document eludes to this bedroom community impact in one location where it states, "in all cases except Merced county, the incremental employment effect is much larger than the incremental population effect." (Draft EIR/EIS at 5-22.)

The document describes in a very general and conclusory way potential advantages to specific areas in proximity to a High-Speed Train station. (Draft EIR/EIS at 5-22.) Numerous references are made to "experiences in other countries". *(Id.)* This general statement is never supported by which countries and which cultures were being evaluated so that the reader could understand whether those impacts would be replicated in the United States with the California dream of each family owning an individual detached residence. Furthermore, in the discussion of land consumed under each of the alternatives, a reference is made to "this calculation" without providing the calculation or the assumptions that were made to reach the conclusion that the High-Speed Train alternative would have less land consumption than any of the other alternatives *(id.)*.

I134-18 cont.

The Draft EIR/EIS does not discuss individual cities or station locations stating that this is simply a first-level analysis; but the document does admit that much of the potential incremental growth will be associated with specific station locations. (Draft EIR/EIS at 5-23.) Since this document does propose to select specific station locations at least within individual cities, it limits the potential review of additional station alternatives. In order for this document to limit review of potential station alternatives, this chapter must include the growth inducing impacts on the towns identified as potentially having a station. This omission is especially glaring due to the admission in the document that those locations with stations will have the highest level of impacts from growth. (Draft EIR/EIS at 5-33.)

Similarly, the discussion of any impacts from electro-magnetic fields on individuals living near stations should also be discussed since the High-Speed Train alternative is expected to increase densities around station locations. Therefore, the two sentences on electro-magnetic frequency and electro-magnetic interference is clearly insufficient to analyze the potential impacts to individuals living in higher densities closer to the train stations. (Draft EIR/EIS at 5-25.)

Comment Letter I134 Continued

7. The Authority Should Not Select the Northern Tunnel Alignment Based Upon the Screening Level Analysis Presented in the Draft EIR/EIS

The Draft EIR/EIS does not provide a sufficient analysis of the environmental impacts of the Merced to San Jose alignment options. Any decision on the appropriate alignment options based upon the Draft EIR/EIS would be arbitrary and capricious. I134-19

Very truly yours,

DOWNEY BRAND LLP

Jane E. Luckhardt

Jane E. Luckhardt

JEL:ln

cc: Charles Luckhardt, Jr.
John D. Luckhardt
Charles Luckhardt, III

Response to Comments of Jane E. Luckhardt, August 31, 2004 (Letter I134)

I134-1

Please see standard response 6.3.1. The level of detail provided is sufficient for a program-level document.

I134-2

Please see response to Comment I134-9.

I134-3

Comment acknowledged. The co-lead agencies believe the Draft EIR/EIS meets or exceeds CEQA and NEPA requirements.

I134-4

Specific mitigation measures and performance standards to mitigate significant impacts are project-specific level of detail.

I134-5

Please see standard response 2.18.1.

I134-6

Please see Chapter 5 of the Program EIR/EIS and the supporting technical report by Cambridge Systematics referenced in the Program EIR/EIS.

I134-7

Please see response to Comment I134-16.

I134-8

Please see response to Comment I134-17.

I134-9

The Authority took reasonable and appropriate steps, given its limited staff and budget resources, to make the Draft Program EIR/EIS widely available to the public, consistent with CEQA and NEPA requirements. Due to the broad public interest in the proposed HST system, the Authority distributed over 1,200 copies of the CD version of the Draft Program EIR/EIS. The Draft Program EIR/EIS was also available for viewing in hard copy at more than 30 public libraries, and it was posted (along with the supporting technical documents) on the Authority's website. The comment refers to a federal code section which does not apply here. Please also see standard response 8.1.16.

I134-10

The co-lead agencies acknowledge the purpose of the Program EIR/EIS to provide sufficient information to support the decisions to be made. In this regard the Co-Lead agencies have determined that more information is required to provide a basis for selecting an alignment option between Merced and the San Francisco Bay Area. Please see standard response 3.15.7 regarding anticipated future reviews of alignment options between the Central Valley and the Bay area and standard response 3.15.2 regarding the more general level of review in this PEIR/S and the more detailed impact reviews anticipated under the project-level, Tier 2 studies.

At the programmatic level of environmental review the analysis is focused on identifying and highlighting areas of potential impact to be avoided and/or considered further during subsequent project level environmental review. If this proposed project is carried to a project level of environmental review, preliminary engineering will be conducted allowing for a greater precision in the location of the proposed HST facilities and their associated configuration/design. The project level analysis will provide a more detailed analysis of potential direct and indirect affects, based on specific design attributes. The detail of engineering associated with the project level environmental analysis will allow the Authority to further investigate ways to avoid, minimize and mitigate potential impacts.

The development of HST alignment and station options for the Draft Program EIR/EIS included an extensive screening analysis in which

many alignment and station options were eliminated from further consideration due to higher potential for environmental impacts. The remaining alignment and station options were analyzed in the Program EIR/EIS to identify and compare potential impacts, which resulted in the identification of a preferred system of alignment and station options. In this process many additional alignment and station options were also eliminated from further consideration (e.g., the northern mountain crossing alignment options that traversed Henry Coe State Park, See Standard Response 6.3.1). The subsequent preliminary engineering and project level environmental review will provide further opportunities to avoid and minimize the potential effects to the environment, as more specificity is defined for proposed alignments and facilities.

I134-11

The HST Alternative is described in Section 2.7 of the Program EIR/EIS. Chapter 6A also describes the preferred HST system of alignment and station options for consideration in subsequent project level environmental review. Section 3.18 discusses construction methods and potential impacts in general for the statewide system.

I134-12

Please see standard response 6.3.1.

I134-13 (and I134-17)

The Authority and FRA believe that this screening distance of 900 feet is sufficient to estimate the number and extent of potentially noise affected parks and recreation areas at a program level of analysis. The purpose of the screening analysis undertaken is to provide a measure of noise-sensitive receivers that are close enough to the proposed alignments for noise impact to be possible. Specific HST noise levels will be determined during the project level noise assessment.

The screening procedure provides distances from the center of a corridor to define an area enclosed by parallel contours. However, noise and vibration impact criteria relate to the number of people who are likely to be annoyed by activity interference. The areas defined by the screening distances along the alignments, together with available US census based population density information in GIS format, provide a measure of the number of people impacted by HST and the other alternatives. The number of people impacted is a parameter for comparing the alternatives. A tabulation of people alone is not the only indicator for noise and vibration impacts – noise-sensitive institutional and multi-family land uses must also be factored in to the assessment. This information is provided in the regional technical reports. Future project level analysis would provide detailed inventories of sensitive land uses.

FRA's noise impact criteria are not based on a single Ldn value of 65 dBA; instead, the criteria are ambient-based, which means they include effects of relative changes in ambient noise due to a project. The criteria are derived from the expected human annoyance from noise exposure established by the US EPA, with consideration of levels "requisite to protect public health and welfare with an adequate margin of safety" as well as the minimum differences in levels required for a change in community reaction. The development of the criteria is explained in Appendix A of the FRA guidance manual.

At the program level, however, a more general rating system is appropriate in order to compare the potential severity of noise and vibration impacts and the need for mitigation among system alternatives and alternative HST corridors. The impact rating methodology provides a comparison of the lengths of corridor where mitigation may be required. This analytic approach provides information sufficient to estimate the relative potential for noise impact as well as potential mitigation costs associated with each alignment option being compared. The Authority followed FRA guidance when the analysis was initiated that specified a screening distance of 900 feet for new rail corridors in rural areas.

Please see Standard Response 3.4.1 regarding potential noise impacts on wildlife.

I134-14

Please see standard response 2.18.1.

I134-15

See Response I134-10.

I134-16

Regarding PM2.5: the air quality analysis for Draft EIR/EIS was conducted in 2003 – more than a year before the U.S. Environmental Protection Agency designated PM2.5 non-attainment areas. These designations were based on a review of three full years of monitored data, which were not fully compiled at the time of this analysis. Three years of data were required to determine compliance with the PM2.5 standards.

The air quality chapters provided in the EIS/EIS are based on the data and information that were available at the time that the analyses were conducted.

Regarding PM10 reductions associated with reduced vehicle miles of travel (VMT): changes in PM10 emissions in each air basin were estimated by calculating the ratio of the estimated emissions generated in an air basin (by the California Air Resources Board (CARB)) by the CARB-estimated on-road mobile VMT in that basin, and then multiplying the estimated changes in VMT associated with the HSR by this ratio.

The on-road mobile emissions used in the HSR estimates refer only to tailpipe emissions. Road dust emission from both paved and unpaved roadways is classified as an area-wide source by CARB. Reductions to road dust emissions were not included in the HSR analysis. The emission reductions were therefore not overestimated since the emissions from unpaved roads were not decreased due to the HSR.

Regarding changes in CO emissions shown on Table 3.3-9: changes in CO emissions shown on Table 3.3-9 are both on a state-wide and an air basin basis.

Only CO2 (not CO) was considered on a state-wide basis only. The reason for this is that CO2 is not a “criteria” pollutant that is of local public health concern. CO2 is a greenhouse gas pollutant that is of concern principally as it may contribute in some way to global warming.

As such, in order to show how changes in CO2 emissions as a result of the HSR alternatives might affect global warming, only overall state-wide changes were provided.

Regarding power plant emission estimates associated with HSR emissions: increases in emissions from power plant operations as a result of increased HSR power usage were estimated on a statewide basis. These estimates were made using statewide data on the different sources of fuel used to generate this energy (i.e., natural gas, oil, nuclear, hydroelectric, wind power, etc.). This information, however, cannot be compiled by air basin because the energy produced by an individual power plant goes into the region’s power grid, and it is the grid that supplies energy to individual users. There is no way to accurately estimate which power plant supplies energy to a specific user – even if a facility are located adjacent to a user.

I134-17

Please see standard response 3.4.1.

I134-18

The growth inducement analysis was conducted for 2020 and 2035. The technical report on economic growth effects provided detailed results for both analysis years. The Draft Program EIR/EIS presented results for 2035 since these results indicated higher potential growth inducement than 2020. Also, year 2035 results reflected a longer time span from system implementation, allowing more time for the travel time, cost and accessibility benefits to work through the economy. The HST system was assumed to open in about 2017, so 2020 is an appropriate initial analysis year.

The growth inducement analysis did not make any specific assumptions regarding bond interest rates or rating level. Section

5.3.2 of the Draft Program EIR/EIS fully discloses all assumptions that were made regarding project financing, including an indication that current costs for California's general obligation bonds were considered in preparing the financing assumptions. Bond interest rates and rating levels are not directly relevant to the growth inducement analysis. At the time this analysis was undertaken, the annual debt service on a $10 billion bond was within the range of the State's historical and future bonding patterns.

The co-lead agencies respectfully disagree with the assertion that inconsistent funding assumptions were developed for the Modal and HST Alternatives. As noted on Pages 5-9 and 5-10 of the Draft Program EIR/EIS, the first $25 billion in capital costs for the Modal and HST Alternatives were assumed to come from the same existing sources. The Draft Program EIR/EIS lists of number of possible funding sources, and does not assume that specific amounts will be raised from any source. As noted by the commenter, it is possible that some funding sources such as state transportation revenues and airport user fees might be fully utilized in the near-term. Nonetheless, the analysis does not assume that "a large portion of these existing tax and fee sources" will be diverted to an HST system, so near-term utilization does not affect the analysis results. Furthermore, Section 5.5.3 of the Draft Program EIR/EIS presents a sensitivity analysis of project cost and funding assumptions. Results from the sensitivity analysis indicate that even if the entire $37 billion capital cost were funded from increases in state taxes, the HST Alternative would still lead to a net statewide increase in jobs (409,000) and people (608,000) over the No-Project Alternative.

The majority of proposed HST station sites are in areas that are currently urbanized, and none of the preferred station locations are in undeveloped areas. The Draft Program EIR/EIS directly analyzed the differential effects of locating HST stations in rural areas versus urbanized areas. Section 5.3.5 of the Draft Program EIR/EIS summarizes potential effects of shifting the station location to outlying and rural areas, and several portions of Section 5.4 provide detailed quantification of the potential indirect impacts of locating HST stations in outlying areas. Further detail on the growth impacts of outlying stations is presented in Sections 4.2 and 5.2 of the technical report on economic growth effects.

The EIR/EIS analysis indicates that HST station locations, rather than potential HST alignments, create the actual accessibility benefits of the HST system. HST stations, not alignments, create the potential for induced growth effects and indirect impacts, if any. Remaining station location sites in the Central Valley are either currently urbanized or will be urbanized even in the absence of HST. The commenter's statement regarding the potential for rural stations to redirect growth and development away from urban areas was reflected in the Draft Program EIR/EIS. In particular the last sentence in Section 5.3.5 on Page 5-21 states: {t]he analysis suggests an advantage, both in terms of potential HST ridership inducement and growth control, with locating HST stations in or near the downtown areas instead of in suburban or undeveloped areas. Also, several portions of Section 5.4 of the Program EIR/EIS provide detailed quantification of the potential indirect impacts of locating HST stations in outlying areas.

Please see standard response 5.2.6 for issues related to commuters currently living in Gilroy or Los Banos. The Authority did not include a potential station at Los Banos as part of the preferred HST alignment and station locations, please see standard response 6.11.1 and standard response 6.3.1.

The statement related to "additional population growth under the HST Alternative..." was in reference to the increment of population and employment induced by the HST Alternative, not the total increase from existing conditions. The co-lead agencies acknowledge the commenter's contention that many residents of communities in the Northern San Joaquin Valley commute to Bay Area jobs and will continue to do so in the future. The analysis and results for each system alternative account for this reality. Please see the extensive discussions of long-distance commuting in standard response 5.2.4 and standard response 5.2.5.

Section 5.3.1 of the Draft Program EIR/EIS described the analysis methodologies and the factors that would lead to business expansion

in an area served by the HST Alternative. More detailed information is provided in Section 3 of the technical report on economic growth effects. The text quoted by the commenter (...the incremental employment effect is much larger than the incremental population effect...) documents the analysis findings that the HST Alternative will not create a widespread "bedroom community impact."

Information on development experience around HST stations in other cities was detailed in Section 3.3 of the technical report on economic growth effects. This potential for growth concentration was directly incorporated into the induced growth and indirect impacts analysis at a level appropriate to a program-level EIR/EIS.

The term "this calculation" cited by the commenter relates to the statistic described in the prior sentence on Page 5-22. The co-lead agencies have revised the text in the Final Program EIR/EIS from "calculation" to "summary statistic" in order to make the link to the prior sentence more explicit.

The co-lead agencies respectfully disagree with the commenter's contention that the Draft Program EIR/EIS does not discuss individual cities or station locations, or that the analysis results are insufficient for differentiating between alternative station locations within a community. Each county with a potential HST station site was individually analyzed. Also separate analyses were performed for different HST alignment and station options, and were reported in Section 5.3.5 of the Draft Program EIR/EIS and Sections 4.2 and 5.2 of the technical report on economic growth effects. Also, it is important to note that localized site-specific impacts and potential mitigations of station design options will be assessed in the project level analysis when potential station sites are considered in detail and when more detailed information about station access patterns and potential roadway modifications will be known. The design detail and analysis tools needed to assess these issues are neither available nor necessary for differentiating between statewide system alternatives at a program-level.

The co-lead agencies respectfully disagree with the commenter's contention that the Draft Program EIR/EIS states that "those locations with stations will have the highest level of impacts from growth." While additional economic growth would be expected in close proximity to stations, results of analysis presented in Section 5 of the Program EIR/EIS do not identify any significant impacts from the indirect effects of growth inducement at the program level of analysis. In part this result is due to the strategy of locating stations at urban centers that are already developed in order to reduce or avoid potential impacts.

I134-19

Please see standard response 6.3.1.

Comment Letter I135

I135

Sallie W. Neubauer
1501 Cerro Gordo St.
Los Angeles, CA 90026
August 31, 2004

Mehdi Morshed, Executive Director
CA High Speed Rail Authority
c/o 925 L Street, Suite #1425
Sacramento, CA 95814

Re: Draft CA High-Speed Train HST Draft Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS)
SCH 2001042045

Dear Mr. Morshed,

As past president and longtime steering committee member of the Citizens Committee to Save Elysian Park, a group of volunteer activists who since 1965 have been saving Elysian Park, Los Angeles' oldest and second largest park from encroachments, I am writing to strongly oppose any plan to put rail through Taylor Yard and the Cornfields. These are newly created State Parks that the Draft EIR/EIS does not event acknowledge! The urban core community around these new parks fought long and hard for them. I know with certainty there would be much public outcry against this proposal if anyone knew about it. I135-1

Therein lies my second big objection to this proposal. No one—not even the city councilmembers who represent Taylor Yard, the Cornfields, and the surrounding neighborhoods—knew about it until last week. Surely something of this magnitude deserves more public input. I strongly condemn this underhanded treatment and trust it will be rectified with widely publicized additional public hearings.

Thank you for your consideration.

Sincerely,

Sallie W. Neubauer

AUG.31.2004 13:27 PRUDENTIAL JOHN AMROE #6415 P.002/002

Response to Comments of Sallie W. Neubauer, August 31, 2004 (Letter I135)

I135-1

Please see standard response 6.24.2. Please also see standard response 8.1.16.

Comment Letter I136

I136

RECEIVED AUG 31 2004

E-mail message

From: MPetitjean@webtv.net(Margaret Petitjean)
Date: Thu, Aug 19, 2004, 1:16pm
To: CITY.COUNCIL@MENLOPARK.ORG, WLM@jsmf.com, ksteffens@menlopark.org, dsboesch@menlopark.org
Cc: smartgrowth@abag.ca.gov, senator@boxer.senate.gov, bentley@ble.org, senator.sher@sen.ca.gov, Michael.N.Lewis@Parsons.com, paynec@samtrans.com, city_council@city.palo-alto.ca.us, Diana@DianaDiamond.com, senator@feinstein.senate.gov, e63@cpuc.ca.gov, matt.welbes@fta.dot.gov, Governor@Governor.ca.gov, mcavoyi@samtrans.com, JimBigelow@yahoo.com, joe.simitian@asm.ca.gov, jskatz@stanford.edu, jrahimi@menlopark.org, feith.ken@epa.gov, joseph_kott@city.palo-alto.ca.us, board.secretary@vta.org, info@mtc.ca.gov, boardsecretary@caltrain.com, frits.vanderlinden@sun.com, Hoitk@samtrans.com, Ron.Ries@fra.dot.gov, rundell1@leland.stanford.edu, r9.info@epamail.epa.gov, BoardSecretary@samtrans.com, senator.speier@sen.ca.gov, jhill@co.sanmateo.ca.us, mnevin@co.sanmateo.ca.us, rosejg@co.sanmateo.ca.us, editorial@paloaltodailynews.com, letters@smindependent.com, Tweil@igc.org, Bobcast444@aol.com, Kim@transcoalition.org, President@whitehouse.gov, editor@cAlmanac.com, annagram@mail.house.gov, ashok_aggarwal@city.palo-alto.ca.us, cdpiercy@stanford.edu, david@ecomagic.org, David.Valenstein@fra.dot.gov, cdilauro@aol.com, Frankli@quiknet.com, citz4dBAbate@webtv.net
Subject: California High Speed Rail

Hon. Mayor and Councilmembers, et al

Regarding the Resolution being sent to Sacramento by the city Menlo Park, to be signed by the mayor, before the comment period ends on August 3l, 2004, it is questionable whether a preference for the route of the HST should be included, as was pointed out by councilman/attorney, Nicholas Jellins and Jim Bigelow of the Chamber of Commerce at the 8/17/04 council meeting.

While it is arguable whether it is appropriate to belatedly opine on deficiencies in the EIR/EIS with regard to mitigation, etc., should not the chosen route be voted on by informed and educated officials and the taxpayers with full knowledge of the controversies after proper public hearings?

The proposed state bond for high speed rail will provide only the state's share for the initial SF-LA system. After that first phase is running, construction will begin on additional lines.

Three years ago the Altamont route was considered carefully and

dropped for the following reasons:

According to the learned executive director of the official High Speed Rail Authority, Mehdi Morshed, the choice of the Altamont route initially would result in it never reaching the West Bay and San Francisco (where a modern transit terminal is proposed linking all transit modes, including AMTRAK, Caltrain, etc.)

The renovation of the of Dumbarton Rail Bridge at its present location would be inadequate and interfere with shipping. With the Altamont route, an expensive tunnel or a new high rail bridge would be required to cross the Bay. This would severely affect residents on the Dumbarton route and require more expensive mitigation measures.

Even if this were eventually achieved, it would require a three-pronged fork in the tracks, with trains running inefficiently to Oakland, San Francisco and San Jose.

Mr. Morshed has stated publicly that "A study is going to say about Altamont the same thing our screening study showed. Most of us feel that if you do Altamont Pass, you'll never get to the West Bay".

In recent months, Morshed has told Bay Area transportation officials and San Joaquin Valley towns that the Altamont route was ruled out because it would take a bridge or a tunnel or would wipe out homes.

Mr. Rod Diridon assured an audience at a public meeting that there is room on the Caltrain Corridor for the extra set of rails, except in one or two places; San Bruno, for example. The high speed trains cannot operate on the present freight and commuter tracks but would traverse at a slower speed through Peninsula cities.

Opinions have been voiced that safety would be increased by separating trains from traffic at all crossings eliminating congestion, blasting horns and clanging bells. Pollution would be greatly reduced with electrification and would benefit the existing commuter service. Air and noise impacts would be reduced for residents and train engineers, all of whom are under great life-shortening stress with the present polluting system.

Personally, I wish the Caltrain Corridor were moved elsewhere and that the any further construction not take place in my lifetime. Certainly, there should be no more homes built alongside these tracks.

It is especially disconcerting when transportation officials' recommendations are overridden by personal councilmembers' opinions especially if they have not read the EIR/EIS and are relying on competent staff members who ruled out the Altamont route.

The envious lobbyists, environmental extremists and radical activists are spewing misstatements, as usual, upon the ears of the trusting public and local officials. High Speed Trains are not intended for local commuters, bicyclists, etc. (e.g. BayRailAlliance who are opposing the chosen route).

This is a monumental decision which will greatly affect the health, welfare property values and economy of the region and should not be taken lightly in the interests of a few lobbyists and huggers of trees

Comment Letter I136 Continued

California High Speed Rail · Monday, August 30, 2004 1:40:35 PM · Page 3 of 3
WebTV Networks

which should not have been planted on the R.O.W. so close to the tracks in the first place. Caltrain officials have suggested Italian Cypress plantings as most appropriate for safety and aesthetic purposes.

Elimination from the Resolution of a route preference is urged and would be most prudent.

Margaret Petitjean, 489 Waverley St., Menlo Park, CA. 94025 Tel: (650) 322-7154

H.O.R.N. (Halt Outrageous Railroad Noise - Peninsula) H.A.L.T. (Homeowners Against Loud Trains - S.F.Peninsula) Citizens for Noise Abatement
S.A.D. (Sleep-deprived Americans Driving) Margaret Petitjean

cc: High Speed Rail, Sacramento ✓ ATTN: DRAFT PROGRAM COMMENT ON EIR/EIS

MENLO PARK HAS REJECTED HST IN SAN MATEO COUNTY GOING THROUGH MENLO PARK. NOT BY PUBLIC VOTE!!!

FEDERAL RAILROAD ADMINISTRATION : SAFETY · Monday, August 30, 2004 3:33:51 PM · Page 1 of 1
http://www.fra.dot.gov/us/content/1318

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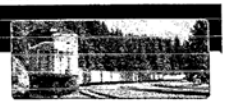
Federal Railroad Administration



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Legislation, Regulation, & Litigation

In this section...

- Guidance on the Quiet Zone Creation Process
- Extension of Comment Period
- Public Hearing February 04, 2004 Washington, D.C.
- Quick Facts
- Summary
- Status of Existing Whistle Bans
- History and Background
- Interim Final Rule
- Research Studies and Reports
- Public Docket
- Procedure for Updating the DOT Crossing Inventory
- Press/Media
- FAQs
- Quiet Zone Calculator
- Glossary of Terms
- Points of Contact

Site Search: GO

Interim Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings

July 2004
Contact - Ron Ries
202-493-6285

In response to a legislative mandate, FRA has issued an *Interim Final Rule* for the Use of Locomotive Horns at Highway-Rail Crossings. The rule requires that locomotive horns be sounded as a warning to highway users at public highway-rail crossings. In accordance with a legislative requirement, the rule will not take effect until one year following the date of its publication on December 18, 2003. Until December 18, 2004, the sounding of the locomotive horns at crossings will remain subject to applicable State and local laws.

The rule also provides an opportunity, not available until now, for thousands of localities nationwide to mitigate the effects of train horn noise by establishing new "quiet zones." The rule also details actions communities with pre-existing "whistle bans" can take to preserve the quiet they have become accustomed to.

The comment period on the *Interim Final Rule* ended on April 19, 2004; however, comments received after that date will be considered to the extent possible without incurring additional expense or delay. Comments may be submitted online to docket number 6439 via the U.S. Department of Transportation's online Docket Management System at http://dms.dot.gov .

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Response to Comments of Margaret Petitjean, August 19, 2004 (Letter I136)

I136-1

Repeated comments. Please see responses for O079.

Comment Letter I137

I137

August 26, 2004

RECEIVED
SEP - 7 2004

Mr. Joe Petrillo, Chair
California High Speed Rail Authority
925 L St., Suite 1425
Sacramento, CA 95814

Dear Mr. Petrillo:

This letter presents comments on the California High Speed Rail Draft Program EIR/EIS.

The DEIR/S is flawed because it omits the possibility of an Altamont Pass alignment as an alternative to tunneling through the more mountainous Mt. Hamilton and Pacheco Pass areas to connect the Central Valley to the Bay Area. As you may know, the Altamont Pass alignment was the recommended preferred alignment of the Intercity High Speed Rail Commission, the predecessor to the California High Speed Rail Authority (HSRA).

An Altamont Pass alignment would follow the existing I-580/I-680 corridor, with the following potential benefits:

- No impact on Henry Coe State Park, the second largest state park in California, including its pristine Orestimba Wilderness I137-1
- Less overall growth inducement in wilderness and undeveloped areas
- Less impact on wetlands
- Faster Los Angeles-San Francisco travel times
- Service to over 1 million East Bay and Northern Central Valley residents in Phase I of the project.
- Traffic congestion relief on I-80 and I-580/I-680
- Much faster travel times between the Bay Area and Sacramento
- Cost savings of up to $2 billion, according to documents in the DEIR/S record.

This Program DEIR/S should not be used to decide which alignment to use. Rather, a new EIR/S should fully explore an Altamont Pass alignment, providing a complete and careful comparison to other alignment options for public comment.

Thank you for your consideration of these comments.

Sincerely,

Mary Ellen Hasbrouck

Mary Ellen Hasbrouck
1301-B San Domar Drive
Mountain View, CA 94043

Response to Comments of Mary Ellen Hasbrouck, August 26, 2004 (Letter I137)

I137-1

Please see standard response 2.18.1.

Comment Letter I138

I138

RECEIVED
SEP - 7 2004

Architecture 21
www.arch21.org mk@arch21.org
1000 Union Street #207 San Francisco, CA 94133

30 August, 2004

Re: Comments on DEIR/EIS for the proposed California High Speed Rail Project

To whom it may concern:

I have been following the State of California's progress on High Speed Rail since 1980, when I was in the eighth grade, and received the RFP for the initial project. Page 9-2 of the 1996 High Speed Rail Summary Report and Action Plan assumed the financial plan for the project would be on the 1998 or 2000 ballot. Something has gone very wrong with this project.....

California needed this project 20 years ago, soon after the French proved the effectiveness of a new high speed rail system. Sadly, the information and analysis in the current DEIR/EIS is nowhere close to the level needed to move this vital project forward. My questions and comments on some of the most troubling assumptions in the DEIR/EIS are included in the following text.

I would be very happy to meet with staff and consultants to further clarify my questions and comments.

-Michael Kiesling

Notes on CHSRA DEIR/EIS

The document overreaches the scope of a Program-Level EIR/EIS. The document seeks to predict the intrastate transportation infrastructure for the year 2020, and then find the best way to meet the (assumed) projected demand. At this macro-level, it defines a high speed rail system to meet the projected demand. It then develops improvements and expansions to the existing highway and air travel infrastructure to meet the same projected demand. These constitute the project alternatives, listed in Section 2.1 of the DEIR/EIS, page 2-1. The alternatives to be studied are:

2.1.1 No Project Alternative - assumes planned improvements to the existing transportation infrastructure

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2.1.1 Modal Alternative - "potentially feasible" highway and aviation system improvements

2.1.2 High Speed Train Alternative - "reasonable and feasible" alignment and station options.

Why does this project level DEIR/EIS go beyond the stated alternatives in Section 2 and enter in to the question of defining a single HSR alignment and route? I138-1

Demand was predicted prior to the initiation of the EIR/EIS. Why not satisfy the program level EIR/EIS by determining the environmental superiority (or not) of a HSR alternative prior to establishing a set alignment? Isn't there the strong possibility that unforeseen impacts will be unmitigable?

What is the legal threshold between a "program level" and project level" EIR/EIS? Has this threshold been crossed by the CHSRA? Will that threshold be crossed by the CHSRA by using the EIR/EIS to define a single route for implementation? I138-2

2.5.2 Modal Alternative Carried Forward

Highway Component

Why is I-680 not considered for improvement? Isn't I-680 a primary route for Bay Area-Sacramento area auto traffic, especially from the Santa Clara and San Ramon Valleys? What was the criteria for determining the highway component of the Modal Alternative? Was this criteria, if it exists, applied evenly throughout the state?

Why are there no highway improvements assumed between the San Francsico Peninsula (I-80, SR-92, SR-84) and the East Bay when there are three stations assumed for the HSR system on the peninsula? How are the 15,630 daily trips (2000 CRA Table E-9) generated by the three peninsula stations to be accommodated by the modal alternative? Is it assumed all these trips will travel via US-101 and SR-152 to reach the Central Valley and Los Angeles? What travel data backs this assumption? Aren't the majority of trips between the San Francisco peninsula and the Central Valley / Los Angeles made via I-580 (Altamont Pass)? Aren't the majority of trips between the greater Bay Area and the Central Valley / Los Angeles made via I-580 (Altamont Pass)? I138-3

Exisitng I-5 between SR-99 and SR-14 is a 8-10 lane facility. Why is it listed in Table 2.5-1 on page 2.19 as a 6 lane facility?

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Aviation Component:

How can it be assumed "future local/regional trips would shift from San Francisco International Airport to Oakland International Airport and the airport in San Jose" (p 2.21)? How will the privately owned and operated airlines shift their service plans to accommodate this assumption? How realistic is this assumption of a reduction of local/regional flights (assumes reduction to accommodate growth in long distance/international flights) when many of the shorter flights serve to fill the longer flights? How does this assumption of a shift in the flights to the two other Bay Area airports affect traffic congestion on the regional highway system? How does this affect the investments in fixed transportation infrastructure to SFO? How do limitations on operating hours (San Jose) and environmental issues (bay fill Oakland) affect this assumption? Where has this planned shift of services between airports happened in the United States? What is the governmental authority to do so? I138-3 cont.

2.6 High-Speed Train Alternative

Why was the Altamont alternative dropped when the Final Report - Corridor Evaluation, December 30, 1999, states the following about the retained Pacheco Alternative:

"this alternative leads to a Sacramento to San Francisco travel time of 1 hour and 48 minutes, which is not as competitive with other modes of travel compared to the Altamont Corridor alternative."

In other words, **Pacheco does not attract as many trips between the Bay Area and Sacramento as does Altamont.....**

"the time to San Francisco is only 3 minutes longer". I138-4

In other words, **trips using the Pacheco alignment are 3 minutes longer to the majority of Bay Area stations.....**

or, **trips using the Pacheco alignment are 3 minutes longer to the second-busiest station in the system, San Francisco, from every location.**

or, **trips using the Pacheco alignment are 3 minutes longer for almost 70% of the passengers with origins/destinations in the greater Bay Area...**

"the Pacheco Pass option would have more negative environmental impacts as compared to Altamont Pass option."

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"There would be substantially more water crossings associated with this alignment including over 20 small streams between the San Joaquin River and Los Banos." I138-4 cont.

Why are travel times and environmental impacts ignored when the decision was made to completely drop the Altamont Alignment from consideration?

Travel Times / Operations

How do longer travel times to the second (San Francisco) and third (Sacramento) busiest destinations on the system meet the goals of fastest travel time? How does a greater than ten-fold increase in wetlands impacts by acre (Altamont 27.4, Pacheco 290.0 - Appendix 2-H CHSRA EIS / EIR - January 2004) reduce environmental impacts? Why is it stated "the greatest benefit of the Pacheco Pass is found in system operations since all trains would pass through San Jose " (p 2.36), when San Jose is not even one of the top five busiest stations? Why was the statement revised from the 9/3/01 report that said, "the greatest benefit of the Pacheco Pass is that all trains would pass through San Jose"? I138-5

How do operations improve by creating a system with a greater overall length, especially when operation and maintenance costs are based on train and track miles? How well is equipment utilized if trains must serve both the San Francisco peninsula and San Jose on a single line? San Jose - San Francisco travel time is about 20% of the total trip time for a San Francisco - Los Angeles run, yet trains will run at only 2/3 capacity if they need to serve all Bay Area stations on a single line. Isn't it more efficient to run full trains to their destinations? Wouldn't Altamont be a more efficient way to operate, with a schedule that considers the demand for all stations, providing service balanced to demand?

Given that the system must be constructed in phases, please provide estimated ridership (broken down by station origin and destination) and estimated operating revenue and estimated operating cost for both the initial system, any subsequent phases, and full system build-out. Which choice of initial operating system has the highest return on investment as measured by operating surplus minus borrowing costs? Would an initial operating system via the Altamont Pass provide a higher return on investment by this metric? I138-6

If a longer and slower Palmdale alignment is chosen in Southern California for geotechnical or other reasons, how will this affect decrease ridership to and from the Bay Area? How much less would ridership decrease if the system entered the Bay Area via the Altamont Pass, which previous studies showed resulted in a lower trip time for the majority of passengers?

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South Bay Wetlands

The environmental impact of a new bay crossing is given as a reason to eliminate Altamont. Why was the Mulford Line alternative for the San Jose - Oakland line retained in the DEIR/EIS when Altamont wasn't? What was the criteria employed to determine impacts on the South Bay wetlands? The Mulford alternative affects over seven times the acreage of wetlands of the Altamont alternative (Altamont 6.7, Mulford 49.9 - Appendix 2-H CHSRA EIS / EIR - January 2004). Both pass through the Don Edwards refuge. Mulford passes through an area planned for restoration, Altamont doesn't. The Dumbarton line (Altamont) is publicly-owned and planned for reactivation as a publically-operated commute rail service. The Mulford line is owned by the UPRR and operates as a freight railway, along with Amtrak and ACE passenger service. The Mulford line will require a separate facility for HSR. Coordination of service would allow Dumbarton (Altamont) to run on the same facility as the HSR. Is the implementation of a new facility on the Mulford line present fewer impacts than a consolidated facility on the Dumbarton alignment? I138-7

Dumbarton HSR Crossing Estimate

Cite a single high speed rail bridge with a cost approaching anywhere close to the $1.2b quoted for the new Dumbarton crossing. The longest brige on the new Dutch HSR, over the Hollandsch Diep, is about the same length and has about the same main span as a high-level Dumbarton crossing would, but it cost less to build than even the Authority's previous estimate for Dumbarton, $300m. From:

http://enr.construction.com/features/transportation/archives/030630.asp

Hollandsch Diep

Designed to carry fast, heavy trains on a 2% slope, the bridge has 12, mainly 105-m spans with a continuous single trough deck topped with a 14-m-wide composite concrete slab. The roughly 3-m-deep steel troughs rest on V-shaped pier-top supports of similar dimensions. I138-8

The mainly Dutch, six-firm consortium HSL-Drechtse Steden signed the $427 million design-build contract in mid-2000, aiming to complete the bridge next May. Two 2.5-km sunken tube tunnels under the Oude Maas and Dordtsche Kil rivers, plus some 9 km of simple track also form part of the contract.

Except for concrete piers, all major elements, including nearly 9,000 tonnes of steel, are prefabricated nearby and delivered by river. Precast concrete caissons, each sunk onto large steel piles, support cast-in-place piers. The 25-m- long x 10-m-wide caissons travelled on pontoons before being sunk into place.

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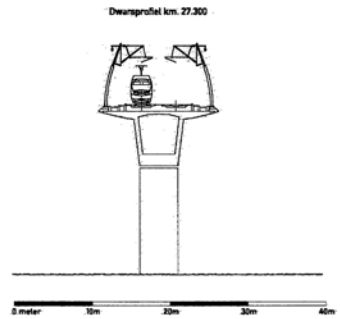
Deck steelwork troughs were barged to site in 60-m lengths, with concrete slabs already attached, all weighing some 1,200 tonne. At each pier top "hammerheads" form the deck support and end sections of each span. Hammerheads are 45-m-long box fabrications made integrally with V-shaped supports of similar proportions bearing on the piers.

Too tall to clear overhead obstructions on the boat ride from the fabricator's yard, hammerheads travelled to the site on their sides, leaving tops slabs to be cast later on the bridge.



Cross Section of the Hollandsch Diep bridge on the new Dutch HSR line

I138-9

The above description of the Dutch bridge seems to be much closer to the requirements and cost for a new Dumbarton crossing than What was the methodology for the $300m estimate for a Dumbarton Crossing in the initial HSR studies? Why does the DEIR/EIS quote a mitigation cost of up to $1b, based on the SFO runway expansion project, when no such number was ever citied in the SFO project? How does the estimate for a mid-bay crossing compare to the physical situation at Dumbarton? How does the mid-bay location of the example bridge, a 11.2 mile bridge with the main span about 5 miles from the shore, compare to the location of the Dumbarton crossing?

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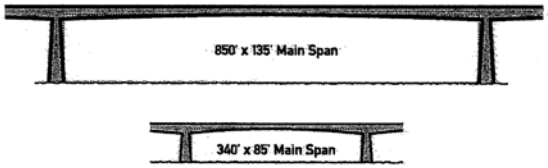

The clearance for the bigger span is almost 4x greater

How does the scale of the example bridge, a 850' span and 135' clearance, compare to the required span and clearance of the Dumbarton Bridge, maximum requirement assumed to be 340' x 85'? (based on existing SR 84 bridge). How does the cost inflate so greatly from the $70m cost (1984 dollars - about $200m in 2004) for constructing the Dumbarton highway bridge? What is the "high speed factor" (15-20% increase in construction costs) in Appendix 2-J? Is this "high speed factor" applied anywhere else in the project?

Why is it assumed that the proposed commute rail service in the Dumbarton corridor would still run on the old bridge, thus requiring an entirely new corridor for the HSR bridge? Does this assume there would be no commute service on the HSR? If the CRA 1996 draft ridership study assumes stronger demand for a commuter service in the Altamont Corridor than the Pacheco Corridor (for new riders), why is the commute potential of the Dumbarton corridor ignored in the DEIR/EIS? I138-9 cont.

Operations

Why was ridership modeled for the Altamont alternative based on the assumption that service to the Northern California terminals would be based on an equal split of service? Why wasn't the demand taken into consideration when deciding how to model the ridership differences in the Pacheco vs Altamont alternatives? How does the potential for ridership in Gilroy and Los Banos compare to the potential for ridership in Fremont, Pleasanton-Livermore, and Tracy? If headways play a significant role in the modeling of ridership, why did demand play no role in the assumptions used to model Altamont ridership? What would the results be if the Altamont ridership was modeled with 2/3 of the trains running to San Francisco and 1/3 to San Jose?

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What is total ridership for the San Francisco peninsula stations (San Francisco, San Francisco International Airport, Redwood City)? What is the total rideship for San Jose? How do these two numbers compare? Why wasn't service modeled relative to the numbers generated by summing the ridership on the two Bay Area lines?

What does the assumption of both an Oakland and San Francisco terminal do to the overall ridership? How many new riders are gained with the addition of an Oakland terminal, assuming the existence of a San Francisco terminal? What is the cost-benefit analysis of an Oakland extension, assuming a San Francisco terminal? I138-10

Is a BART extension to San Jose assumed for the project? How is ridership affected if it is assumed that San Jose riders access the system in Fremont via BART? What is the cost of constructing an extension of BART from Fremont Station to San Jose Diridon Station? What is the cost of constructing HSR from Fremont to San Jose Diridon?

Los Banos Light Maintenance/Storage Facility

How was Los Banos determined to be the best location to service Bay Area trains, when it's over 200km from the terminal in San Francisco? How does the Los Banos location meet the requirement that the light maintenance facility be within a 5-minute trip of the terminal? What criteria was used to determine this location? Are there no other locations closer to San Francisco than Los Banos that could serve as a light maintenance facility? What are the impacts of the Los Banos facility on the surrounding environment, including wetlands? I138-11

How does the goal of keeping the right of way alongside Henry Miller Avenue "The route is proposed to be alongside the roadway to minimize disruption to agricultural fields." (Bay Area to Merced High Speed Train Screening Evaluation 9-3-02, p. 62) create the fewest impacts? By keeping the railway right of way immediately adjacent to Henry Miller Avenue, doesn't this require the acquisition and demolition of all homes and most farm structures along the ROW? How is this a benefit? Has an assessment of the number and value of structures along Henry Miller Avenue required for the Pacheco HSR alignment been made? What are the impacts to agriculture if these acquisitions take place? What are the environmental justice issues surrounding condemnation and relocation of the residents of these homes? I138-12

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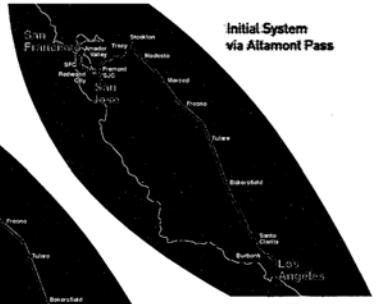
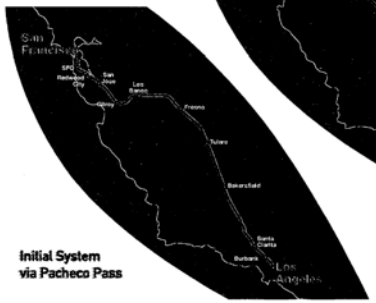
System Ridership

The DEIR/EIS assumes full build-out, but this assumes the initial segment will be successful, as funding is assumed to come from the "profits" of the initial segment. Has the ridership of the initial operating segment, assumed to be San Francisco to Los Angeles, been modeled as a stand-alone system? Do the number of cities served on this initial segment affect ridership? What are the projections for revenue on this initial segment? How many more passengers would an initial Los Angeles - San Francisco system attract if it utilized the Altamont Alternative? How much less expensive would the extension to Sacramento be? What is the ridership on a initial system if it uses the Pacheco alignment?



Initial System via Altamont Pass



Initial System via Pacheco Pass

How great is the catchment for stations? How does the various station locations in Northern California serve the Bay Area? How many miles are passengers expected to travel to reach a HSR station? What is the rush-hour travel time from San Ramon to a HSR station? What is the travel time from San Ramon to the Oakland Airport? Which cities are outside the HSR catchement? What percentage of passengers are expected to access stations via private auto? What demand for parking will exist at Redwood City station?

I138-13

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San Jose? SFO? Has a schedule been developed that shows the combined operations of HSR and Caltrain service between San Jose and San Francisco? Has a schedule been developed which shows the combined operations of HSR and high speed commuter service between the Central Valley and the Bay Area?

How was the site for the Los Banos station chosen? Why is there no corresponding station on the Coe/Diablo alignments? What market is served by a station on the west side of the Central Valley in Merced County? How does this affect the potential for sprawl?

I138-13 cont.

Central Valley

A west of 99 route was shown to require 180 acres of farmland, 57% of which is considered prime farmland (December 1999 Corridor Evaluation, p. III-25). Yet a UPRR alignment (along SR-99) would require 250 acres of farmland, 71% prime. The UPRR alignment was estimated in 1999 to cost over $3b more than the west of 99 alternative. How is farmland preservation aided by dropping the West of 99 corridor? What benefit of the UPRR alignment is worth the added $3b? What criteria was used in the decision to drop the West of 99 alternative? What criteria was used in the decision to retain the UPRR alternative?

The UPRR alignment runs through the city centers, allowing (obviously) city center station, but the trade off is higher cost (at least $3b) and greater travel times (15 minutes more than west of 99), assuming reduced speed operations in the city centers, and a longer route (6 miles). To remedy this, the DEIR/EIS assumes high speed bypasses of the larger city centers along the UPRR, and full speed operation through the smaller ones. These bypasses will add to the length of the line (straight line through town vs. curved bypass around town), leaving the "express" line the longer line. This scheme for bypasses around city centers also adds to the $3b difference in alternatives, because bypasses were not assumed in the original analysis. How much cost do the addition of the bypasses add to the project?

I138-14

UPRR Corridor with Bypasses

West of 99 with branches to City Center Stations

Express = Red Local = Black

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Assuming a bypass and station line for each major city in the Central Valley, wouldn't the West of 99 alignment result in lower costs, a significantly shorter route, and actually fewer acres of farmland needed for construction? Wouldn't the lines into the city centers cost less, as they could be engineered for lower operating speeds? Depending on service levels, couldn't these lines initially be constructed as single-track spurs, saving initial construction costs? If funding is limited, is there a possibility that ONLY the bypasses or the in-town line will be built in the UPRR corridor? If the decision is made to "phase" the bypasses first in the UPRR corridor, will "temporary" stations be built outside of city centers? With a west of 99 alternative, could the existing Amtrak service serve as an initial feeder to the HSR if some lines into city center stations were deferred? I138-14 cont.

Why hasn't the mitigation of parcel splits by swapping land on either side of the ROW with adjoining farms been addressed? What is the effect of a HSR alignment along the UPRR corridor on the pressure to bring SR-99 to full interstate status if many interchanges will be built or re-built for the HSR project? How does this upgrade of highway facilities affect sprawl?

Project Costs

How were the estimates for the SFO-Millbrae and Redwood City Station developed? Were these costs checked against Caltrain's recent experience with new station design and construction? Why are many components of the cost of a Fourth and Townsend Station in San Francisco omitted, such as real estate costs, environmental mitigation, etc? I138-15

Why are no maps available to complement the detailed capital cost data? There is no way to determine the segments that the capital cost tables refer to, so it is virtually impossible to determine the cost of each alterntiave where there are a number of sub-alternatives. Please provide detailed maps clearly showing each segment of the project, keyed to the extensive spreadsheets.

Other Impacts

Why is there no mention of the San Joaquin Valley National Cemetery? Doesn't the Pacheco alignment cross the cemetery property? How far is the railway from the gravesites at the cemetery? What is the sound impact of the trains on the solitude of the cemetery? How was this significant receptor missed in the study? How many other omissions like this might there be in the DEIR/EIS? I138-16

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What is the construction impact on the Coe/Diablo alternatives? How will machinery and workers access the tunnel portals? How many miles of construction roads will be built? How long will it take to bring workers to and from construction sites for each shift? How does this travel time affect the labor cost of the alternative? What amount of energy is required to move in workers and material to the remote construction sites? Where will materials be staged? What impacts does the introduction of large numbers of humans have on the animals in the area? How will the construction roads be removed (will they be removed) and how will the land be restored when construction is complete? How is emergency access provided for the line, once in operation? What effect will wildfire supression policies have on the operation of the railway in the wilderness? I138-16 cont.

How realistic is it to assume a station in Santa Clara (to serve Mineta International Airport) and a station in San Jose at the existing Diridon Station? Are these stations not more than 3 miles apart? Why wasn't an analysis of either a San Jose OR a Santa Clara station conducted? Every rail operation, with the exception of VTA's Vasona line, stops or runs past the Santa Clara station, making it as strong a candidate for a Silicon Valley station as Dirdon station. Additionally, could not the adoption of the Santa Clara station site reduce the need to add two new levels to Diridon Station, including over a mile of elevated railway tracks? I138-17

Thank you for your review of my comments and I await answers to all my questions. I am available to meet with Authority staff or consultants to answer any questions that may arise from the preceeding comments.

Thanks

Response to Comments of Michael Kiesling, August 30, 2004 (Letter I138)

I138-1

The Summary of the Draft Program EIR/EIS states, "In the Final Program EIR/EIS, the Authority and the FRA may identify one or more potential alignment options as preferred for the proposed system. In the Final Program EIR/EIS, the Authority and the FRA may also identify one or more preferred station locations within an identified preferred corridor for the proposed HST system" (page S-18). Defining a preferred alignment and station locations for the HST system alternative is consistent with CEQA guidelines for a program-level document and NEPA requirements. The co-lead agencies believe that selecting a preferred alignment and station locations for the HST Alternative meets the requirements of CEQA and NEPA and satisfies the needs of the State, other agencies and the general public.

A "set" alignment has not been established, and will not be established until project-specific environmental documents have been completed and certified. Previous HST studies by the Authority, the Commission and the Department of Transportation were used and incorporated by reference in the Program EIR/EIS. The selection of a preferred alignment takes into account many factors including: ridership potential, connectivity and accessibility, capital and operating costs, compatibility with existing and planned development, and the potential for environmental impacts. Alignment options may be eliminated from further investigation based on impracticability, inability to meet purpose and need and basic project objectives, or if they would have greater impact to the environment than other similar options.

I138-2

CEQA and NEPA guidance suggests that, whether at a program or project level of analysis, the level of information provided should be commensurate with the decisions to be made. The co-lead agencies have determined that there is sufficient information provided in the Program EIR/EIS to select preferred HST alignment and station options for further study with an exception being the northern mountain crossing (see standard response 6.3.1). Please see Chapter 6A of the Final Program EIR/EIS for a description of the preferred HST system of alignment and station options. This Program EIR/EIS document is consistent with the Program EIR process described in CEQA guidelines section 15168.

I138-3

The highway element of the Modal Alternative consists of improvement of the existing highway system that currently serves the intercity travel market in the area proposed to be served by the HST Alternative, including the existing routes identified in Table 2.4-1 and illustrated in Figure 2.4-1 of the Program EIR/EIS. Improvements were identified for specific routes in terms of whole additional lanes based on overall demand in a given corridor. In some cases the entire demand was satisfied with an additional lane applied to a single route, where multiple routes exist in a travel corridor.

Several assumptions were made regarding the highway facilities that would serve the demand in each corridor. Highway travel between the Central Valley and the Bay Area was divided among three main corridors: I-80 – between Sacramento and Oakland/San Francisco, I-580 between the northern Central Valley and the East Bay, and SR-152 between the middle portions of the Central Valley and Gilroy. The trips are assigned to these corridors based on the proportion of demand forecast between these regions and the relative travel times involved. For instance, the entire forecast travel demand between

Sacramento and the Bay Area is assumed to follow the I-80 corridor. In contrast, the forecast travel demand between southern California and the Bay Area is proportioned between the SR-152 and I-580 corridors based on current travel patterns. For the Bay Bridge, the additional demand was assumed to utilize the existing bridge facility, spreading the peak period congestion. The Modal Alternative consists of incremental expansion of existing highway and aviation facilities and the co-lead agencies assumed that it would not be reasonable or consistent to include the development of a new or expanded bay crossing, given the extensive physical and political constraints involved.

In the Central Valley the forecasted travel demand is split between I-5 and SR-99 based on the end points of the trip. Trips originating in southern California destined to the Bay Area and Sacramento are assigned to I-5, while trips either originating or destined to the main Central Valley Cities are assigned to SR-99. Highway travel from Bakersfield to Los Angeles was similarly split to identify capacity improvements to the I-5 (Grapevine) or SR-58/14 routes through the Antelope Valley. Intercity travel to and from cities along the coastal corridor between the Bay Area and Los Angeles was not included in the travel demand forecasts prepared for the proposed high-speed train system as proposed; therefore, trips were not assigned to this corridor. While the coastal corridor (US 101) does represent a potential travel path for intercity trips between northern and southern California, no assigning trips to the coastal corridor (US 101) is reasonable due to the circuitous nature of the US 101 route and the significantly higher travel times compared to the routes through the Central Valley.

Between Los Angeles and San Diego the highway travel demand was assigned to specific routes based existing travel patterns. Trips that do not start or stop in areas along the inland corridor (I-15/I-215) are assigned to the more direct 1-5 route. North-south oriented trips were entirely assigned to the I-5 and I-15 facilities while it was recognized that other parallel facilities exist for portions of these routes such as I-110, I-405, SR-73, I-805, and SR 163. All these routes are highly congested and pass through similar surroundings.

At the time of the analysis (2002-3) I-5 was primarily a 6 lane facility between SR 99 and SR 14. Recent improvements have been reflected in the Final Program EIR/EIS.

I138-4

Please see standard response 6.3.1. Differences between the Altamont Pass and Pacheco Pass were documented in Section 2.6.8.F of the Draft Program EIR/EIS. Section 2.6.8.F was removed from the Final Program EIR/EIS as the preferred alternative involves further study of a broad corridor between the Bay area and the Central Valley that includes the Altamont pass.

I138-5

Please see response to Comment I138-4.

I138-6

The program EIR/EIS process does not identify an “initial” system and subsequent phases however it is acknowledged that the system may be completed in phases according to financing arrangements. No initial system and subsequent phases was included in the Authority’s Business Plan. Please see standard response 10.1.7.

The Business Plan does provide a table which presents “Intercity High-Speed Train Ridership and Revenue by Origin-Destination Regional Market Segment for 2020” (Table 3.2, page 23). As stated in the Draft Program EIR/EIS, the I-5 option between Bakersfield and Sylmar was forecast to have 1.7 million more intercity riders by 2020 than the Antelope Valley alignment option using the low-end forecasts (page 6-48). For this forecast, the Business Plan assumed the Pacheco Pass as the mountain crossing between the Bay Area and the Central Valley. The influences on ridership of the Palmdale (Antelope Valley) alignment are documented in Chapter 6 of the Program EIR/EIS under Bakersfield to Sylmar alignments. The ridership and revenue forecasts did not separately address other minor options within the Los Angeles to San Francisco segment.

I138-7

Please see standard responses 6.2.1 and 6.3.1.

I138-8

Please see response to Comment I138-4.

I138-9

Please see response to Comment I138-4.

I138-10

The Draft Program EIR/EIS (Section 6.2) shows total boardings and alightings as a range from low-end to high-end forecasts at Downtown San Francisco (7.8 - 17 million), SFO (1.3 - 2. 4 million), Redwood City/Palo Alto (2.3 - 5.0 million) and San Jose (5.0 - 9.6 million). The Authority developed the operating plan in a manner to optimize ridership and revenue by focusing service at the major potential markets. The plan includes 15 express trains between San Francisco and Los Angeles in each direction, 13 of these are "non-stop" and 2 make a single stop at San Jose. Semi-express services (about 7 trains a day each direction) stop at both San Jose and San Francisco, whereas Suburban Express trains (about 14 trains a day each direction), and local trains stop at San Jose, Redwood City/Palo Alto, SFO, and San Francisco.

The Authority's forecasts concluded that there would be no noticeable change in ridership and revenue by having terminus stations at both Oakland and San Francisco (Corridor Evaluation, December 1999). The cost-benefit analysis for the Authority's Business Plan was done for the "Highest Return on Investment Route" which did not include a direct link to Oakland.

The extension of BART to San Jose was not included in the Authority's ridership forecasts. Ridership potential is based on many factors, travel time and number of transfers are significant factors in determining ridership potential. The purpose and potential cost of BART extensions is not the subject of this program environmental review. The HST system between San Jose and Union City via the I-880 alignment is estimated to cost about $1.5 billion excluding stations.

I138-11

At the program level of analysis it is assumed that one fleet storage/service and light inspection/maintenance facility is necessary for each major branch of the HST system. These facilities would be best located as near as possible to the terminal stations. A number of potential sites were considered in each region in the Program EIR/EIS to provide representative impacts and costs for the HST system. The potential sites considered for the Bay Area to Merced region included urban sites such as West Oakland as well as sites outside the constraints of urban development including Los Banos – the urban constraints are particularly challenging along the Caltrain corridor to Transbay Terminal. These potential sites provided a representative range of cost and impact and are not a complete and inclusive list of all possible locations. Additional sites will be considered during subsequent project level environmental review.

I138-12

In an effort to minimize impacts to the Grassland Ecological Area (GEA) and farmland resources, the conceptual HST Pacheco Pass alignments were assumed to be immediately adjacent to an existing roadway, Henry Miller Road. Adjacency to an existing facility minimizes potential impacts to surrounding resources by avoiding severance of the properties involved. Specific impacts will be identified and evaluated during subsequent project level environmental review, based on more precise information regarding location and design of the alignments and facilities proposed, as well as the parcel specific existing land uses. The detail of engineering associated with the project level environmental analysis will allow the Authority to further investigate ways to avoid, minimize and mitigate potential impacts. Only after the alignment is refined and the facilities are fully defined through project level analysis, and avoidance and minimization efforts have been exhausted, will specific impacts and mitigation measures be addressed.

I138-13

Please see response I138-1.

The catchment area for stations varies depending on the number of stations modeled. The overall catchment area for the HST system is described in the "Independent Ridership and Passenger Revenue Projections for High-Speed Rail Alternatives" (Charles River Associates, July 1996, pages 5-17 through 5-20) and includes all of California's major metropolitan areas. The co-lead agencies believe that the various station locations in Northern California serve the Bay Area well, however please also see standard response 6.3.1. The number of miles passengers would travel to reach HST stations would vary depending upon local market factors and the other transportation alternatives available. Site-specific local travel issues are beyond the scope of this program EIR/EIS process and will be addressed in future project specific documents. San Ramon is about 20-25 miles to Union City and about the same distance to Oakland Airport.

The percentage of passengers expected to access HST stations via private autos varies depending upon the station location and its connectivity to other modes of transportation. For the Draft Program EIR/EIS, estimates were made for parking requirements and potential traffic impacts around potential station locations. These estimates are included in the Traffic, Transit, Circulation and Parking Technical Reports (for the Bay Area to Merced, see Appendix B2). The percentages of passengers expected to access stations via private auto varied between 20% (10% self parking, 10% drop-off) at San Francisco to 80% (60% self parking, 20% drop-off) at Los Banos. The estimate for Redwood City/Palo Alto was 65% via private auto (35% self, 30% drop-off). The assumption for the Bay Area – Merced region was that the HST system will require parking at all station areas except downtown San Francisco, Oakland, and the three major airport stations. Based on the high-end forecasts, nearly 2,200 parking places would be needed at Redwood City/Palo Alto, and about 1,800 at San Jose.

Please see standard response 6.11.1. The potential Los Banos site originated as part of the Commission's investigation (1994-96). For the I-5 option through the Central Valley, the Los Banos station served the Los Banos and Western Merced population as well as provided access to Central Valley cities along the State Route 99 corridor such as Fresno and Merced. This station site was also investigated as part of the State Route 99 options in order to present the most appropriate comparison between the two corridor options (I-5 and State Route 99). A station site was identified with good access to I-5, SR-152 and that could be built along the high-speed alignment without impacting express travel times.

I138-14

Please see standard response 2.25.1. The costs of additional bypasses are identified in the Draft Program EIR/EIS (Section 6.2). Please see standard response 10.1.7.

The site-specific consideration of mitigation of impacts to land parcels by swapping land on either side of the right-of-way with adjoining farms is beyond the scope of this program EIR/EIS. The effect of a HSR alignment along the UPRR corridor on the pressure to bring SR-99 to full interstate status and decisions about how many interchanges will be built or re-built for the HST project are also beyond the scope of this program EIR/EIS.

I138-15

Capital cost estimates for stations along the Caltrain shared use corridor represent an assumed level of expenditure by the HSRA as part of a joint development effort to implement the shared use corridor. The costs represent an approximation of the costs associated with HST related elements (platforms, track, etc.) of the shared station infrastructure. While the costs of these station elements are based on similar station construction in California, the overall estimated cost to the HST system of the Caltrain shared use corridor is subject to change as the HSRA and Caltrain work together to develop and refine a shared use design.

HST alignment options/segments are mapped and described in Section 2.6 of the Program EIR/EIS. In addition, the configuration and cross section of each segment of each alignment option is illustrated in Alignment Configuration and Cross Sections, January, 2004.

I138-16

Please see standard response 6.3.1. Cemeteries are not included in the primary sensitive resources applied in the noise screening process. The Pacheco Pass alignment option does pass through the vicinity of the San Joaquin Valley National Cemetery. The Authority will continue efforts to avoid this cemetery and associated impacts as this alignment option is considered in subsequent studies.

I138-17

Please see standard response 6.7.1. The Authority has identified a preferred alignment that does not include a potential HST station at Santa Clara.

Comment Letter I139

I139

August 30, 2004

Joseph Petrillo, Chair
High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, Calif. 95814

RE: California High Speed Rail Draft Environmental Impact Report/Draft Environmental Impact Statement

Dear Mr. Petrillo and Members of the High Speed Rail Authority,

There are major areas in this DEIR/EIS that I feel are insufficiently reviewed, to the extent that the environmental report and statement are rendered deficient.

~ The essentially pristine watersheds that supply the Anderson, Coyote and Calaveras Reservoirs will be degraded in a manner that will increase erosion, and, as ravines are filled in, or mountains tunneled through, may divert waterflows entirely. These reservoirs are the vital water resource for major populations of the South Bay.

~ The intrusion of heavy earthmoving equipment and transfer of tons of soil within the Coe State Park, and Isabel and San Antonio Valleys will permanently so disturb the existing vegetation that invasive species will take hold. This will eliminate native flora and fauna, and there is a high certainty that it will increase the danger of fire in these remote regions of Santa Clara County. I139-1

~ There is insufficient documentation of the existing flora and fauna in this area of Santa Clara County to enable decision makers to properly evaluate the alternatives, not only as to the severity of the environmental impact of each of the proposed alignments, but also the attendant costs.

~ The biodiversity of these remote watersheds, the present minimal expense incurred in sustaining them in healthful balanced ecosystems, and the difficulty of bringing a sufficient density of population to support ridership in this region must all be factored into this environmental assessment and project review. At present it is not.

~ The Altamont Pass route should be included, and the Pacheco Pass routing more finely assessed in regards its impact to wetlands. Emergency access would also be more feasible in these two instances. This is major earthquake country. I139-2

Thank you for the opportunity to comment on your proposed High Speed Rail project.

Sincerely,

Libby Lucas

Libby Lucas
174 Yerba Santa Avenue
Los Altos, CA 94022

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Monday, August 30, 2004 America Online: JLucas1099 Page: 1

Response to Comments of Libby Lucas, August 30, 2004 (Letter I139)

I139-1

Please see standard response 6.3.1

I139-2

Please see standard response 2.18.1

Comment Letter I140

I140

Mr. Joseph Petrillo, Chairman
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

April 15, 2004

Dear Chairman Petrillo and Members of the Board:

I140-1 I am pleased to submit this letter of support for the draft program EIR/EIS and the analysis and studies that identified high-speed trains as the preferred system alternative to address the future transportation needs of California.

I140-2 I would like this time to recommend the Castle Airport and Re-development center as a maintenance facility for the High-Speed Rail system. The Castle facility brings many advantages to the table that other facilities do not. Since the Castle Airport and Re-Development center was an active SAC base, it already has power, access for rail, roads, and easements in place. The Castle facility has the infrastructure available to land all types of aircraft, be it freight, commercial, or passenger planes.

I am involved in a farming operation in Central California. Having the ability to move much needed farm and ranch parts from vendors throughout the state would be a great plus to the farming community. Often by driving to the parts depots on the same day is the only option during crucial times of the year. I have driven as far as Chico and back to Merced in the same day to keep our operation going. High-Speed rail would enable the industry to move freight within the same day. This coupled with the Castle Airport and Re-Development Center, An International Airport, would allow consumers to have access to services never thought of before.

Sincerely,

Bert A. Crane, Jr.
Bert Crane Orchards

Cc: Congressman Dennis Cardoza
Congressman George Radanovich
California Senator Jeff Denham
California Assembly Member Barbara Matthews
Merced County Supervisor Kathleen Crookham
Merced County Supervisor Gloria Cortez Keene

Bert Crane Orchards
2751 North Arboleda Drive
Merced, CA 95340

Response to Comments of Bert A. Crane, April 15, 2004 (Letter I140)

I140-1

Acknowledged.

I140-2

Please see standard response 2.35.1 and standard response 2.7.3.

Comment Letter I141

I141

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WEB ADDRESS: http://www.ocmcdonald.com

April 1, 2004

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

Attn: Dan Leavitt

Re: Statement of Concern for Routing of Proposed Spur through the Isabel Valley

Dear Mr. Leavitt,

I have just been made aware that the High Speed Rail Authority is proposing to run a rail system from the Santa Clara Valley to the main line in the Central Valley through the Isabel Valley. I have a great concern for the environmental impacts this would have to this pristine Valley.

My family along with the Oneal's and Swenson's, have owned and worked the valley for three generations. We have preserved and enhanced the natural beauty of the Isabel Valley through generations of sweat equity and considerable amounts of time and money. To ruin this natural treasure, would not only be a terrible injustice to our family's but to future generations of Californian's. I141-1

As property owner's we are quite surprised and disappointed that no one to date has consulted us as to possible environmental impacts as we are the best source of information and know the property better than anyone else. We would like to be kept apprised of and involved in any developments with regards to the proposed routing through our Valley.

I have been made aware of two alternatives to this routing, one is have it run north of the Isabel Valley and the other is to underground the entire section through the Valley. Without being educated on the alternates, I can only offer what appears to be our preferred choice, north of the Isabel Valley.

I have not consulted the other property owners as of this writing; however, I am confident they are in agreement with this position. We look forward to your response.

Sincerely,

McDonald Family
James V. McDonald

Cc: Barry Swenson
Lou Oneal

OVER 90 YEARS IN BUSINESS

Response to Comments of James V. McDonald, April 1, 2004 (Letter I141)

I141-1

Please see standard response 6.3.1.

Comment Letter I142

I142

Milpitas, CA
Jan. 9, 2004

Dear Mr. Petrillo and the HSRA Board,

I believe high speed rail from the Bay Area to central and southern California is a very good idea. However, I would not want it to destroy any part of Henry Coe Park. I142-1

I request that you remove the Diablo Direct routes from consideration and include Altamont Pass in the environmental review process. I142-2

Thank you for your attention to these changes.

Sincerely,

Erna R. Nore

Erna R. Nore
700 Vasona Street
Milpitas, CA
95035

Response to Comments of Erna R. Nore, January 9, 2004 (Letter I142)

I142-1

Please see standard response 6.3.1

I142-2

Please see standard response 2.18.1

Comment Letter I143 (Representative Letter)

I143

To the Board of the California High-speed Rail Authority:

The Sierra Club supports the concept of high-speed rail for California. However, Club members and experts have reviewed the current program-level draft Environmental Impact Report (DEIR) for the statewide system and find it inadequate for us to provide a reasonable response to the proposed system alignment.

Primary Issues
* Omission of the Altamont Pass as a possible route from the Central Valley to the Bay Area,
* Cursory study of the geology of Hamilton and Pacheco routes,
* Cursory analysis of the projected costs of proposed tunnel construction and its effects on the environment, and
* Lack of detail regarding protection of wildlife habitat and species. I143-1

California would benefit from high-speed rail, but the state's fragile and already overtaxed environment requires the best possible routing and engineering decisions. We urge you to further study these and other critical elements and revise and re-circulate the draft Environmental Impact Report.

Sincerely, Name (print): STEPHEN R. LUDWIG

Address/City/Zip P.O. BOX 1880, PACIFICA, CA 94044 E-mail LUDWIGSR@ACM.ORG

Response to Comments of Stephen R. Ludwig (and 283 other Sierra Club Members), January 9, 2004 (Letter I143)

I143-1

Please see standard response 1.1.105.

Comment Letter I144 (Representative Postcard)

I144

NO RAIL ROUTES IN HENRY COE STATE PARK!

Chair Joseph Petrillo and Board Members:

I am in favor of a High Speed Rail system servicing California, provided this can be carried out in an environmentally responsible manner. I understand the California High Speed Rail Authority is considering two high speed rail routes that would run through the heart of Henry Coe State Park, cutting the Orestimba Wilderness in two. Neither of these routes is acceptable. I144-1
Please remove these two routes from consideration.

Signature Teresa L. Terada

Name Teresa L. Terada
Address 1022 W. Knickerbocker Dr.
City Sunnyvale State CA Zip 94087
Phone Day _____ Eve. _____
E-Mail _____

[ ] I would like more information on this issue.
[ ] I would like to help.

Response to Comments of Teresa L. Terada, January 9, 2004 (Letter I144)

I144-1

Please see standard response 6.3.1.