Comment Letter I201 (Patricia Boettcher, April 18, 2010)

I201

346 Felton Drive
Menlo Park, CA 94025

April 18, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the members of the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live at 346 Felton Drive in Menlo Park, part of the lovely family-oriented area known as "Felton Gables". The Authority's proposed project design and routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, my community, and the natural environment. I can assure you that I am a "neighborhood expert", having lived in this home for 29 years, with respect to the real impacts of the project you propose; impacts which have not been properly investigated and mitigated as the law requires. I201-1

Here, specifically, are some of the impacts that I personally know will occur unless an alternative route is chosen or unless the project is modified in significant ways: I201-2

*The noise and vibrations would drastically, in a negative fashion, alter our quiet residential neighborhood.

*The appearance of this High Speed Rail with wires, supporting poles, mast arms, insulation, and possibly a tall sound wall would be unsightly, adversely affecting the residential character of our entire community. I201-3

*The necessity to remove beautiful old trees and take residential and city property would damage the environment, character, and spirit of our community. I201-4

*The speed and number of these trains running through the middle of our community where children freely walk and ride bikes to school is a safety hazard. I201-5

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and, not only in my neighborhood but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement or choose a different alignment or project alternative that will have that effect. I201-6 cont.

I request that you revise the Draft EIR you have prepared, address my concerns, and, then, circulate such a Revised Draft EIR for further review and comment by the public. Thank-you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I201-7

Yours truly,
Patricia Boettcher
Patricia S. Boettcher

cc: State Senator Joe Simitian
State Senator Leland Yee
Assembly Member Jerry Hill
Assembly Member Ira Ruskin
Menlo Park Mayor Richard Cline
Menlo Park City Council Members

Response to Letter I201 (Patricia Boettcher, April 18, 2010)

I201-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I201-2

See Response to Comment I031-2 regarding noise and vibration.

I201-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I201-4

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I201-5

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I201-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific

circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I201-7

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I202 (Bonnie Biorn, April 26, 2010)

I202

Kris Livingston

From: Biorn, Bonnie [Bonnie.Biorn@cbnorcal.com]
Sent: Monday, April 26, 2010 4:38 PM
To: HSR Comments
Subject: HSR

Dear Mr Levitt and the HSR Authority:

This letter is to comment on EIR's proposed routing of the system in the San Francisco Bay Area. The routing is unacceptable and would have serious negative impacts on all aspects of our community. I am a 20 year veteran of the real estate industry and the noise, vibration, impacts on trees and vegetation, and the horrific impact on property values in our towns is intolerable. I202-1

The law requires the Authority to do a more thorough investigation of routing alternatives. I request that you revise the Draft EIR and then recirculate a Revised Draft EIR for further review and comment by the public. I202-2

Thank you for taking my comments and concerns into account.

Yours truly,

Bonnie Biorn
1631 Stone Pine Lane
Menlo Park,
Ca. 94025

1

Response to Letter I202 (Bonnie Biorn, April 26, 2010)

I202-1

The Revised Draft Program EIR Material and the original 2008 Bay Area to Central Valley Program EIR involve a programmatic level of detail. A site specific noise and vibration analysis and evaluation of potential impacts on trees and vegetation will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes. See also Standard Response 6 regarding property values.

I202-2

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I203 (Morris Brown, April 22, 2010)

I203

Kris Livingston

From: Morris Brown [mbrown5@pacbell.net]
Sent: Wednesday, April 21, 2010 4:23 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft
Attachments: letter-to-chsra-EIR.doc

Attn: Mr. Dan Leavitt:

Attached please find comments to the revised draft of the EIR in Word format...

Morris Brown
140 Stone Pine Lane
Menlo Park, CA
94025
mbrown5@pacbell.net

1

Sent via email => comments@hsr.ca.gov 4/22/2010

TO:Dan Leavitt
California High-Speed Rail Authority (Authority)
925 L Street, Suite 1425
Sacramento, CA 95814
Attn: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Personal data.

I'm Morris Brown, a resident of Menlo Park for over 40 years. I have a PhD in Organic Chemistry. I have a background in academics, having taught at the California Institute of Technology for 5 years, followed by running a business for over 35 years.

I have been studying the HSR project for several years. I was a founder of DERAIL, which worked before the passage of Prop 1A, to educate the public on the project as we hoped to defeat the Prop 1A bond measure. I203-1

I am the plaintiff in a lawsuit against the Authority and CalTrain, which was filed on April 15, 2010 in Sacramento Superior Court. (Case # 34-2010-00075672)

Incorrect information from the Authority

The Authority has intimidated the public and Cities with its assertion that comments should not be directed at the possibility for changing the route from the CalTrain corridor to a different location. Note the following statement as shown on the Authority's website

http://www.cahighspeedrail.ca.gov/library.asp?p=9274 (as of 4/21/2010)

Pursuant to CEQA Guidelines section 15088.5, subdivision (f)(2), the Authority requests that reviewers limit the scope of their comments to the revised materials contained in this document. The Authority is obligated to respond only to those comments received during the circulation period that relate to content of this Revised Draft Program EIR Material. I203-2

This statement in not consistent with CEQA rulings such as the *Laurel Heights vs. UCSF*

Routing

The Authority should re-examine use of the CalTrain corridor along the Peninsula. The previous study showed that routing along highway 101 was certainly feasible. I203-3

Comment Letter I203 - Continued

Routing along highway 280 should be considered.

Routing on the east side of the Bay and crossing over the Bay much further north, should be considered.

Other possibilities should be studied, which would not impact the Peninsula, which has many narrow segments, and many residential and commercial areas that be adversely affected. I203-3 cont.

The use of the CalTrain corridor means that the rights of Union Pacific Railroad (UPRR) must be considered.

The UPRR has a very strong trackage rights agreement on the San Francisco to San Jose segment. The UPRR runs diesel power, making compatibility with the electrically powered train an issue.

The UPRR insists on very high electrical wires, such that they can stack their freight cars quite high. This will cause running the HSR train problems using such a high connection. The extra height will mean more visual intrusion and create an even uglier environment. I203-4

The newly chosen route from San Jose to Gilroy will create serious congestion since it will take away 2 lanes of traffic from the Monterey Highway. During construction, even more congestion will be created, with extra traffic created by construction crews and vehicles. I203-5

Specific to Menlo Park

The CalTrain corridor in Menlo Park has a narrow width. In the center of town it narrows to 55 to 60 feet. Much land takings of very expensive real estate will be needed. I203-6

During construction, severe loss of business to merchants will occur because of the congestion of traffic and general inconvenience. During the construction of grade separations in San Carlos about 20 years ago, many businesses were forced to close, due to lose of trade. I203-7

The residential areas along the tracks will be devastated by using the CalTrain corridor in any construction scheme, other than the very expensive deep bore tunneling. Much extra width will be necessary for construction because of the necessity of shoo-fly tracks. I203-8

Response to Letter I203 (Morris Brown, April 22, 2010)

I203-1

Background information acknowledged.

I203-2

The Authority disagrees that limiting the scope of comments to the 2010 Revised Draft Program EIR Material is inappropriate. The Authority requested that members of the public focus their comments on the new information and analysis contained in the Revised Draft EIR Material and stated that the Authority's legal obligation extended to responding only to those comments related to the new materials. The Authority's request is based on CEQA Guidelines section 15088.5, applicable to situations like the current one where a lead agency must revise and recirculate only a portion of a prior Final EIR. The current EIR process is specifically intended to comply with the judgment from the Town of Atherton litigation and that judgment found that only those issues in the revised materials required further CEQA compliance.

I203-3

See Standard Response 10 regarding route alternatives.

I203-4

We acknowledge UPRR's rights under the trackage rights agreement with the PCJPB. The trackage rights agreement is noted in Chapter 3 of the Revised Draft Program EIR. Page 3-3 has been clarified in the 2010 Revised Final Program EIR Material to identify UPRR's rights to conduct intercity passenger rail. See also Standard Response 9 regarding equipment compatibility.

I203-5

Comment noted. The need to use the Monterey Highway corridor originated because UPRR has stated its unwillingness to allow use of its right-of-way. The proposal to reduce Monterey Highway from six to four lanes for the purpose of accommodating the proposed HST project is supported by both the City of San Jose and Caltrans. Detailed traffic analysis at the project-level EIR/EIS will evaluate the impacts due to reduction in lanes of Monterey Highway. Future traffic operations on Monterey Highway and any other affected roadways will be evaluated to determine the potential traffic impacts due to the proposed modification of the highway. Potential for traffic congestion to change or disrupt access or circulation of emergency vehicles will also be evaluated. Feasible mitigation measures will also be discussed at the project-level.

I203-6

See Standard Response 7.

I203-7

See Response to Comment 1052-5 regarding construction.

I203-8

See Response to Comment 1052-5 regarding construction.

Comment Letter I204 (Sylvia B. Elliman, April 24, 2010)

I204

161 Forest Lane
Menlo Park CA 94025

April 24, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I204-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I204-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative route

[Describe route alternative you prefer, and explain why]. Some possible alternatives include:

- Highway 101 corridor
- Altamont Alignment to Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose
- Other variations

I204-3

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Sylvia B. Elliman

Response to Letter I204 (Sylvia B. Elliman, April 24, 2010)

I204-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I204-2

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision. See also Standard Response 10 regarding alternatives.

I204-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I205 (Robert Enslow, April 25, 2010)

I205

928 Arbor Road
Menlo Park, CA
April 25, 2010

Sent via FAX (916-322-0827)

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I205-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I205-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative route

Some possible alternatives include: I205-3

- Highway 101 corridor
- Altamont Alignment to Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose

I believe the Altamont Alignment to Highway 101 is the best alternative. However, any of these alternative routes are preferable to the route you have chosen.

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Robert Enslow

Response to Letter I205 (Robert Enslow, April 25, 2010)

I205-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I205-2

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision. See also Standard Response 10 regarding alternatives.

I205-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I206 (Kit Fleming, April 26, 2010)

I206

Kris Livingston

From: Kit Fleming [kitflem@gmail.com]
Sent: Monday, April 26, 2010 4:46 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: EIR letter.doc

Attached are my comments regarding the draft EIR. Thank you in advance for taking the time to review my comments and concerns.

Sincerely,

Kit Fleming

1

4/26/10

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. I have both a Master's and Bachelor's degree in Civil Engineering from Stanford University and am currently working as the Project Tunnel Operations Engineer on a project in the San Francisco Bay Area that is building a tunnel underneath the San Francisco Bay from the Peninsula to the East Bay. Additionally, I have worked on transit and other tunnels in Southern California.

Based on my expertise, I have the following comments to make on the Draft EIR:

- Although there are technical challenges with tunneling these are issues that have been dealt with in numerous locations in California. One example is the two subway tunnels completed in downtown Los Angeles during 2003-2005 time frame. These tunnels were completed in a seismically active area, underneath densely populated East Los Angeles. These tunnels were cost effective and the tunneling minimized the environmental and urban impacts to the neighborhood. I am concerned that the perceived technical challenges have impacted the estimates without adequate investigation into the modern tunneling capabilities and technology. This has been reinforced by comments from the HSR board. One such comment indicated that tunneling in some places requires ground freezing. While ground freezing is a technique that is used in some occasions, it is not used for actual tunnel excavation. This technique is generally only used for shaft excavation and accessing a specific small location. Modern tunnel excavation by TBM (tunnel boring machine) is fast, safe and efficient. This is particularly relevant considering the significant interest costs that will be incurred based on how the HSR is funded. I206-1

- I favor the Altamont pass route, as did the HSR board prior to the year 2000. This route provides a faster, cheaper and more effective solution. In fact the overall length is significantly shorter. The EIR documents suggest significant technical issues with this route due to faults etc. However, as noted above there have been many tunnels built in seismic areas (note Japan, Southern California, China etc.) with success. In Southern California there are two tunnels under construction that pass directly through fault lines. This project is just East of downtown Los Angeles. Several transits tunnels are also currently being constructed in Seattle that also pass directly through fault lines. The Altamont route also will provide service to many more people compared to the other alternatives. As required by law, the route that is least environmentally damaging must be selected. As identified in the EIR, the Altamont route provides less potential negative environmental impact and higher overall ridership potential. I206-2

Being a resident of Menlo Park I am also very concerned about the potential impacts to that neighborhood. My concerns include: I206-3

Comment Letter I206 - Continued

- The vibration and noise from a high speed train with destroy the tranquility that currently exists. This is particularly true if the train is run above grade. Alternatives that put the high speed train in a tunnel or trench will have much less impact both visually and with noise and vibrations. Also, the electrical system required to run high speed trains is tall and unsightly. Putting this train through the middle of Menlo Park will destroy the community. I206-3 cont.

- I am also concerned with the potential safety impacts of a high speed rail system. Regardless of being above or below grade, trains do derail and can cause significant damage and potentially loss of life. Running a high speed train through communities presents a significant risk of harm. There have been numerous accidents involving high speed rail systems around the world. One example is the Eschede train disaster which occurred on 3 June 1998 in Germany. Over one hundred people were killed and more than eighty were injured. What plans has the HSR authority made to prevent such accidents happening along the alignments and what analysis has the HSR Authority done on the potential consequences of accidents along the proposed alignments? I206-4

- I am also concerned that proposed alignments (particularly along the peninsula) with cause irreparable damage to the environment. Many of the proposed routes pass through neighborhoods and parks that would need to be seized in order to complete the project. These actions would significantly impact the quality of life for all residents of the affected areas. In addition, thousands of plants, trees etc. would need to be removed destroying habitat for local wildlife. How much land would need to be seized and what will the HSR Authority that positively impacts the communities and environment. I206-5

- I am very concerned about the ridership estimates made by the authority. In 2008 Amtrak served approximately 28.7 million riders nationwide. Current projections by the HSR Authority show readership models that predict ridership numbers to be in excess of the total Amtrak nationwide system. Additionally, the HSR revised its ridership estimates down, reducing estimates by nearly half. This revision came within a year of the original ridership study. Being that ridership will be critical to making the HSR profitable, and that the ridership study is now several years old, I206-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above, and that the California Environmental Quality Act (CEQA) also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve these legal requirements. I206-7

I request you to revise the current Draft EIR to address my concerns, and that you then re-circulate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as CEQA requires.

Yours truly,

Kit Fleming

Response to Letter I206 (Kit Fleming, April 26, 2010)

I206-1

See Response to Comment I011-13.

I206-2

A ranking of alignments in terms of seismic hazards and potential for surface rupture (Active and Potentially Active Fault Crossings) is provided in Chapter 3.13, Geology of the 2008 Final Program EIR allowing for a comparison of relative potential impacts. Design practices are provided in Chapter 3.13.4 and mitigation strategies are provided in 3.13.5, including mitigation for construction and operation over an active fault. As described in the 2008 Final Program EIR, the HST alignments would not cross the Calaveras Fault in a tunnel for the Pacheco Pass Alignments, but would cross in tunnel for the Altamont Alignments.

Section 3.13.3 states: "To cross this fault line in tunnel would require additional design and mitigation work to address safety issues. Alternatively, to meet the Authority's objective of crossing major fault zones at grade, as noted in Chapter 2, would require redesign and realignment of the Altamont Alignment alternatives and would result in increased environmental impacts, as well as increased travel times for the Altamont alignment alternatives. Overall, the alignment alternatives are ranked high in this corridor with respect to both seismic hazards and fault rupture."

Mitigation strategies in this section of the 2008 Final Program EIR state:

"The following mitigation strategies can be refined and applied at the project-specific level and will reduce this impact:

- Install early warning systems triggered by strong ground motion associated with ground rupture, such as linear monitoring systems (TDRs) along major highways and rail lines within the zone of potential rupture to provide early warnings and allow temporary control of rail and automobile traffic to avoid and reduce risks.
- Avoid active faults to the extent possible. Where avoidance is not possible, cross active faults at grade and perpendicular to the fault line, whenever possible. Where tunnel use is necessary across an active fault, assure safety through advanced tunnel design and fire/life/safety systems, or pursue further design and alignment variations to allow crossing at grade or on aerial structures."

See Standard Response 3.

I206-3

More detailed information and analysis of noise, vibration, visual, and community impacts and mitigation will be included in project-level EIR/EISs. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See Standard Response 3.

I206-4

We acknowledge the comment expressing concern about derailments. Safety is of utmost concern to the Authority and the high-speed train system is being designed to comply with all applicable safety standards. As explained in the 2008 Final Program EIR, international experience with high-speed train systems demonstrates that they are one of the safest travel modes world wide. The comment refers to the derailment of a German Intercity Express Train near Eschede, Germany in 1998. That accident occurred at conventional rail speeds (125 mph), on an historical rail line rebuilt after World War II, at an overhead road bridge whose Cold War design put supports just 10 feet from the edge of the tracks. That design is not similar to the Japanese Shinkansen,

Spanish AVE, French TGV, or current US rail engineering standards that will be used for California's electrified, fully grade-separated high-speed train system.

I206-5

This comment expresses concerns about potential property acquistions (neighborhoods and parks), impacts to quality of life, and impacts to wildlife habitats, asking how much acquisition will be necessary. See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will evaluate property and habitat impacts resulting from all phases of the project construction and operation. Feasible mitigation measures will also be discussed at the project-level. See also Standard Respponse 6 regarding the requirements of CEQA and quality of life impacts.

I206-6

Comment acknowledged. See Standard Response 4.

I206-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I207 (Sally Freelen, April 25, 2010)

I207

Kris Livingston

From: Freelen [freelen@mindspring.com]
Sent: Monday, April 26, 2010 4:40 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

April 25, 2010

Mr. Dan Leavitt
California High Speed Rail Authority
By email to comments@hsr.ca.gov and by us post.

I write to comment on the Draft Program Level Environmental Impact Report prepared on the proposed routing of a high speed rail system in the San Francisco Bay Area. My husband and I have been lifelong residents of the peninsula and currently reside in Menlo Park at 135 Stone Pine Lane.

The Authority's proposed project design and the routing they propose along the Caltrain alignment would cause irreparable damage to my family, my neighborhood and to the entire peninsula community. To build a massive project such as the one currently proposed, would essentially divide the communities along the corridor and cause environmental damage to existing neighborhoods and destroy communities which are deeply rooted in relationships between people and businesses. This is a dense corridor of residential and commercial businesses. I207-1

The Authority has not addressed the communities hardest hit by this proposed route, nor included the public in discussions of alternative routes, proposed places where stations might realistically be built, nor the financial implications to those areas that would be blighted or rendered obsolete, including residential and commercial buildings. I207-2 My neighborhood has already seen a drop in property sales value of over 35%, and that is based on the possibility of such a project coming through (for any potential sale, this must be disclosed, and this drop is linked to that); I207-3 what will happen to these neighborhoods if a train is traveling at 200 miles an hour on overhead tracks can only destroy thousands of properties.

The Authority needs to investigate and document the impact of construction on businesses, local neighborhoods, school routes, traffic patterns, how and where land acquisitions would be, the destruction of natural habitat, the impact of secondary buildings needed for maintenance, parking, and how grade separations would be handled. I207-4 What are the access routes during construction? How will we get children safely to where they need to go and how much noise will be generated during construction and once built. In addition, the Federal Rail Authority does not allow heavy rail and light rail to share the same corrdor. I207-5 Does this mean we will have eight tracks? What does that mean for all neighborhoods along the proposed route?! What are the visual effects of this proposal? I207-6 These are issues that directly affect people, and this environmental report does not address them

I believe the law requires the Authority to do a thorough investigation and documentation of the impacts described in part above, for my neighborhood and along the proposed alignment. The law also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to achieve the necessary requirements, or chose a path that is least detrimental to existing communities. I207-7

1

I request you to revise the current Draft EIR and then re-circulate a Revised Draft EIR for further review and comment by the public. In addition, you should address by public forum, those communities along any proposed corridor, *within those communities and in person.* I207-7 cont.

Per CEQA requirements, thank you for taking my comments and concerns into account.

Sincerely,

Sally Freelen

Sally Freelen

Cc: City of Menlo Park
City of Palo Alto
County of San Mateo
Senator Joe Simitian

2

Response to Letter I207 (Sally Freelen, April 25, 2010)

I207-1

Comments noted. As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I207-2

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Outreach was not one of those topics. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The Authority conducted scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS including meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007.

The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San Jose on the Revised Draft Program EIR. If the Authority proceeds with a network alternative that involves Menlo Park at the project level, the Authority will continue its efforts at public outreach in the area.

I207-3

See Standard Response 6 regarding property values.

I207-4

This comment expresses concerns about a number of issues, generally at the project level of detail, such as construction impacts, school routes, traffic patterns, acquisition of land, grade separations, access routes. See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will impacts resulting from all phases and components of the project construction and operation. Feasible mitigation measures will also be discussed at the project-level.

I207-5

Four tacks were depicted along the Caltrain corridor in the Program EIR. For information on how they could be utilized, please see Response L003-46.

I207-6

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough

to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations. The Authority can work to mitigate the visual impacts of its implementation to reduce the visual impacts to the communities on the Peninsula.

I207-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I208 (Don Gralnek, April 23, 2010)

I208

APR 26 2010

Don Gralnek
1661 Stone Pine Lane
Menlo Park, CA 94025

VIA E-MAIL & U.S. MAIL

April 23, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the *Bay Area to Central Valley High-Speed Train Revised Draft Program Environmental Impact Report Material* and the *Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement* (EIR).

I am a lawyer and live in **Menlo Park** at the following address: 1661 Stone Pine Lane, Menlo Park, CA 94025, adjacent to proposed right of way for HSR.

The California High Speed Rail Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family and my neighborhood, and to the natural environment. I am very familiar with the impacts of the Caltrain alignment in my neighborhood based on personal observation. This relevant personal experience supports my conclusion that the EIR does not properly analyze and mitigate all of the High Speed Train project's potentially significant environmental effects, as required by the law. All of this uncertainty and lack of specificity equates to delays. Given the fact that real estate values in my neighborhood have declined which I believe are attributable solely to proposed HSR, this lack of analysis by HSR is particularly discouraging and injurious to me. I208-1

Specifically, based on my personal observation and experience, the following impacts are likely to occur as a result of the HST Project, unless an alternative alignment is selected or unless the HST Project is significantly modified:

Noise and Vibration Impacts

The HST Project proposes steel wheel vehicles on elevated tracks, a system that will cause considerable noise and vibration in close proximity to existing residences, regardless of how well the project is constructed. The EIR only vaguely discusses these impacts in my I208-2

Comment Letter Final

community, and does not commit to defined and effective mitigation measures. In fact, the EIR admits that detailed mitigation strategies for noise and vibration impacts have not yet been developed. There is insufficient evidence to support the conclusion of the EIR that the mitigation measures will reduce noise and vibration impacts to acceptable levels. If you live where I do, what is an acceptable level? And what is increased amount of noise and/or vibration I will experience based on increased number of trains? I208-2 cont.

Loss of Light and Air

Based on all available information, I believe the HSR will cause a major reduction in the amount of light and air I receive at my residence which overlooks Right of Way. I208-3

Aesthetic Impacts

The EIR does not adequately disclose and mitigate the aesthetic impacts (such as walls, height of improvements, loss of vegetation of the HST Project, instead just jumping to the conclusion that these impacts will be unavoidable. The EIR includes only a vague list of "mitigation strategies" for aesthetic impacts, but does not analyze their effectiveness or commit to their implementation. In addition, the EIR does not discuss the feasibility of mitigating aesthetic impacts by implementing "cut and cover" or "retained cut" track improvements. The EIR must assess the feasibility of these measures before concluding that aesthetic impacts are unavoidable. I208-4

Impacts to Trees and Vegetation

The EIR acknowledges that the HST Project will remove mature trees along the rail line, but does not discuss the significance of this impact or consider whether it conflict with local tree preservation ordinances. The EIR suggests that tree planting may provide screening along elevated guideways, but does not require this mitigation nor provide any assurances how issue will be treated. The EIR should quantify the number of mature tress that the project would remove and evaluate the feasibility of other alignments that would preserve these trees. I208-5

Public Safety Impacts

a) The EIR does not consider the public safety impact of the project. In 2009, there were 19 Caltrain related fatalities. The project proposes to run trains traveling up to 125 miles per hour (much faster than Caltrain) in densely populated areas, but does not address the public safety risk to pedestrians and bicyclists on a train going off the tracks in an accident. The EIR should analyze and mitigate this critical impact. I208-6

b) There is no complete discussion of how HSR will co-exist with current freight train operations of UPRR and the dangers associated with such dual use in a space constricted design in an urban environment. I208-7

Comment Letter_final 2

Comment Letter I208 - Continued

Loss of Permanent Access

As I understand details of the HSR Proposal, current alignment using Cal-Train Right of Way will require significant portion of Stone Pine Lane in Menlo Park to be incorporated into new HSR Permanent Right of Way alignment. This loss of portions of the public street over which I access my house and garage will be significant. I208-8

Construction Impacts

In addition to all of the above issues, I have major concerns with the impacts of the construction of the project on me, my family and my house no discussion is presented with respect to these impacts. In addition to the construction of these improvements, I believe there well may be temporary trackage built while the new permanent HSR tracks are built. This temporary construction will result in further loss of access and present all of the other impacts during construction. I208-9

I believe that the law requires the Authority to do a much better investigation and documentation of the impacts that I have described above. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. The law does not permit you to defer this analysis to some future document when you are choosing the alignment now. You should revise the EIR to include measures to mitigate the impacts of the proposed alignment as required by the law, or choose a different alignment or project alternative that will have that effect. I208-10

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a revised draft for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Sincerely,

Don Gralnek

cc:
Honorable Joe Simitian
Honorable Ira Ruskin
Honorable Richard Cline
Honorable Alan Lowenthal

Comment Letter_final 3

Response to Letter I208 (Don Gralnek, April 23, 2010)

I208-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

See Standard Response 3.

More detailed information and analysis of noise, visual, and community mpacts and mitigation will be included in project-level EIR/EISs. See Standard Response 6 regarding property values.

I208-2

More detailed information and analysis of noise, vibration, visual, and community impacts and mitigation will be included in project-level EIR/EISs. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. See Standard Responses 3 and 5.

I208-3

The air along the right-of-way should be of higher quality after the implementation of the project. The HST project could remove cars off of roadways, enhance local circulation with grade separations, and use electrically-powered trains that could result in an overall improvement of air quality. It is also assumed that Caltrain would switch from diesel-powered trains to electrically-powered trains, so air quality would be improved. During construction, all equipment can be required to meet the latest clean air standards. And, as the project could eliminate all roadway grade crossings, the pollution from cars idling at closed railway crossings to let the train pass could be eliminated. All these elements could reduce air quality emissions. Stone Pine Lane is currently lined with mature trees that screen the light reaching the street from the northeast.

I208-4

The 2008 Final Program EIR looked at the visual impacts of the HST operating on a retained fill in the area of Menlo Park. This program-level visual analysis is relative to that alignment alternative, as shown in Appendix 2D, Sheet CC 4 of 6. Alternative configurations are now under study as part of the project-level EIR/EIS, including underground options.

I208-5

The quantification of a precise number of trees to be removed as part of the HST project is beyond the scope of the program EIR process. Evaluating various alignment feasibilities relative to tree preservation would be unorthodox and do little to capture the overall

merits of alternatives. Analysis of local ordinances will occur as part of the project-level EIR/EIS process.

I208-6

See Response to Comments I005-7 and I006-8.

I208-7

A detailed discussion of potential operations along the Caltrain Corridor is beyond the scope of the program EIR. See Standard Response 9 discussing safety considerations related to high-speed trains and freight trains.

I208-8

Comment noted. Potential impacts due to street encroachments or permanent and temporary (construction-related) road closures on roadway traffic Level of Service and accessibility will be evaluated in the project-level traffic impact analysis study. The results of this study will be documented in a project-level EIR/EIS.

I208-9

See Response to Comment 1003-14 regarding construction.

I208-10

The Authority disagrees and does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority is circulating the Revised Draft Program EIR Material to comply with the judgment in the Town of Atherton case. The EIR at issue is a first-tier, program EIR that is intended to support the Authority's selection of an overall network alternative for connecting the HST system between the San Francisco Bay Area and the Central Valley, which will be carried forward into more detailed environmental analysis at the second-tier, or project-level. As a program EIR, the document addresses environmental impacts at a general level of detail. In some instances, the type of impact analysis demanded cannot be undertaken until project-level design and engineering provide more information about the project itself, and also the project's impacts and ways to mitigate those impacts.

Comment Letter I209 (Linda Hawkins, April 4, 2010)

I209

Kris Livingston

From: Cloie Hawkins [cloiehawkins@gmail.com]
Sent: Sunday, April 04, 2010 2:46 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments
Attachments: Rail Authority Letter.doc

Dear Mr. Leavitt and the High Speed Rail Authority,

Attached please find comments on the Draft Program Level Environmental Impact Report(EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

1

April 4, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing system in the San Francisco Bay Area. The proposed project routing would negatively impact the San Francisco Peninsula. As a resident of Menlo Park, in a neighborhood that borders the proposed route, I consider myself an expert with respect to the impacts of this proposed project. The negative impacts include, but are not limited to, noise and vibration pollution, view impacts, impacts on trees and other vegetation, and increased public safety dangers. Choosing a completely different route would eliminate many of these negative impacts. I209-1

I believe the Authority is required by law to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing rights of way along the Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I209-2

I request you to revise the Draft EIR, and then re-circulate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the Altamont Alignment to Highway 101 route. This route would travel through communities with less dense populations than those communities on the San Francisco Peninsula, reducing the negative impacts mentioned above. This route would not divide Peninsula communities, as the Authority's planned route would do. Since the Altamont Alignment to Highway 101 route would not tear apart long established communities, it could be built with greater speed and be more cost effective than the Authority's proposed route. I209-3

Comment Letter I209 - Continued

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Linda Hawkins

Response to Letter I209 (Linda Hawkins, April 4, 2010)

I209-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I209-2

See Standard Response 10 regarding alternatives. The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I209-3

Impacts do not correlate directly to density. There were significant impacts identified for the bay crossing between the Peninsula and East Bay where there is no development. A wide range of impacts are considered in an environmental document, not just impacts to human habitat. Equating the density of development or economic activity along various corridors will not proffer an adequate measure of overall impact.

Comment Letter I210 (Deborah Helming, April 22, 2010)

04/23/2010 15:29 6504946910 ROBERT HELMING PAGE 01

I210

325 Arden Rd.
Menlo Park, CA 94025

April 22, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

The route selected using the Caltrain corridor will have a significant impact on low-income residents. In Menlo Park alone, there are numerous apartment complexes and senior housing facilities along the Caltrain corridor. Even if there is some compensation given to families living in homes or apartments taken by eminent domain most, if not all of the residents will not be able to purchase or rent homes in the same communities. Their children will be forced to go to schools where the quality of education is not that of the communities they are forced out of.

Those residents living in apartment and condo complexes in close proximity to the project may also be forced to move due to the impacts of noise and vibration and possibly the public safety dangers. These families and senior citizens may end up in much less desirable neighborhoods. This will mean the children of lower income families will no longer be able to attend the highly-rated Menlo Park schools and senior citizens will move into neighborhoods with fewer services such as grocery stores, senior centers, banks, and medical offices. I210-1

The civil rights of low-income renters and homeowners including seniors, the disabled and children will be impacted in a profound way by the route selection of this project. This group has not been represented at public meetings. Most renters and low-income homeowners are not even aware of the project and the potential impact it will have on their lives and the lives of their children. Many are marginally able to afford living in these highly desirable communities and a forced move and unexpected expenses associated with a move will push many into poor neighborhoods and for some, homelessness may become a real possibility.

The Authority's proposed project design and routing of the proposed High Speed Train along the Caltrain alignment will cause major impacts to low- income

04/23/2010 15:29 6504946910 ROBERT HELMING PAGE 02

families and to the neighborhoods where they reside. The impacts on these residents have not been properly investigated and mitigated as the law requires.

High speed rail will not be of benefit to the low-income population but it will be that population that will experience its negative effects the most. The ticket price for the High Speed Rail has already increased from the original estimate which makes it even more prohibitive for low-income families and individuals to access. This population needs more local transit. Instead every Bay Area transit agency has reduced and eliminated service which continues to have a severe impact on this population. I210-2

The High Speed Rail Authority did not investigate other routing alternatives adequately. I request that you revise the Draft EIR, and then re-circulate a Revised Draft EIR for further review and comment by the public and to assure low-income residents are well informed and represented.

The California Environmental Quality Act (CEQA) requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. Please redo the current Draft, to respond to the comments I am making and that you receive from others, and then circulate it for additional public review. I210-3

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Very truly yours,

Deborah Helming

Deborah Helming

Cc: State Sentor Joe Simitian
Assembly Member Jerry Hill
Mayor Richard Cline, City of Menlo Park

Response to Letter I210 (Deborah Helming, April 2, 2010)

I210-1

See Responses to Comments 1017-4 and O018-9.

I210-2

In developing demographic profiles, it is professional practice (and also practiced by most State Departments of Transportation and Metropolitan Planning Organizations) to identify environmental justice communities by using a threshold level for percentage of minority and low-income individuals within a given geographic area. The percentage thresholds in the Program EIR were used to identify locations within the study area where there were higher than average concentrations of environmental justice communities as compared to the surrounding study area, city and/or county as a whole. In addition, the Program EIR evaluated size and type of right-of-way needed for the alignment alternatives and proximity to environmental justice populations. These factors provide a reasonable indication of where potential benefits or disproportionate impacts to minority and low-income populations would be most likely to occur. Because this is a program-level document, the analysis considered the potential for environmental justice impacts on a broad scale. Additional analysis and public outreach will take place during project-level investigations to identify minority and low-income individuals including any dispersed locations of these populations and to consider potential localized disproportionately high and adverse effects. See also Standard Response 3.

I210-3

Comments received are responded in this response to comments and in the Revised Final Program EIR. The Authority disagrees that the document needs to be recirculated. Please see Standard Responses 2, 3, and 10.

Comment Letter I211 (David John, April 25, 2010)

I211

Kris Livingston

From: David John [shimerandjohn@comcast.net]
Sent: Sunday, April 25, 2010 6:44 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

408 Felton Dr.

Menlo Park, CA 94025

April 25, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Menlo Park at 408 Felton Drive.

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I211-1

Here, specifically, are some impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- There are significant vibrations, especially related to the relatively high-speed "Baby Bullet" trains, which would become much more frequent and of greater intensity if High Speed Rail uses the Caltrain alignment. I211-2
- There is significant noise related to Caltrain. However, Caltrain mostly runs during commute hours and does not run after midnight. Noise would become much frequent and of greater intensity if High Speed Rail uses the Caltrain alignment. I211-3

1

- Increasing the number of tracks to 4 or more along the Caltrain alignment would result in loss of many trees along the tracks probably including several large redwood trees along our rear fenceline. I211-4
- There was a collision at the nearby Encinal Street crossing that killed a pedestrian within the past couple of years. There have been a rash of suicides and other fatal collisions between pedestrians and trains along the Peninsula in recent years that seemingly requires the complete separation of road and pedestrian crossings from the tracks of the High Speed Rail trains that are proposed to run with much greater frequency than Caltrain. I211-5

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I211-6

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

David John

2

Response to Letter I211 (David John, April 25, 2010)

I211-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I211-2

See Standard Response 3. More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed vibration sources.

I211-3

See Standard Response 3. More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed noise sources.

I211-4

The analysis of the visual impacts at the program level and documented in Chapter 3.9 of the 2008 Final Program EIR, including loss of trees, relied on measurements taken from aerial photos. It was determined that the existing right-of-way through Atherton and Northern Menlo Park was approximately the same width as the right-of-way just north of Atherton where there are currently four tracks. Observation from the right-of-way determined that most mature trees, if not all, are outside the right-of-way. A detailed analysis will be undertaken as part of the project-level EIR/EIS.

I211-5

Comment acknowledged. The safety considerations in system design are described in the Chapter 2 of the 2008 Final Program EIR. The high-speed train system will be fully grade separated. System design includes a fully access controlled guideway with intrusion monitoring systems.

I211-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I212 (Noble Johnson, April 18, 2010)

I212

Kris Livingston

From: Noble Johnson [noble.johnson@sbcglobal.net]
Sent: Sunday, April 18, 2010 4:13 PM
To: HSR Comments
Cc: noble.johnson@sbcglobal.net
Subject: Fw: High Speed Rail Draft EIR
Attachments: comments hsr.ca.gov.pdf

with attachment

----- Forwarded Message ----
From: Noble Johnson <noble.johnson@sbcglobal.net>
To: comments@hsr.ca.gov
Cc: noble.johnson@sbcglobal.net
Sent: Sun, April 18, 2010 4:06:29 PM
Subject: High Speed Rail Draft EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

The letter below, with signed copy attached, is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

Thank you for taking my comments and concerns into account.

Yours truly,

Noble M. Johnson

445 Oak Grove Avenue, #1

Menlo Park , CA 94025

---

445 Oak Grove Avenue, # 1

Menlo Park , CA 94025

April 18, 2010

1

Dan Leavitt [Sent by Email: comments@hsr.ca.gov]

California High-Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Menlo Park, at 445 Oak Grove Avenue .

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my neighborhood, and to the natural and cultural environment. Having lived at several locations all within sight and sound of the Caltrain corridor for the entire 36 years of my residency in Menlo Park , I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I212-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Since my home is within two blocks of the Caltrain railroad tracks, I am made aware by sensory perception of the regular daily movement of the trains as they approach and depart, with their horns blowing and signals activated near the stations. This experience includes the deep, sustained rumbling in the middle of the night of the extraordinarily long freight trains. The noise would be grossly intensified and rendered unbearable with an elevated track. I212-2

- From the front of my home, I can look westerly along Oak Grove Avenue and view the Santa Cruz Mountains some 15 miles away. I can witness the cloud formations and storm fronts as they sweep over those mountains from the Pacific Ocean . These regular images with their dramatic and inspirational impact renders a sense of awe and well being that would be obliterated by an elevated track. I212-3

- I attest to the city's proclamation that Menlo Park is a Tree City USA community with pleasant, tree-lined neighborhoods and friendly people. Beautiful, majestic heritage trees (e.g., oak) that line the I212-4

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Comment Letter I212 - Continued

Caltrain corridor would be destroyed and with them would go the sense of peace and tranquility that regular exposure to nature engenders. I212-4 cont.

- Menlo Park can be viewed as a micro-ecosystem within a larger ecosystem of communities that stretches from San Jose to San Francisco . Emotionally as well as physically, cutting through the hearts of these contiguous communities with high speed rail and trains will be devastating to these ecosystems and, most definitely, the impact will be manifest through diminishment of the communities and deterioration of public safety. I212-5

The devastating impact that the high speed rail plan would have on the communities of the Peninsula, both individually and collectively, becomes overwhelmingly and painfully obvious when one compares it to a very different, plausible vision for the Caltain corridor: a green belt, with separate, parallel meandering paths for pedestrians (with strollers), joggers, and cyclists, with grass, shrubs, and more trees, and with abundant sunlight and fresh air. With its linking of communities, fostering of physical and social health, and environmental sustainability, this is actually the compelling vision for the Caltain corridor in the 21st Century. I212-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I212-7

I request you to revise the Draft EIR you have prepared, to address my concerns and that you then re-circulate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I212-8

Yours truly,

(Signed copy attached)

Noble M. Johnson

445 Oak Grove Avenue, #1

Menlo Park , CA 94025

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Response to Letter I212 (Noble Johnson, April 18, 2010)

I212-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I212-2

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices.

I212-3

The 2008 Final Program EIR depicts HST running on a retained fill through Menlo Park. This is shown in Appendix 2D, Sheet CC 4 of 6. The program-level engineering identifies the height of the fill would be up to approximately 15 feet tall. While the view at Oak Grove Avenue could be obscured, the height of the HST is approximately that of the surrounding buildings in downtown Menlo Park.

I212-4

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations. The Authority can work to mitigate the visual impacts of its implementation to reduce the visual impacts to the communities on the Peninsula.

I212-5

This comment addresses potential impacts to community character and cohesion and public safety in Menlo Park. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis of community character and cohesion, public safety and other impacts will be conducted for the project-level EIR/EISs. See also Standard Respponse 6 regarding the requirements of CEQA and quality of life impacts.

I212-6

Comment acknowledged.

I212-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I212-8

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I213 (Lisa Lake, April 26, 2010)

I213

Kris Livingston

From: Lisa Lake [lisa.lake@nasdaqomx.com]
Sent: Monday, April 26, 2010 10:56 AM
To: HSR Comments
Subject: Opinion on HSR - Hayward Park Resident

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in the Hayward Park Neighborhood at the following address 112 16th Ave. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I213-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

Extreme noise pollution – we already hear the Caltrain line and from all of the research I have seen, the HSR would be louder. I213-2

Impact on view – A train that is above ground or at ground level will be an eye sore for all residents of the neighborhood.

- Public safety dangers I213-3

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I213-4

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Lisa Lake

Lisa Lake
Managing Director
NASDAQ OMX

2500 Sand Hill Road, Suite 220
Menlo Park, CA, 94025 USA
Phone: +1 650 233 2046
Mobile +1 415 713 9093
lisa.lake@nasdaqomx.com

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Response to Letter I213 (Lisa Lake, April 26, 2010)

I213-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I213-2

See Response to Comment I031-2 regarding noise and vibration.

I213-3

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I213-4

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I214 (Lydia Lee, April 19, 2010)

I214

Kris Livingston

From: Lydia W. Lee [lydiawlee@gmail.com]
Sent: Monday, April 19, 2010 2:55 PM
To: HSR Comments
Subject: Letter from Menlo Park resident: Comments on Bay Area to Central Valley Revised Draft EIR

140 Spruce Ave.
Menlo Park, CA 94025

April 19, 2010

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft EIR prepared for the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposal would have an extremely significant impact on the SF Bay Area, with numerous communities affected along its route. It would also personally affect me, my family, and my neighborhood.

I am a proponent of mass transit in general, and have used CalTrain frequently in the past to commute to the city from where I live in Menlo Park, at the address above. I also live on a block that is perpendicular to the CalTrain tracks: Spruce Avenue actually dead-ends a few feet from the train tracks. On a daily basis, we already have to deal with the noise pollution (whistles, clanging gates, trains starting and stopping). But I can see clear benefits that accrue to our neighborhood from Caltrain and indeed, wish that service could be increased rather than decreased, as it has of late. I214-1

But none of these benefits will accrue to us from having HSR go tearing by. Our home is just one of many homes, parks and businesses alongside the tracks that would be negatively impacted by HSR.

Specifically, HSR would impact our neighborhood by causing:

--Huge increase in noise and vibrations just a few feet away from where children routinely play at the end of our street (and across the tracks on the other side, in Holbrook Palmer Park). I214-2

I believe that greater analysis of alternative routes is called for by the major disruption that HSR would cause on the Peninsula. I urge you to reconsider the routes and redesign the project if the analysis calls for it. I214-3

Sincerely,

Lydia Lee
Menlo Park resident

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Response to Letter I214 (Lydia Lee, April 19, 2010)

I214-1

This comment addresses potential impacts to communities within the Bay Area. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

I214-2

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include impacts at sensitive receivers, such as residences and parks.

I214-3

See Standard Response 10 regarding route alternatives.

Comment Letter I215 (Suzan Liao, April 26, 2010)

I215

Kris Livingston

From: Sue [liaosuzan@yahoo.com]
Sent: Monday, April 26, 2010 6:31 PM
To: HSR Comments
Subject: Comments on EIR for High Speed Rail

Suzan S. Liao

132 Buckthorn Way

Menlo Park, CA 94025

April 26, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov]

California High-Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I215-1

I live in Menlo Park at the following address 132 Buckthorn Way. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant negative impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which

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impacts have not been properly investigated and mitigated as the law requires.

I215-1 cont.

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- The noise and vibration would more than double the impact of the current Caltrain track, if there were 2 tracks above ground, either side by side or above the current track or with a noise reduction wall. Already, we are suffering the current noise and vibration level for a service that has been so badly run that it is going bankrupt and service will be reduced. I215-2
- The views will also be negatively impacted, if there are walls or another track laid for the high speed train. Anther track will result in more unsightly tracks and destroying the beauty of existing neighborhoods. I215-3
- There are currently green spaces that are on the peninsula and near the Caltrain tracks that would be disturbed or eliminated by this project. And considering the expense of land on the peninsula, the green spaces would be nearly impossible to replace. I215-4
- In addition, with more tracks, high speed of the trains, and more traffic that need to cross the tracks, there is more risk of accidents or injury to people, animals, and property. Already, Caltrain claims many lives each year. With a high speed train, that many more lives will be lost due to the inability to stop a high speed train. I215-5
- The peninsula home to some of the most expensive neighborhoods in the bay area. It will cost millions, if not billions, to buy the properties near the Caltrain track, if the HSR were to follow the same route above ground. Not only would the current home property owners lose out, but the cities would also lose out on the property taxes and green spaces that will not be able to be replaced. The subsequent decrease in property values of the nearby properties would also negatively impact the counties on the peninsula forever. I215-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I215-7

I also think that the financing and revenue numbers need to be revisited. Ridership figures for public transportation have typically been overstated by "experts." Since Caltrain travels part of the same region, we should take a look at how much ridership was overstated in those plans and take the current ridership figures for this project with overly optimistic estimates and re-evaluate the figures for this project and make them more realistic. No doubt the estimates for Caltrain did not predict the fact that it would be headed for bankruptcy at this point in time. And since the bay area is probably going to be the biggest users of any long-haul rail service, I215-8

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Comment Letter I215 - Continued

we should analyze the ridership figures elasticity with changes in fares and frequency of trains, in addition to the operating costs and ensuring that any such project does not rely on future funding that has not been secured. California is going bankrupt and the US has more than doubled its deficit. This is not the time for another project that will overrun its budget several times over, likely also go bankrupt because the revenue figures will be completely underestimated, relying on governments that are having difficulty providing basic services to its citizens and don't have the money to support this project to a successful conclusion. I215-8 cont.

Although this EIR is only supposed to consider different routes, I think the entire project needs to be reconsidered. I215-9

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you, then, re-circulate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I215-10

Yours truly,

Suzan S. Liao

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Response to Letter I215 (Suzan Liao, April 26, 2010)

I215-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I215-2

See Response to Comment I031-2 regarding noise and vibration.

I215-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I215-4

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations. The Authority can work to mitigate the visual impacts of its implementation to reduce the visual impacts to the communities on the Peninsula and maintain the green space that the residents value so much.

I215-5

The safety considerations in system design are described in the Chapter 2 of the 2008 Final Program EIR. The HST system will be designed as a fully access controlled guideway with intrusion monitoring systems.

I215-6

See Response to Comment I011-13.

I215-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I215-8

Comment acknowledged. We disagree that the ridership forecasts are overstated. See Standard Response 4.

I215-9

Comment acknowledged. A "no action" alternative will be carried forward throughout the CEQA and NEPA processes.

I215-10

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I216 (Martin Mazner, April 18, 2010)

I216

APR 22 2010

Martin Mazner
183 Stone Pine Lane
Menlo Park, CA 94025
(650) 329-9617 mmazner@hotmail.com

April 18, 2010

Mr. Dan Leavitt Sent via email comments@hsr.ca.gov and US Postal Service
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

This letter is my formal comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. I am an expert in marketing research having spent more than 30-years as a widely respected marketing professional. I have designed and supervised more than 20-major research studies conducted by firms ranging from AC Neilson to Starch Research and Gallup. These projects were designed to measure the revenue potential of a business or service.

I have examined the business plan of the California High Speed Rail Authority and have found that the Pacheco Pass routing is clearly the inferior choice as it relates to serving the major populations centers in Northern California. As a result, the Pacheco Pass Route will generate far less revenue than the Altamont alternative while causing significantly more disruption to business, people and homes along the route.

The ideal route is one with the greatest population density within a 20-mile radius of stations. It is fact that the Altamont route which branches at Fremont to reach San Francisco via the Dumbarton Bridge with the second branch extending to San Jose, serves significantly more population. A basic yet very effective research technique is to measure population by drawing a 20 mile diameter circle around each proposed station. The San Jose to Redwood City route includes a large portion of empty foothills and undeveloped bay lands. The Altamont route, in comparison, is surrounded by significantly more population and development. But because the Altamont route is able to use a much wider existing right of way, it will cause far less impact to the environment and to the lives of residents I216-1

Equally important the Altamont route has significantly better connections to existing mass transit. In any evaluation of routes, the ability to tie into existing, heavily used transit systems to connect to High Speed Rail should be a key factor in route selection as it promises to deliver major reductions in carbon emissions while increasing ridership of HSR. Very simply, creating several East Bay HSR connections to BART via the Altamont route opens the system to 500,000+ more people than the Pacheco Pass route. The draft EIR ignores these facts which were confirmed by the original High Speed Rail commission established by the state. It was only after political appointees took over the High Speed Rail Authority that the Altamont route was changed without any basis in fact or economics. I216-1 cont.

I believe the law requires the Authority to do a much better job of investigation and documentation of the facts I have described above, and that the California Environmental Quality Act (CEQA) also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to achieve that legal requirement by selecting the original Altamont routing option. I216-2

I request you to revise the current Draft EIR to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as CEQA requires.

Sincerely,

Martin Mazner

Response to Letter I216 (Martin Mazner, April 18, 2010)

I216-1

See Standard Response 10 regarding route alternatives.

I216-2

See Response to Comment I085-4.

Comment Letter I217 (Susan McBain, April 4, 2010)

I217

Susan McBain
1155 Merrill St., #105
Menlo Park, CA 94025
650-325-1248

April 4, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would have extremely significant impacts on the San Francisco Peninsula. In my area, Menlo Park, and adjoining cities it would require much wider rights-of-way than the Caltrain system. I live less than 500 feet from the tracks, and the noise, traffic, and construction impacts would be huge. I217-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing rights of way along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I217-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the Highway 101 corridor and should also explore the impacts and benefits of ending the high-speed train in San Jose, where it would connect to Caltrain. I217-3

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Susan McBain

Susan McBain

Response to Letter I217 (Susan McBain, April 4, 2010)

I217-1

This comment addresses potential impacts to communities within the Bay Area, particularly in Menlo Park, including noise, traffic, and construction impacts. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

I217-2

See Standard Response 10 regarding alternatives. The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I217-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I218 (Stephanie Peters, April 24, 2010)

I218

Kris Livingston

From: Stephanie Peters [stmpeters@yahoo.com]
Sent: Monday, April 26, 2010 4:46 PM
To: HSR Comments
Cc: stmpeters@yahoo.com
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: STMPETERS HSR impact letter.doc

Importance: High

April 24, 2006

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I am a lifelong resident of Menlo Park, and consider myself a neighborhood expert of this town and the surrounding communities. Among other impacts, the Authority's proposed project would irrevocably and horribly divide our city in half, with the equivalence of a freeway bisecting our neighborhoods, City Hall, Downtown District, and schools with a constant flow of trains. This project provides zero benefit to our town and nothing but downside for our residents, who would face the daunting prospect of constant train traffic, noise, disruption, and collateral effects every day. We have worked for generations to build our wonderful community and will not stand by to watch this fatally flawed project destroy the vital fabric of our neighborhoods.

San Francisco, Boston, Seattle, and other enlightened cities began tearing down divisive freeways over 20 years ago, and yet this project unbelievably considers re-creating the urban nightmare of elevated tracks, 'retained fill,' or other non-solutions down the entire San Francisco Peninsula corridor. I218-1

It is common knowledge that divisive urban transit projects bring innumerable negative impacts of noise, dereliction, loitering, graffiti, and aesthetic displeasure. Thousand of trees and hundreds of homes, schools, parks, commercial buildings, hotels, and our own City Center would endure the horrible sight and sound of constant train traffic.

Indirectly, because of those impacts, the project would adversely affect me, my family, my neighborhood, and the community at large. The impacts I am talking about are in addition to the impacts that the proposed project would have on the natural environment. I am a genuine "expert" with respect to problems I describe below, and I urge the Authority properly to address my comments, as the law requires.

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- The visual impact of 200+ trains per day on the elevated, ground level, retained fill, or open trench proposals. I218-2

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- The audible impact and displeasing constant noise of 200+ trains per day on the elevated, ground level, retained fill, or open trench proposals which will negatively impact the quiet, friendly, small-town feel of Menlo Park and especially the pleasure of its parks and schools. I218-3
- The unsafe and unsettling effort required to cross the proposed project solutions for thousands of school children who cross town to attend Hillview Middle School and Menlo-Atherton High School. Residents who use our library and City Center must cross the corrider. I218-4
- The destruction of thousands of heritage trees, greenery, and buffer space which contributes to the bucolic and suburban nature of our city. Specifically, how would the project protect the historic "Palo Alto" tall tree and the surrounding grove at the Alma bridge between Palo Alto and Menlo Park? I218-5
- The negative economic impacts of noise, dust, traffic disruption, and visual displeasure during the 10+ estimated years of construction followed by constant train traffic upon the major four-star hotels which adjoin the tracks, specifically the Stanford Park Hotel (Menlo Park), The Westin, and the Sheraton (both in Palo Alto). I218-6
- The economic collapse of restaurants and businesses which adjoin the tracks, who would lose business to construction, noise and visual displeasure, such as Gambardello's, The Creperie, Iberia, and the historic Roger Reynolds' Nursery, all fronting the train corrdier in Menlo Park. I218-7
- The unfair burden of a negative transit project which will contribute to budgetary collapse and require taxpayer subsidies indefinitely. I218-8
- The prevention of graffiti, loitering, transience, and garbage which accompany transit projects and the decline of properties adjoining them. I218-9

The California Environmental Quality Act (CEQA) requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect.

I request that you revise the Draft EIR, to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account.

Yours truly,

Stephanie M. Peters

2

Comment Letter I218 - Continued

I218
Duplicate

Stephanie Peters
1010 Continental Drive
Menlo Park, CA 94025

April 24, 2006

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I am a lifelong resident of Menlo Park, and consider myself a neighborhood expert of this town and the surrounding communities. Among other impacts, the Authority's proposed project would irrevocably and horribly divide our city in half, with the equivalence of a freeway bisecting our neighborhoods, City Hall, Downtown District, and schools with a constant flow of trains. This project provides zero benefit to our town and nothing but downside for our residents, who would face the daunting prospect of constant train traffic, noise, disruption, and collateral effects every day. We have worked for generations to build our wonderful community and will not stand by to watch this fatally flawed project destroy the vital fabric of our neighborhoods.

San Francisco, Boston, Seattle, and other enlightened cities began tearing down divisive freeways over 20 years ago, and yet this project unbelievably considers re-creating the urban nightmare of elevated tracks, 'retained fill,' or other non-solutions down the entire San Francisco Peninsula corridor.

It is common knowledge that divisive urban transit projects bring innumerable negative impacts of noise, dereliction, loitering, graffiti, and aesthetic displeasure. Thousand of trees and hundreds of homes, schools, parks, commercial buildings, hotels, and our own City Center would endure the horrible sight and sound of constant train traffic.

Indirectly, because of those impacts, the project would adversely affect me, my family, my neighborhood, and the community at large. The impacts I am talking about are in addition to the impacts that the proposed project would have on the natural environment. I am a genuine "expert" with respect to problems I describe below, and I urge the Authority properly to address my comments, as the law requires.

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- The visual impact of 200+ trains per day on the elevated, ground level, retained fill, or open trench proposals.
- The audible impact and displeasing constant noise of 200+ trains per day on the elevated, ground level, retained fill, or open trench proposals which will negatively impact the quiet, friendly, small-town feel of Menlo Park and especially the pleasure of its parks and schools.
- The unsafe and unsettling effort required to cross the proposed project solutions for thousands of school children who cross town to attend Hillview Middle School and Menlo-Atherton High School. Residents who use our library and City Center must cross the corrider.
- The destruction of thousands of heritage trees, greenery, and buffer space which contributes to the bucolic and suburban nature of our city. Specifically, how would the project protect the historic "Palo Alto" tall tree and the surrounding grove at the Alma bridge between Palo Alto and Menlo Park?
- The negative economic impacts of noise, dust, traffic disruption, and visual displeasure during the 10+ estimated years of construction followed by constant train traffic upon the major four-star hotels which adjoin the tracks, specifically the Stanford Park Hotel (Menlo Park), The Westin, and the Sheraton (both in Palo Alto).
- The economic collapse of restaurants and businesses which adjoin the tracks, who would lose business to construction, noise and visual displeasure, such as Gambardello's, The Creperie, Iberia, and the historic Roger Reynolds' Nursery, all fronting the train corrdier in Menlo Park.
- The unfair burden of a negative transit project which will contribute to budgetary collapse and require taxpayer subsidies indefinitely.
- The prevention of graffiti, loitering, transience, and garbage which accompany transit projects and the decline of properties adjoining them.

The California Environmental Quality Act (CEQA) requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect.

I request that you revise the Draft EIR, to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account.

Yours truly,

Stephanie M. Peters

Response to Letter I218 (Stephanie Peters, April 24, 2010)

I218-1

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. See also Standard Response 6.

I218-2

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I218-3

See Response to Comment I031-2 regarding noise and vibration.

I218-4

The HST project under consideration in the Program EIR includes grade separations to fully separate the HST from local automobile and pedestrian traffic. The HST project is therefore anticipated to improve existing safety conditions in those areas like the Caltrain corridor between San Francisco and San Jose that have current problems with pedestrian/auto/rail accidents due to auto/rail grade crossings. The HST project also includes a fully access-controlled guideway with intrusion monitoring. The access controls on the HST guideway, combined with the grade separation, are anticipated to eliminate rather than increase the current condition on the Caltrain corridor of easy pedestrian access to the rail tracks.

I218-5

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I218-6

See Response to Comment 1052-5 regarding construction.

I218-7

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation

strategies were discussed under the various topics in Chapter 3 of the Final Program EIR. More detailed impact analyses related to HST system construction including trackway, stations, maintenance facilities, transmission lines, staging areas, and other project elements will be performed during the project-level EIR/EIS analysis, when more detailed design, location, and phasing/duration information will be available for the selected HST alignment. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses. See Chapter 2 of the 2008 Final Program EIR and Standard Resonse 10 regarding alternatives. See also Standard Response 6 regarding economic and quality of life impacts.

I218-8

The Authority disagrees with your statement. Over 45 years in many countries around the world, HST has repeatedly proven its ability to cover its operating costs and return a profit.

I218-9

This comment expresses concerns related to graffiti, loitering, transience, and garbage. These issues can be addressed in the detailed, project-level analysis, once design has progressed to the point where the potential for these impacts can be accurately assessed.

Comment Letter I219 (Linda Sadunas, April 25, 2010)

I219

Kris Livingston

From: Linda [lsadunas@comcast.net]
Sent: Sunday, April 18, 2010 7:00 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

144 Buckthorn Way
Menlo Park, CA 94025

April 25, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Menlo Park and the Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause extremely significant impacts to my neighborhood and to the natural environment. These impacts include, but are not limited to, noise and vibration, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I219-1

I request you to revise the Draft EIR, and then re-circulate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study Highway 101, 280 or stopping in San Jose with a tunnel for any train that comes to the Peninsula due to the speed and increased number of trains. I219-2

The law requires the Authority to do a much better investigation and documentation of the impacts I have described above, not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. You should redesign the project and choose a different alignment or project alternative. I219-3

I request you to revise the Draft EIR you have prepared, to address my concerns, and then re-circulate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I219-4

Sincerely,

Linda Sadunas

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Response to Letter I219 (Linda Sadunas, April 25, 2010)

I219-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I219-2

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

I219-3

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

I219-4

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I220 (Christian Scott, April 23, 2010)

04-26-10;10:47AM; ;408 970 9041 # 1/ 4

I220

FAX

TO:	Dan Leavitt	FROM:	Christian Scott
FAX:	916-322-0827	FAX:	
PHONE:		PHONE:	408-454-4094
SUBJECT:	CA-HSR EIR Comments	DATE:	April 23, 2010

COMMENTS:

04-26-10;10:47AM; ;408 970 9041 # 2/ 4

375 Arden Rd
Menlo Park, CA 94025

April 23, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, impacts on wildlife and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I220-1

In addition to the environmental impacts, there are flaws in the economic and ridership models. When population growth and existing infrastructure are taken into account, the proposed route along the Peninsula becomes less and less attractive. I220-2

As an alternative, here are some options and supporting data points.

Option 1: Stopping the train in San Jose

- San Jose has a larger population than San Francisco and is growing at a faster pace and has more room for expansion
- Silicon valley is a larger business hub than San Francisco
- Localized train stops between San Jose and San Francisco are already being serviced by existing Caltrain. Increasing the number of Caltrain "express" trains (minimal stops) between San Francisco and San Jose would allow the existing infrastructure to be better utilized and would not create redundant tracks on the exact same route that already exists.

I220-3

Option 2: Altamont (East Bay) route

- This route will more easily connect Oakland and Sacramento passengers, which have a combined population greater than San Francisco. Sacramento population is growing at a rate >10% compared to SF which is growing at approximately 4%
- BART currently runs all the way to Dublin, so having BART connect with the HSR hub at that end-point will connect San Francisco and a significant portion of East Bay cities. That will better serve Alameda and Contra Costa counties, which are also growing more quickly than SF and San Mateo Counties.

I220-4

Comment Letter I220 - Continued

04-26-10;10:47AM; ;408 970 9041 # 3/ 4

Option 3: leverage the existing "Capital Corridor" AMTRAK line that runs from Sacramento to San Jose

- This train line does not run through the environmentally fragile Peninsula and already has many of the clearances and right-of-way's required for the HSR

I220-5

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I look forward to your response.

Yours truly,

Christian Scott

04-26-10;10:47AM; ;408 970 9041 # 4/ 4

04-23-10;08:58AM; ;408 970 9041

fax was sent, but only blanks were received. Can you re-send?

CA HSRA

(916) 324-1541 - phone

(916) 322-0827 fax

Response to Letter I220 (Christian Scott, April 23, 2010)

I220-1

Comment about being a neighborhood or local expert is acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I220-2

We disagree that there are flaws in the ridership or economic models. The ridership forecasting process did analyze the elasticity of ridership with changes in fares and frequency of trains. See Standard Response 4.

I220-3

Population is one factor in determining a market. San Francisco enjoys a very large recreational and tourism market, whereas San Jose does not. BART carries many regional non-work trips into San Francisco. San Francisco's function for work trips includes statewide functions for many State and Federal agencies, international concerns, such as consulates, and many financial and legal jobs, not to mention a strong growth in Web 2.0 and bioscience businesses.

I220-4

Ending HST in Pleasanton at the end of the BART line would require a 47-minute ride into downtown San Francisco and a 90-minute trip to SFO and no connection to San Jose except via Caltrain in Millbrae. While it would provide good connections BART stations south of Fruitvale in Oakland, a connection from the HST at the Transbay Terminal in San Francisco (via the Montgomery Street station) would provide quicker trips to BART destinations north of Fruitvale, including Downtown Oakland, Berkeley, Richmond and Orinda. See Standard Response 10 regarding alternatives.

I220-5

An analysis of alignments that do not traverse the Caltrain Corridor is contained in the 2008 Final Program EIR. The Authority notes that the Draft and Final Program EIRs evaluated alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

The description and full evaluation of these network alternatives were not circulated in the 2010 Revised Draft Program EIR Material, but clarification of the description and evaluation of portions of these alternatives, specifically between San Jose and Gilroy, were provided in response to the Superior Court ruling in Town of Atherton.

Comment Letter I221 (Laurel Shimer, April 26, 2010)

I221

Kris Livingston

From: Laurel Shimer [lshimer@my.smccd.edu]
Sent: Monday, April 26, 2010 2:39 PM
To: HSR Comments
Subject: SALAMANDERS? OWLS? HAWKS? Comments on Bay Area to Central Valley Revised Draft Program EIR

408 Felton Dr.

Menlo Park, CA 94025

April 26, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Menlo Park at 408 Felton Drive.

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I221-1

Here, specifically, are some impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:'

- This neighborhood is a haven for URBAN WILDLIFE including, but not limited to, SALMANDERS, WESTERN SCRECH, OWLS, RED-TAILED HAWKS, POSSUM and RACOON. The natural habitat for all of these animals has been severely impacted by area development. These creatures flee here because of encroachment on their natural homes. Now even the urban habitat to which they have manage to adapt is pushing them out , giving them no place to live and reproduce. The vibrations, noise and encroachment of a High Speed Rail zone is no place to lay your eggs or nurse your young. I221-2

- There are significant vibrations, especially related to the relatively high-speed "Baby Bullet" trains, which would become much more frequent and of greater intensity if High Speed Rail uses the Caltrain alignment. I221-3

- There is significant noise related to Caltrain. However, Caltrain mostly runs during commute hours and does not run after midnight. Noise would become much frequent and of greater intensity if High Speed Rail uses the Caltrain alignment. I221-4

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- Increasing the number of tracks to 4 or more along the Caltrain alignment would result in loss of many trees along the tracks probably including several large redwood trees along our rear fenceline. I221-5

- There was a collision at the nearby Encinal Street crossing that killed a pedestrian within the past couple of years. There have been a rash of suicides and other fatal collisions between pedestrians and trains along the Peninsula in recent years that seemingly requires the complete separation of road and pedestrian crossings from the tracks of the High Speed Rail trains that are proposed to run with much greater frequency than Caltrain. I221-6

IN ADDITION

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I221-7

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Laurel Shimer

2

Response to Letter I221 (Laurel Shimer, April 26, 2010)

I221-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I221-2

See Response to Comment I005-2. Concerns regarding potential for noise impacts from the HST system to disturb wildlife along an alignment are acknowledged. More detailed analysis of potential noise impacts will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement, and alignment variations will also be further considered.

I221-3

The potential vibration effects of the HST operations will be estimated and assessed using the Federal Railroad Administration (FRA) guidance contained in their "High-Speed Ground Transportation Noise and Vibration Impact Assessment Report" October 2005. The assessments will be done for representative sensitive receivers located along each of the HST Project sections. In addition, the project-level analysis will consider vibration from Caltrain and freight service vibration in combination with HST.

I221-4

The potential noise effects of the HST operations will be estimated and assessed using the Federal Railroad Administration (FRA) guidance contained in their "High-Speed Ground Transportation Noise and Vibration Impact Assessment Report" October 2005. The assessments will be done for representative sensitive receivers located along each of the HST Project sections. In addition, the project-level analysis will consider noise from Caltrain and freight service vibration in combination with HST.

I221-5

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I221-6

The Authority disagrees with the comment that high-speed trains will create a greater risk of suicides and fatal collisions between trains, automobiles, and pedestrians. The HST project under consideration in this Program EIR includes grade separations to fully separate the HST from local automobile and pedestrian traffic. The HST project is therefore anticipated to improve existing safety conditions in those areas like the Caltrain corridor between San Francisco and San Jose that have current problems with pedestrian/auto/rail accidents due to auto/rail grade crossings. The HST project also includes a fully access-controlled guideway with intrusion monitoring. The access controls on the HST guideway, combined with the grade separation, are anticipated to eliminate rather than encourage the current condition on the Caltrain corridor where the easy pedestrian access to the rail tracks has resulted in the unfortunate problem of suicide deaths on the corridor.

I221-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I222 (Scott Stanton, April 17, 2010)

I222

Kris Livingston

From: Scott Stanton [stanton@electric-cloud.com]
Sent: Saturday, April 17, 2010 1:25 PM
To: HSR Comments
Cc: Assemblymember.Ruskin@assembly.ca.gov; senator.simitian@sen.ca.gov; racline@menlopark.org; Carla Campbell
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dan Leavitt
CHSRA
925 L Street, Ste 1425
Sacramento, CA 95814

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would impose extremely significant impacts on the San Francisco Peninsula. Impacts that would be felt by me, my family, my neighborhood, and by the natural environment. I live in Menlo Park, at the address shown below, and I can assure you that I am an unwilling expert with respect to the impacts this project will have. I222-1

My wife and I own a house adjacent to the Caltrain corridor in Menlo Park. We bought our house specifically to be close to rail as my wife is blind and uses Caltrain on a daily basis as part of her business. Our home will have to be seized if the corridor is widened to accommodate an additional pair of tracks for the high speed rail line. We have owned our home for 15 years and lived in Menlo Park for 20 years, but the cost of having to purchase a new property at today's market prices would most likely force us to leave the community we love as we could not afford to purchase a new property close enough to public transit for my wife to use. This would have a devastating effect on our lives as my wife has a private business (Quadrussage) based upon our many contacts throughout the community built over many years. The cost of losing our home might well include losing her business, our neighbors, and our community. This cost is too high. I222-2

Aside from the personal cost to us, our property features two large, ancient (200+ years old) heritage valley oak trees that would be killed by this project (refer to the attached photographs). They serve as a significant habitat for many animals in our neighborhood. There is no way to mitigate the loss of these grand old oaks. They are a product of an earlier time and could never be replaced. We have acted as stewards of the land in maintaining the health of these trees and it would be a crime against nature to destroy two entities that have been living since the time this country was founded. Again, this cost is too high. I222-3

Additionally, if this project proceeds, the impact of the initial construction and the ongoing operation of a high speed steel wheeled rail through the middle of a quiet residential neighborhood cannot be overstated. The current train system is low impact with infrequent trains, no night time service, and slow speeds with only the occasional freight train generating much vibration. The proposed project would dramatically change this picture. There would be years of noise and dangerous construction debris while the project is built as well as the ongoing impact of a disruptive high speed train in a residential neighborhood. We agree with our neighbors when we say that this cost is too high. I222-4 I222-5

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing rights of way along Highway 101 and I-280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I222-6

I request that you revise the Draft EIR, and then circulate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study an alignment along the 101 corridor where the noise and visual impact will be

1

minimized. Highway 101 does not run through the middle of family neighborhoods where the impact would be most keenly felt. It would provide easy access to both San Francisco airport and San Jose airport as well as hundreds of businesses that could benefit from the HSR service. I222-7 cont.

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

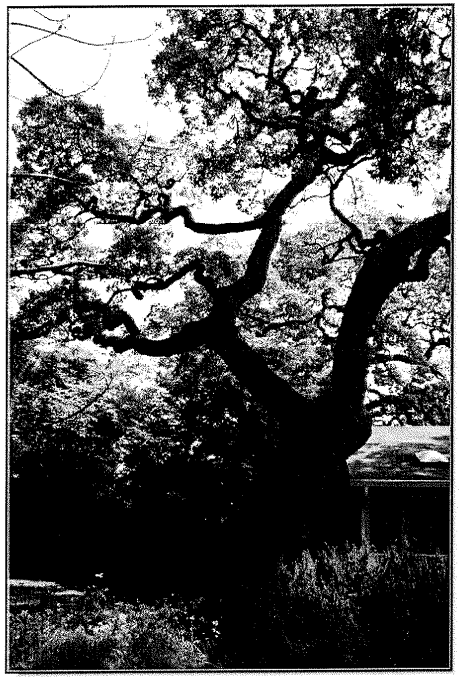
Yours truly,

Scott Stanton
Carla Campbell
198 Spruce Ave.
Menlo Park, CA 94025
650-322-4255

cc: State Senator Joe Simitian
Assembly Member Ira Ruskin
Mayor Richard Cline, City of Menlo Park

2

Comment Letter I222 - Continued



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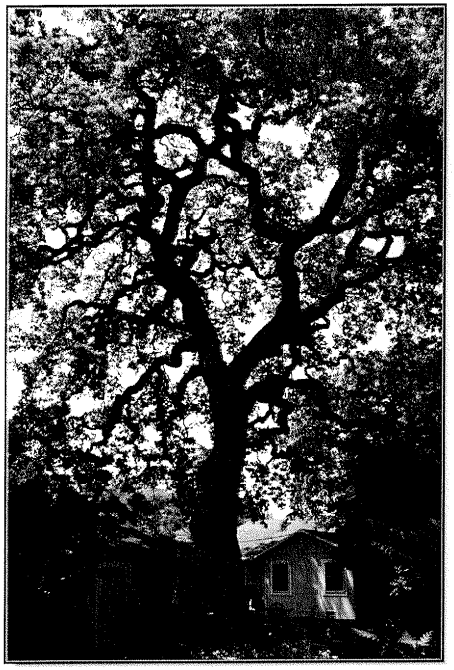

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Response to Letter I222 (Scott Stanton, April 17, 2010)

I222-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I222-2

Comment noted. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts. See also Standard Response 7.

I222-3

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. The determination of impact to specific trees from the HST project is well beyond the scope of a program EIR.

I222-4

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include both construction and operational impacts and mitigation.

I222-5

See Response to Comment 1052-5 regarding construction.

I222-6

See Standard Response 10 regarding alternatives.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I222-7

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I223 (Robert Valenti, April 21, 2010)

I223

Kris Livingston

From: Valenti Robert [valentir@mac.com]
Sent: Wednesday, April 21, 2010 9:19 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR
Attachments: HSR Authority Letter .doc; ATT00001.htm

Attached please find a letter with my comments on Bay Area to Central Valley Revised Draft Program EIR.

1

349 Arden Road
Menlo Park, CA 94025

21 April, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. My background includes serving as an officer in the US Army Corps of Engineers leading major construction projects. In my civilian career, I have managed large complex defense programs, started new companies that were profitable, and returned the initial investments many times over. I have a Bachelor of Science degree in Mechanical Engineering and advanced finance and management certificates from Stanford University. I223-1

Based on my business, technical and project management experience, I have the following comments and concerns on the Draft EIR:

- The chosen Pacheco Pass route is over 120 miles longer than the alternative Altamont route. Certainly that causes some additional impact to each of those miles. Have you considered that fact?
- The Pacheco route neglects to take into consideration the fact that most traffic to and from the peninsula is from people living east of the peninsula that would get no benefit from the Pacheco route. Why did you neglect dealing with this traffic? I223-2
- The Pacheco route will cause significant environmental and financial impacts to the cities on the peninsula. This will in turn cause higher city expenditures and lower property taxes resulting over time in a diminished quality of life along the entire peninsula route. What analysis have you done regarding this issue? I223-3
- There are reported statements from spokesmen of the Department of Transportation that the federal stimulus funds are not guaranteed. Without these funds, the HSR Authority would have much less ability to mitigate environmental impacts. What is your mitigation plan to this issue? I223-4
- It should be clear that the ridership levels are a function of the chosen route. Yet the ridership analysis will not be published until after the program level EIR is complete. A I223-5

Comment Letter I223 - Continued

full and complete alternative analysis be done without having the benefit of ridership models. How can you claim having performed a complete analysis without this model? I223-5 cont.

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above, and that the California Environmental Quality Act (CEQA) also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. I223-6
I request you to revise the current Draft EIR to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as CEQA requires.

Yours truly,

/s/Robert M. Valenti

Response to Letter I223 (Robert Valenti, April 21, 2010)

I223-1

This Revised Final Program EIR, which includes the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material have adequately evaluated the impacts of the HST at a programmatic level and have evaluated a reasonable range of alternatives and appropriate mitigation strategies for a first-tier, program EIR.

I223-2

The purpose of the HST is to provide an alternative for statewide trips, not provide access to the San Francisco peninsula from communities to the east.

I223-3

See Response to Comment L012-12.

I223-4

The Authority disagrees with your statement. For more information on the funding plan, please see the Authority's Business Plan.

I223-5

Ridership forecasts are a result, in part, of the selected alignment. The 2008 Final Program EIR utilized ridership forecasts prepared based on a new statewide travel demand model. See Standard Response 4.

I223-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I224 (Clare Warner, April 26, 2010)

I224

Kris Livingston

From: Clare Warner [warnerclare@gmail.com]
Sent: Monday, April 26, 2010 12:46 AM
To: HSR Comments
Cc: senator.simitian@senate.ca.gov; assemblymember.ruskin@assembly.ca.gov; city.council@menlopark.org
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

Clare B. Warner

350 Arden Road

Menlo Park, CA 94025

April 26, 2010

Mr. Dan Leavitt
California High Speed Rail Authority
925 L Street Suite 11425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Peninsula. The Authority's proposed project routing would have extremely significant impacts on the Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a "neighborhood expert" with respect to the impacts of the proposed project, whose impacts have not been properly investigated and mitigated as the law requires. I224-1

Here, specifically, are the impacts I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- First, we will have very disruptive construction. The construction phase of the project will be extremely disruptive to my community, my neighborhood and my family. Travel between my house and El Camino Real will be seriously impacted. My ability to reach the heart of my town, Santa Cruz Avenue, will also be markedly affected. I currently access both easily on foot and bicycle. I would not be able to do that while construction is underway. There is considerable likelihood of safety problems in construction areas as the streets crossing the current tracks are used for children going to school, for people walking and biking and generally conducting business in Menlo Park. This kind of construction will likely take years and will cause great hardship to those in this very residential area. HSR will be a major construction project that will also create further traffic congestion and flow problems in an already highly congested area. Such disruption and congestion will deter commerce and dramatically and negatively affect property values. As people leave the area due to the long-term construction and declining property values, business will suffer, as will CalTrain ridership. It is a downward spiral that I shudder to think about. I224-2

1

- Many of my neighbors' homes will be subject to removal, depending on how much property is required, and the overall charming feel and beautiful look of the area will be highly negatively affected. I224-3

- The Train Trestle Will Cut the City of Menlo Park in Half. Once constructed, the train is proposed to have an aerial overpass at least 20 feet high with electric wiring on top of that. It will cut a huge concrete overpass and swath through a residential area in the same way as a two lane freeway overpass. But in this case it is right through an established neighborhood, with homes and businesses on either side. The city of Menlo Park will be cut in half with an huge above ground structure. It will bisect the city completely, permanently and negatively. The tracks will become a defining element in the community: "Which side of the tracks are you on?" That is not currently the case. I224-4

- Serious Noise Pollution. The noise from the current Cal Train is loud and we all begrudgingly tolerate it. But the added noise from literally hundreds of additional trains running on two levels of tracks will provide further degradation to the neighborhood and to my city. I224-5

- Loss of Trees and Other Vegetation. There are hundreds of trees, many of them established oaks and other trees that line the potentially affected area. These would all likely have to go, thereby further degrading the environment and increasing global warming and noise pollution. The current vegetation provides noise barrier and absorption. I224-6

- Train trestles are ugly structures. No one wants them in their neighborhoods. They are visual pollution. We tolerate them when they are connected to highways or when they are in industrial areas. But train trestles in densely populated areas make no sense. Have you ever seen a charming and beautiful neighborhood or business development with major train trestle running through it? Such structures and their environs breed vagrants, trash, and dirt. No one wants to be close to them as noisy trains move overhead. It's why people don't generally like living next to a freeway. Every community along the Peninsula will suffer a similar degradation. The corridor within hundreds of feet on either side of the tracks will become "industrial" in nature. I224-7

I believe the law requires you to do a far better job of understanding and documenting the impacts I have described above---and not only in my neighborhood but in similar neighborhoods along the proposed alignment. Furthermore, the law requires you to eliminate or mitigate these impacts to the greatest degree possible.

I request you to revise the Draft EIR, addressing my concerns, and then recirculate a Revised Draft EIR for further review and comment by the public. The revised draft should study the following alternative routes:

- Highway 101 corridor. I don't understand why you don't consider this. There is a similar model in New York City where a train runs from Kennedy Airport to the Jamaica subway along the median of the Van Wyck Expressway. The train is overhead and the supporting structure is in the median of the highway. 101 provides the same opportunity. There was certainly disruption on the very busy Van Wyck while it was under construction, but the result was that no homes were affected and cities were not cut in half. I224-8

- End the HSR in San Jose. I understand the that cost of the line between SF and SJ is about $4 billion. For that price with HSR we get between the two cities about 5-8 minutes faster than the current Cal Train Baby Bullet. It makes no sense! Why not stop in SJ, save the money, and use it elsewhere or for other kinds of transportation projects.

- Use the 280 Corridor. There is a lot of land in the median of 280. I realize there is a need for straight tracks, but the fact is that the train will not operate on any location on the Peninsula, particularly the proposed Cal Train Corridor, at high speeds. This means that you could run the train more slowly thereby eliminating the need for straight tracks. Consequently, it could be run up the 280 corridor.

2

Comment Letter I224 - Continued

Thank you for taking my serious comments and concerns into account, as the California Environmental Quality Act requires.

Sincerely,

Clare B. Warner
warnerclare@gmail.com
650-619-9414

3

Response to Letter I224 (Clare Warner, April 26, 2010)

I224-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I224-2

See Response to Comment 1052-5 regarding construction.

I224-3

See Standard Response 7 regarding Eminent Domain.

I224-4

See Response to Comment 1017-4.

I224-5

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed noise sources.

I224-6

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I224-7

The utilization of the area under elevated structures can be analyzed as part of the project-level EIR/EIS. Potentially, local jurisdictions could be consulted to see what uses they want permitted and to determine the responsibility and liability for those uses. As stated in your comment, a wide variety of uses are common under elevated structures. Examples from existing elevated corridors include linear parks, like the Ohlone Trail in the East Bay, or parking, in commercial areas where it is desired. There are examples of businesses locating under elevated railway structures. Borough Market, in London, is a very successful marketplace like the Ferry Building in San Francisco, which is under a steel railway junction. A four-track railway crosses through Berlin on brick arches. Many popular restaurants are located under the tracks. This thoughtful utilization of space under railway structures is repeated throughout the world.

I224-8

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The

Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

See Standard Response 10 regarding alternatives.

Comment Letter I225 (Timothy Warner, April 26, 2010)

I225

Kris Livingston

From: Tim Warner [trw@Stanford.EDU]
Sent: Sunday, April 25, 2010 8:07 PM
To: HSR Comments
Cc: senator.simitian@senate.ca.gov; assemblymember.ruskin@assembly.ca.gov; city.council@menlopark.org
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

Timothy R. Warner

350 Arden Road

Menlo Park, CA 94025

April 26, 2010

Mr. Dan Leavitt
California High Speed Rail Authority
925 L Street Suite 11425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Peninsula. The Authority's proposed project routing would have extremely significant impacts on the Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a "neighborhood expert" with respect to the impacts of the proposed project, whose impacts have not been properly investigated and mitigated as the law requires. I225-1

Here, specifically, are the impacts I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- First, we will have very disruptive construction. The construction phase of the project will be extremely disruptive to my neighborhood and my family. Travel between my house and El Camino Real will be seriously impacted. My neighbors' homes will be subject to removal, depending on how much property is required and the total feel and look of the area will be highly negatively affected. There is considerably likelihood of safety problems in construction areas as the streets crossing the current tracks are used for children going to school, for people walking and biking and generally conducting business in Menlo Park. This kind of construction will likely take years and will cause great hardship to those in this very residential area. This is a major construction project and will also create further traffic congestion in an already highly congested area. I225-2

- The Train Trestle Will Cut the City of Menlo Park in Half. Once constructed, the train is proposed to have an aerial overpass at least 20 feet high with electric wiring on top of that. It will cut a huge concrete overpass and swath through a residential area in the same way as a two lane freeway overpass. But in this case it is right through an established neighborhood, with homes and businesses on either side. The city of Menlo Park will be cut in half with an huge above ground structure. It will bisect the city completely, permanently and negatively. I225-4

1

- Serious Noise Pollution. The noise from the current Cal Train is loud and we all begrudgingly tolerate it. But the added noise from literally hundreds of additional trains running on two levels of tracks will provide further degradation to the neighborhood and to my city. I225-6

- Loss of Trees and Other Vegetation. There are hundreds of trees, many of them established oaks and other trees that line the potentially affected area. These would all likely have to go, thereby further degrading the environment and increasing global warming. I225-7

- Train trestles are ugly structures. No one wants them in their neighborhoods. They are visual pollution. We tolerate them when they are connected to highways or when they are in industrial areas. But train trestles in densely populated areas make no sense. They breed vagrants, trash, and dirt. No one wants to be close to them as noisy trains move overhead. It's why people don't generally like living next to a freeway. I225-8

I believe the law requires you to do a far better job of understanding and documenting the impacts I have described above---and not only in my neighborhood but in similar neighborhoods along the proposed alignment. Furthermore, the law requires you to eliminate or mitigate these impacts to the greatest degree possible.

I request you to revise the Draft EIR and then recirculate a Revised Draft EIR for further review and comment by the public. The revised draft should study the following alternative routes:

- Highway 101 corridor. I don't understand why you don't consider this. There is a similar model in New York City where a train runs from Kennedy Airport to the Jamaica subway along the median of the Van Wyck Expressway. The train is overhead and the supporting structure is in the median of the highway. 101 provides the same opportunity. There was certainly disruption on the very busy Van Wyck while it was under construction, but the result was that no homes were affected and cities were not cut in half. I225-9

- End the HSR in San Jose. I understand the that cost of the line between SF and SJ is about $4 billion. For that price with HSR we get between the two cities about 5-8 minutes faster than the current Cal Train Baby Bullet. It makes no sense! Why not stop in SJ, save the money, and use it elsewhere or for other kinds of transportation projects.

- Use the 280 Corridor. There is a lot of land in the median of 280. I realize there is a need for straight tracks, but the fact is that the train will not operate on any location on the Peninsula, particularly the proposed Cal Train Corridor, at high speeds. This means that you could run the train more slowly thereby eliminating the need for straight tracks. Consequently, it could be run up the 280 corridor.

Thank you for taking my serious comments and concerns into account, as the California Environmental Quality Act requires.

Sincerely,

Timothy R. Warner

Timothy R. Warner
trw@stanford.edu
650-725-1263 (o)
650-799-6270 (c)
Personal email: timwarner13@gmail.com

2

Response to Letter I225 (Timothy Warner, April 26, 2010)

I225-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I225-2

See Response to Comment 1052-5 regarding construction.

I225-3

See Response to Comment 1017-4.

I225-4

See Standard Response 3.
More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed noise sources.

I225-5

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I225-6

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping could likely be established outside the area required for rail operations. This landscaping could replace that removed for the project. In locations where existing trees are located within Caltrain right-of-way, design and engineering undertaken as part of the project-level EIR/EIS will determine if they are located where they cause no interference with the future rail operations. The Authority can work to mitigate the visual impacts of its implementation to reduce the visual impacts to the communities on the Peninsula.

I225-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR

Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

See Standard Response 10 regarding alternatives.

Comment Letter I226 (Ann Whittaker, April 25, 2010)

I226

480 Claremont Way
Menlo Park, CA 94025

April 25, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High-Speed Rail Authority:

My letter is to comment on the Draft Program Level EIR prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. I feel strongly that the proposed High Speed Rail routing plan along the Caltrain alignment would decimate many of the communities on the Peninsula. As a resident of Menlo Park, I have many concerns about this possible route. I feel that use of the Caltrain alignment would divide my community, and would greatly affect the quality of life in our town. I am concerned about the loss of beautiful mature trees along Alma Street, the increased noise and vibration of this train, loss of businesses along the route and the general visual impact of this project. I226-1

I also am horrified at the increased cost estimates for this project when our state is in such dire financial straits. The numerous cuts that have occurred in both our higher education systems and our public schools are particularly appalling to me. How can we consider such a costly project at this time especially when the Authority does not seem able to give any reasonable estimates of the final cost? I am totally opposed to any Revenue Guarantee from the state for this project. I226-2

A simple solution to the problems of the High Speed Rail use of the Caltrain alignment would be to end the High Speed Train in San Jose where passengers could transfer to the Baby Bullet, which travels at about the same speed the High Speed Rail would use on the Peninsula. This would be such a logical and feasible solution since it would save the many wonderful communities along the Peninsula and would certainly decrease the cost of the High Speed Rail project. I226-3

I request that you revise the Draft EIR, and recirculate a Revised Draft EIR for further review and comment by the public. Thank you for taking my concerns into accout, as the California Environmental Quality Act requires. I226-4

Sincerely,

Ann Whittaker

Ann Whittaker

p. Ann Whi p.1
480 Claremont
Menlo Park, CA
April 25, 2010
Dan Leavitt
California Hig
925 L Street, S
Sacramento, C
RE: Co ram EIR
Dear Mr. Leavi
My letter is to c Authority's
proposed routin ngly that the
proposed High ld decimate
many of the co I have many
concerns about ... would divide
my community, am concerned
about the loss o oise and
vibration of this isual impact of
this project.
I also am horrif state is in such
dire financial st ger education
systems and ou we consider
such a costly pr eem able to give
any reasonable venue
Guarantee from
A simple solut in alignment
would be to en transfer to the
Baby Bullet, wh would use on the
Peninsula. This uld save the
many wonderfu ecrease the cost
of the High Spe
I request that yo for further
review and com to account, as
he California E
Sincerely,
Ann Whittaker

Apr 26 10 04:58p Ann Whittaker 6503299216 p.1

Response to Letter I226 (Ann Whittaker, April 25, 2010)

I226-1

This comment addresses potential impacts to community within Menlo Park, particularly to community cohesion, mature landscaping and trees, increased noise and vibration, loss of businesses, and general visual impacts. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of impacts to community cohesion, mature landscaping and trees, increased noise and vibration, loss of businesses, and general visual impacts will be conducted for the project-level EIR/EISs.

See Standard Response 6 regarding the requirements of CEQA and quality of life impacts.

I226-2

This topic was not identified by the Superior Court as an area requiring additional work under CEQA in the Town of Atherton case. See Standard Response 8 regarding Business Plan. The Addendum to the California High Speed Rail Authority's "Report to the Legislature; December 2009" referring to page 104 has additional discussion of a "Revenue Guarantee."

I226-3

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

I226-4

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I227 (Rory and Ann Whittaker, April 26, 2010)

I227

Kris Livingston

From: Kris Livingston
Sent: Monday, April 26, 2010 5:00 PM
To: 'Ann Whittaker'
Subject: RE: High speed rail

Success!

Thank you and sorry for the trouble!

Kris

From: Ann Whittaker [mailto:annwhittaker1@yahoo.com]
Sent: Monday, April 26, 2010 4:58 PM
To: Kris Livingston
Subject: Re: High speed rail

Hi Kris,

Thanks for letting me know about the fax problem. I just resent it and hopefully it went through this time.
Ann Whittaker

From: Kris Livingston <klivingston@hsr.ca.gov>
To: Ann Whittaker <annwhittaker1@yahoo.com>
Sent: Mon, April 26, 2010 4:54:40 PM
Subject: RE: High speed rail

Ms. Whittaker,

There was an issue with the fax machine this afternoon and I only received part of your fax.

Please know that your comment won't be late as I will make a note of the fax error in the files. However, if you could re-send the letter from April 25, 2010, It would be most appreciated.

I apologize for the inconvenience.

Please let me know.

Thank you,
Kris Livingston
Parsons Brinckerhoff / California High Speed Rail Project
925 L Street Suite 1425
Sacramento, CA 95814
916.384.9515 direct
916.322.0827 fax
klivingston@hsr.ca.gov
livingstonk@pbworld.com

1

From: Ann Whittaker [mailto:annwhittaker1@yahoo.com]
Sent: Monday, April 06, 2009 12:00 PM
To: HSR Comments
Subject: High speed rail

Dear Mr. Leavitt,

We are writing to voice our dismay and concern about the High Speed Rail being planned to run up the peninsula. There are many areas of concern but the two most pressing are the plan for such an expensive project and the route of the HSR. We can not imagine how such a project is being considered for this state when we are in such dire financial straits. At the present time Californians are being faced with higher taxes, cuts in education funding, cuts in services and inability to fund the general needs of state residents. And this is the time we are considering such an expensive project as the High Speed Rail? I227-1

Are second major concern is how the HSR would affect the quality of life of peninsula residents. We are obviously concerned here in Menlo Park as are residents of Palo Alto, Atherton, San Mateo, San Carlos, Burlingame, etc. Certainly the project as now planned would affect many of the above mentioned towns. Adding two new tracks to our current configuration is mind boggling. Where will they go and what will we all lose to provide that space? And who does this benefit? Certainly not the Bay Area which has so many regional traffic issues that need to be addressed. I227-2

The only reasonable plan that we have heard would be to connect the HSR to the Baby Bullet trains in San Jose. This would save so much money and would lessen the effect of the HSR on peninsula residents and businesses. We hope this option is being seriously considered.

Rory and Ann Whittaker
480 Claremont Way
Menlo Park, CA 94025

2

Response to Letter I227 (Rory and Ann Whittaker, April 26, 2010)

I227-1

Comment acknowledged. The project continues to be pursued because the voters of the State of California approved it in November 2008, approving $9 billion in state bonds.

I227-2

See Standard Response 6 regarding quality of life impacts and Standard Response 10 regarding selection of alternatives.

I227-3

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

Comment Letter I228 (Nancy Barnby, April 21, 2010)

I228

169 Spruce Avenue
Menlo Park, CA 94025
21 April 2010

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

APR 2 2 2010

Re: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and High Speed Rail Authority;

As a homeowner living at the above address, I would like to comment on the EIR prepared on the Authority's proposed routing through the San Francisco Bay Area. I believe that the proposed routing will have significant detrimental impacts on the entirety of the SF peninsula, tearing apart numerous communities, my own town of Menlo Park included. I228-1

We are a residential community with many homes located along the CalTrain tracks, now proposed as an HSR route. I see insurmountable problems with the proposed routing through our area:

1. necessary removal of thousands of heritage and other trees along the corridor, especially through Palo Alto, Menlo Park, Atherton, and Burlingame I228-2

2. noise and vibration which will impact the quality of our lives whether we are at home or out moving about our towns (the current train does not have the problems which a high-speed train would evidence) I228-3

3. a required grade-separation barrier (whether berm or elevated tracks) renting in two any given city (We do remain in part of a city, but move freely and frequently back and forth among neighborhoods, from the library to the downtown area, from churches to homes, from parks to the post offices. A barrier is a psychological obstruction as one goes up over or down under the railroad frequently each day. The barrier will also detract from the beauty of our city. Who wants to continually view an unsightly berm or a raised track? Remember how ugly the San Francisco Waterfront was before the raised freeway was demolished?) I228-4

I believe that the law requires the Authority to do a more thorough investigation of routing alternatives. I do not believe that there is any viable way to mitigate the detrimental impact of the HSR project to our environment on the San Francisco Peninsula. I228-5

I realize that the Proposition 1A indicated that the route would end in San Francisco, but my suggestion would be to end the HSR in San Jose and allow passengers to continue to San Francisco on CalTrain. Or choose a route with few detrimental impacts to our environment and quality of life. I228-6

Thank you for taking my comments into account, as required by the California Environmental Quality Act.

Sincerely,

Nancy Barnby

Cc: Senator Joe Simitian, Assembly Member Ira Ruskin, Menlo Park Mayor Rich Cline

Response to Letter I228 (Nancy Barnby, April 21, 2010)

I228-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

I228-2

The 2008 Final Program EIR assumed that Caltrain and HST would remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming could be required for vegetation intruding on the right-of-way. The quantification of a precise number of trees to be removed as part of the HST project is beyond the scope of the Program EIR. Investigating a claim of "over 3,000" trees to be removed in Atherton alone, a quick survey of aerial photographs presented a count of about 250 trees along the right-of-way, with most on property outside the Caltrain right-of-way. The project-level EIR/EIS can analyze the impacts to vegetation along the entire Caltrain corridor, with equal weight given to impacts to all cities and jurisdictions.

I228-3

See Standard Response 3.

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

I228-4

See Response to Comment 1039-1.

I228-5

Comment acknowledged. The Authority disagrees with the comment and believes the program EIR process has evaluated a reasonable range of alternatives. The May 2008 Final Program EIR examined a no project alternative and 21 representative network alternatives for connecting the Bay Area to the Central Valley. Included in this range of alternatives were 11 Altamont Pass network alternatives, 6 Pacheco Pass network alternatives, and 4 Pacheco Pass with Altamont Pass (local service) network alternatives. See the Statewide Program EIR/EIS (certified November 2005) for the rationale behind the selection of the proposed HST system as the preferred alternative for meeting California's future intercity transportation needs. It was determined that the no project was not a viable alternative and that further expansion of highways and air transportation would be more costly and have more environmental impacts than the HST system.

I228-6

See Standard Response 10 regarding route alternatives.

Comment Letter I229 (Alan H. Bushell, April 19, 2010)

I229

Kris Livingston

From: Alan Bushell [bushells@mindspring.com]
Sent: Monday, April 19, 2010 1:04 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR
Attachments: Leavitt-EIR.pdf

Attn. Mr. Dan Leavitt

Attached to this e-mail please find the document entitled: Leavitt-EIR.pdf

This document is my submission of comments. If you have any difficulty in accessing the attachment please do not hesitate to contact me at the contact addresses shown below. Should you require the document in an alternative file format please advise accordingly.

Sincerely,

Alan H. Bushell
137 Stone Pine Lane
Menlo Park, CA 94025-3050
bushells@mindspring.com
Phone: 1-650-327 0324

1

137 Stone Pine Lane
Menlo Park, CA 94025-3050
Tel: 1-650-327 0324
e-mail: bushells@mindspring.com

April 19, 2010

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

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt and the High Speed Rail Authority:

I am concerned as much by what is not addressed in the Draft Program EIR as what is addressed. I have downloaded the document and devoted considerable time to wading through it. While I never dwell on my past, I have been advised that it is necessary for me to establish my competence to be considered "expert" in my ability to relate to such a complex issue and document. I have a law degree, am a Chartered Accountant (CPA equivalent) and an MBA with distinction from Harvard. In the 70s I worked as a consultant for McKinsey & Co, then, and probably still now, the pre-eminent management consulting company in the world. In one of my client assignments I was able to assist KLM (the Dutch National Airline) in sustainably reducing overhead costs by 10% annually and then see that innovative work taken to many other international airlines with success. I have lived and worked in London and Amsterdam in the 70s and enjoyed being a regular user of public transport before moving to Menlo Park where I have owned a home and lived for the past 32 years. I believe I understand public transportation. I229-1

Firstly I would point out that you are required to produce an Environmental Impact Report. In such a report I would expect to find the evaluation of any number of different route alternatives, and a like set of environmental considerations that have been carefully evaluated for each route alternative. Following discussion of each and every one of these criteria I would expect to see a matrix that enables comparison of the environmental considerations across all the route alternatives. I would expect the environmental considerations to be scored on a relative scale. Similarly, and more difficult to do, I would expect to see an economic assessment (both positive and negative) provided for each cell of the matrix. The idea here is relative comparison. There might follow a discussion of how such impacts might be mitigated and at what cost/sacrifice. Sadly, I have not encountered such consideration in your report. Without such analysis I am very concerned that you have not done justice to the very important responsibility with which you have been tasked. Your report leaves the impression that you have predetermined a route and seek to justify that predetermination.

Comment Letter I229 - Continued

The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. This has obviously yet to be done and I hope that this comment period will provide you with the guidance of many, so that you can revise and improve the document for further public study and comment. I offer the following to assist you in better meeting this requirement. I229-2

Alternative Routes

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. I believe that there is a very important reason to give equal consideration to the Highway 101 corridor relative to the CalTrain corridor. I share this belief knowing that you have concerns about "straight shot" options along the Highway 101 corridor. Your report does not adequately evaluate the "straight shot" preference nor adequately pursue options that might answer that need. An assessment also needs to be done with respect to attainable speeds along an optimized Highway 101 corridor. Since speeds on the CalTrain corridor alignment are only projected to be some 50% of anticipated top speed, the relative environmental impacts for this criterion might be compared. I229-3

Very thorough consideration has yet to be given to the location of a Mid-Peninsula station. The exceedingly ambitious, and as yet unsupportable, ridership projections anticipate very significant departures and arrivals at a Mid-Peninsula station. Whether in Mountain View, Palo Alto or Redwood City the considerations would be the same. There is no comprehensive and frequent public transportation option to deliver these projected passengers to or from the station. The only viable method is the automobile. There is no London Transport (Underground and double-decker buses) or Paris Metro. The CalTrain corridor would have the station located both close to El Camino Real that is already at capacity and with no satisfactory express road links to Highways 101 and 280. The number of automobile trips to bring passengers to the station over surface streets would lead to economical and environmentally devastating gridlock. Passengers would only ever do the trip twice – the first time and the last time. The influx of automobiles would require the construction of a huge parking garage for which there is no available space. On the other side of the equation are the multitudes of projected arriving passengers with no way to get from the station to their destinations other than by automobile. How about the environmental impact of building a second huge adjacent parking structure for the auto rental companies to store and provide ground transportation to arriving passengers? A station located adjacent to an existing Highway 101 on and off ramp would create a much more passenger and environmentally friendly option. Remember it is not the speed on the rail that counts with passengers it is the total time from point of origination (home or office) to point of destination. I229-4

A Highway 101 corridor routing has another major advantage of locating the Millbrae stop at San Francisco International Airport where all existing access roads and parking options could be optimally shared. Transfers between train and plane would be significantly simplified and quicker for passengers who would otherwise be trapped into having to use the time wasting and highly inconvenient Bart/Millbrae/SFO connector. I229-5

Letter to D. Leavitt, CHSRA 2 of 5 4/19/10

If the CalTrain corridor is selected and in any way takes any land between Mountain View and Palo Alto from the Central Expressway and Alma Street the negative impact on street traffic in the central Mid-Peninsula will be unbearable. The choice of the CalTrain corridor through the Peninsula will also result in the destruction of thousands of beautiful large trees that add substantially to the ecology and general quality of life in the Mid-Peninsula communities. In contrast there would be substantially fewer if any heritage trees at risk of a routing along the Highway 101 corridor. I229-6

Feasibility of Alternatives

Chapter 7.3.7 of the Draft EIR seeks to reject the Altamont Pass corridor for HSR on the grounds that a Regional rail Plan will be developed for Altamont commuters. In no way should this obfuscation be grounds for not seriously considering HSR over the Altamont Pass corridor to a Pleasanton/Livermore terminus with BART, providing access to both San Francisco and San Jose. I229-7

I have read that the Altamont Pass corridor trackage would be 50 miles shorter than the Pacheco Pass corridor trackage. This is a High Speed service that you are charged with developing and implementing. I find no environmental justification in the Draft EIR for the additional 50 miles. Where is the relative assessment with respect to the additional resources required to build an additional 50 miles? The additional trackage will certainly involve more wear and tear on rolling stock, disrupt an additional 50 miles of impacted frontage areas and significantly extend the travel time between end points. Without analysis of elements such as these you have failed to provide an objective environmental impact report as required. I229-8

The CHSRA holds to the position that Proposition 1A specifies that one train should go between Los Angeles and San Francisco and precludes linking in San Jose with BART and CalTrain to reach San Francisco, or linking in Pleasanton with BART to reach San Jose and San Francisco. This is a narrow and self-serving interpretation with severe economic and environmental impact on the viability of the entire system. There needs to be environmental and economic analysis of the necessity of running an independently tracked service alongside existing operating service. All the more so when HSR speeds paralleling the CalTrain corridor will reduce travel time to San Francisco from San Jose by perhaps as little as five minutes (some analyses show three minutes). The most environmentally responsible approach should be to not duplicate existing capacity and first build the linkage elements between existing regional rail systems, and then, if economically justifiable, optimize the utilization of the network. I229-9

Environmental Impact of Proposed CalTrain route

The Draft EIR fails to address the environmental impact of eminent domain acquisitions that will be required to implement HSR service in the event that the CalTrain corridor is used. Thorough analysis of this aspect will need to address each possible alternative of I229-10

Letter to D. Leavitt, CHSRA 3 of 5 4/19/10

Comment Letter I229 - Continued

track deployment (surface, tressle, trench, berm, cut and cover, tunnel). Eminent domain takings to be considered should include:

Takings for the HSR right of way
Takings for implementing access at all right of way crossings, including modifications to approach roads and expropriation of impacted residential and commercial properties.
Takings for construction phase requirements for a) shoo fly trackage to maintain existing daily service and b) construction facilities, equipment and materials.

The environmental impact of such takings on the community and its way of life and businesses should also be covered in the document. I229-10 cont.

In addition the impact of such eminent domain takings, overall impact on the community tax base needs to be assessed. Choosing a route through the heart of the developed Peninsula will have a negative disruptive impact on adjacent businesses and their tax contributions both in the construction phase and thereafter. This will be seen in the reduction in the property tax base due to removal of the eminent domain taken properties and a reduction in the assessed values of adjacent surviving properties. The loss of associated tax revenues will negatively impact on state and local government's ability to implement many environmentally important initiatives.

Environmental Impact on all route options

The ridership projections are very critical to assessing environmental impact. Current ridership forecasts are circumspect at best. Forecasts would normally have been developed using probability theory looking at ranges and likelihoods. Factors that might impact ridership forecasts have not been adequately considered and analyzed. In recent months we have seen what is happening to both BART and CalTrain – substantial losses due to failure to meet ridership expectations leads to reductions in service frequency together with fare increases with a resultant further decline in revenues yet costs do not follow suit. What might the environmental impact be on HSR in the face of similar patterns? I229-11

There needs to be a thorough environmental assessment of the impact of failing to complete the construction of the system, both full and partial, in the projected time frame, or for that matter ever. In addition an environmental impact assessment needs to be made of the impact if the system cannot be operated at a profit or breakeven. This is a highly likely scenario. The infrastructure would either need to be abandoned or supported with crippling sums of taxpayer-contributed funds that should preferably be directed to future environmentally worthy projects. I229-12

Ambitious forecasts of passenger demand have been made well into the future as if HSR (an acceleration of a 19th century technology) is a perpetual solution to a key requirement. Where is the assessment of technology progression that has incredible environmental impact? The written word was moved by hand carrying, and then by sail, steam ship, stagecoach, rail, road, telex, fax and e-mail and today documents are not even moved but shared across the net. People also advanced as they walked, rode, sailed, took steam I229-13

ships, stage coaches, trains, automobiles, prop planes, jet planes and in the last ten years they are moving forward to utilize tele-presence, enhanced video conferencing and many other exploitations of the Internet that reduce the need to physically move bodies. By 2030 we will be going about our business in ways that we cannot yet imagine. We are California, where is our vision to not even factor elements such as centuries of experience with change into our environmental assessment of the future? We can invest in blanketing the state with the highest speed broadband network that we can afford. This will keep us at the leading edge of world innovation and continually bring growth in high quality employment. Enhanced video conferencing alone might significantly reduce the number of physical trips taken and challenge the need for any HSR, and be greener in doing so. How can we make environmental assessments of any value without considerations such as this? I229-13 cont.

Sincerely,

Alan H. Bushell

cc: State Senator Joe Simitian
Assembly Member Ira Ruskin
Mayor Richard Cline, City of Menlo Park
State Senator Alan Lowenthal, Chair Transportation Committee

Response to Letter I229 (Alan H. Bushell, April 19, 2010)

I229-1

See Standard Response 10 regarding route alternatives.

I229-2

Comment acknowledged. The 2010 Revised Final Program EIR Material includes mitigation strategies that will be refined and applied at the project-EIR level to avoid and minimize impacts to the greatest extent feasible.

I229-3

The speed on the peninsula is limited to about 125mph to limit noise impacts associated with higher speeds. Both the Caltrain corridor and US 101 have long stretches with no curves or inconsequential curves. The potential speed possible over 125mph enabled by "straight shots" along either corridor is not a deciding factor for one corridor or another. See Standard Response 10 regarding alternatives.

I229-4

See Response to Comment L004-12.

I229-5

It is unclear where land remains for a HST station close to SFO. FAA protected airspace around the airport runways limits vertical profiles along US 101 and protected habitat exists immediately west of the freeway.

I229-6

The 2008 Final Program EIR did not assume any lane reductions on the streets cited in the comment.

I229-7

Ending HST in Pleasanton at the end of the BART line would require a 47-minute ride into downtown San Francisco and a 90-minute trip to SFO and no connection to San Jose except via Caltrain in Millbrae.

I229-8

As shown in Table S.8-1 in the summary of the 2008 Final Program EIR, the length of the network alternative under consideration varies, depending on the city centers served and the alignments included in the network alternative. The top rows of that table are reproduced here. Maps of these network alternatives are provided in Chapter 7 of the 2008 Program
Alignment.

Table S.8-1. Summary of Characteristics and Impacts for the Network Alternatives

Characteristic/Impacts	Altamont Pass											Pacheco Pass						Pacheco Pass with Altamont Pass (local service)			
	San Francisco & San Jose Terminii	Oakland & San Jose Terminii	San Francisco, Oakland & San Jose Terminii	San Jose Terminus	San Francisco Terminus	Oakland Terminus	Union City Terminus	San Francisco & San Jose – via SF Peninsula	San Francisco, San Jose, Oakland – no Bay Crossing	Oakland & San Francisco – via Transbay Tube	San Jose, Oakland, & San Francisco – via Dumbarton Bridge	San Francisco & San Jose Terminii	Oakland & San Jose Terminii	San Francisco, Oakland, & San Jose Terminii	San Jose Terminus	San Jose, San Francisco & Oakland – via Transbay Tube	San Jose, Oakland & San Francisco – via Transbay Tube	San Francisco & San Jose Terminii	Oakland & San Jose Terminii	SF, Oak, & SJ Terminii (via Dumbarton Bridge)	San Jose Terminus
Figure # (see Chapter 7 of the Program EIR/EIS)	7.2-1	7.2-2	7.2-3	7.2-4	7.2-5	7.2-6	7.2-7	7.2-8	7.2-9	7.2-10	7.2-11	7.2-12	7.2-13	7.2-14	7.2-15	7.2-16	7.2-17	7.2-18	7.2-19	7.2-20	7.2-21
Length (miles)	203.34	182.16	241.16	160.18	191.56	170.86	157.93	213.30	244.70	179.64	196.11	267.53	256.87	309.60	213.15	276.31	265.68	339.16	318.45	360.90	286.04

As shown, the Altamont network alternatives vary in length from 157.93 miles (with a terminus in Union City) to 244.7 (with a terminus in all three cities and no bay crossing). The Altamont network alternative crossing the bay with a terminus in San Jose and San Francisco has a length of 203.34 miles. The Pacheco network alternatives vary in length from 309.6 miles (with termini in all three city centers) to 213.15 miles with a terminus in San Jose. The Pacheco network alternative with termini in San Jose and San Francisco would have a length of 267.53 miles.

In addition to length, the Authority reviewed a number of factors in its evaluation of these network alternatives, including the factors identified in the comment, and this evaluation is provided in the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material. On the basis of the materials before it, including public

comment, the Authority Board will consider making the following decisions:

- Choice of a network alternative to connect the San Francisco Bay Area to the Central Valley, i.e., Pacheco Pass, Altamont Pass, or Pacheco Pass with Altamont Pass (local service);
- Choice of alignment alternatives within the selected network alternative; and
- Choice of station location options.

I229-9

The Authority intends to comply with Proposition 1A. Proposition 1A enacted various provisions of the Streets and Highways Code, including section 2704.04, which designates San Francisco to Los Angeles and Anaheim as Phase 1 of the HST system, and section 2704.09, which specifies the maximum nonstop trip times for certain city pairs, including San Francisco and Los Angeles. Section 2704.09 also states for each designated corridor "passengers shall have the capability of traveling from any station on that corridor to any other station on that corridor without being required to change trains." Stopping in San Jose and transferring from the HST system to another service to reach San Francisco would not be consistent with section 2704.09.

I229-10

See Standard Responses 6 and 7.

I229-11

We disagree that the ridership forecasts are circumspect. The ridership modeling effort that led to the forecasts used in the Program EIR did examine factors that affect ridership. See Standard Response 4. Note that the Program EIR impacts analysis considered both a low and high ridership range for analyzing environmental impacts, and considered the low forecast for assessing environmental benefits. If the HST system is constructed, but attracts fewer riders, the environmental benefits associated with diverting traffic from congested freeways can be anticipated to be lower.

I229-12

For purposes of the environmental impacts analysis, the Program EIR considers the impacts of construction of the entire HST system. In this way, the EIR provides the fullest disclosure of environmental impacts. Reduced impacts would result if the full system is not constructed. In addition, fewer environmental benefits can be anticipated to traffic/circulation, air quality, and energy if the full HST system is not constructed. We disagree that the EIR must analyze a scenario that assumes the HST system cannot be operated profitably and will have to be abandoned or supported with taxes that could support other projects. This type of project fiscal analysis is not required to be included in an EIR. The Authority's 2009 Business Plan, as amended in April 2010, provides supporting information that the HST system can be operated profitably.

I229-13

The ridership and revenue forecasts used in the 2010 Revised Program EIR rely on official population and employment forecasts developed by the California Department of Finance and regional planning agencies throughout the state. The forecasts assume continuation of current trends regarding telecommuting, fuel costs and similar factors that influence people's desire and willingness to travel. Although ridership and revenue sensitivity tests were developed to understand the potential effects of changes in these factors, the "most likely" future scenario, based on continuation of current trends, was used for the Program EIR rather than speculative changes in some variables.

Comment Letter I230 (Lynne Calvarese, April 23, 2010)

I230

Lynne M. Calvarese
463 Claremont Way
Menlo Park, CA 94025

RECEIVED
APR 27 2010
BY:

April 23, 2010

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

Dear Mr. Leavitt:

The purpose of this letter is to comment on the Bay Area to Central Valley Revised Draft Program Level EIR. My family and I have lived at 463 Claremont Way, Menlo Park, for 17 years.

The Authority's proposed project design and routing along the Caltrain alignment would cause very significant impacts to my entire neighborhood, city, and to the natural environment. Not only would all of our beautiful, mature trees along Alma Street be gone, but our prized redwood, ***"El Palo Alto"*** would be removed, as it is very close to the current Caltrain tracks. In addition to it's designation of ***Heritage Tree***, it is also designated as a ***California Historical Landmark,*** and is currently thriving. Please go to this link to read about "El Palo Alto" trees.stanford.edu/PDF/elpaloalto.pdf . This simply cannot be allowed to happen when there are better alignment alternatives. I230-1

I believe the law requires the Authority to provide investigation and documentation of the above mentioned impacts. I request that you revise the Draft EIR you have prepared, address my concerns, and prepare a Revised Draft EIR for further review and public comment. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I230-2

Yours truly,

Lynne M Calvarese

Lynne M. Calvarese

Cc: State Senator Joe Simitian
State Senator Leland Yee
Assembly Member Jerry Hill
Assembly Member Ira Ruskin

Response to Letter I230 (Lynne Calvarese, April 23, 2010)

I230-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I230-2

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration. The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I231 (Galen, April 7, 2010)

I231

Kris Livingston

From: galen [denzen@umich.edu]
Sent: Wednesday, April 07, 2010 4:32 PM
To: Palo_Alto_HSR@yahoogroups.com
Cc: galen; PA Patriot; PA City Council; HSR Comments
Subject: Re: [Palo_Alto_HSR] Where the action is

Martin, i think you are that charismatic leader. I agree, we need to start taking to the streets to send a clear message that we're not about to allow this madness to continue. Though i feel your list of demands is inadequate. We need to demand that this entire project be defunded and the criminal activity of those involved be prosecuted to the full extent of the law. I insist that election fraud is illegal and this was election fraud plain and simple. Why are you willing to give them the election when they demonstrably deceived us into voting for this monstrosity? Where's our lawsuit for election fraud on your list of demands? I231-1

Regards -- galen

Martin Engel wrote:

This just in. Mike Rosenberg is one of our go-to people for current information about what's going on on the Peninsula. Here's his latest.

There are now five or more groups working on this High-Speed Rail problem on the Peninsula. I don't know how much they talk with each other, but, I suspect, far less than they ought to. There is a five town Coalition of Cities dedicated to negotiating with the rail authority. At the same town, each city is pursuing it's own agenda of interaction regarding possible Caltrain corridor developments. Some towns are each, independently, supporting a Sacramento based lobbyist who does his "thing" on our behalf.

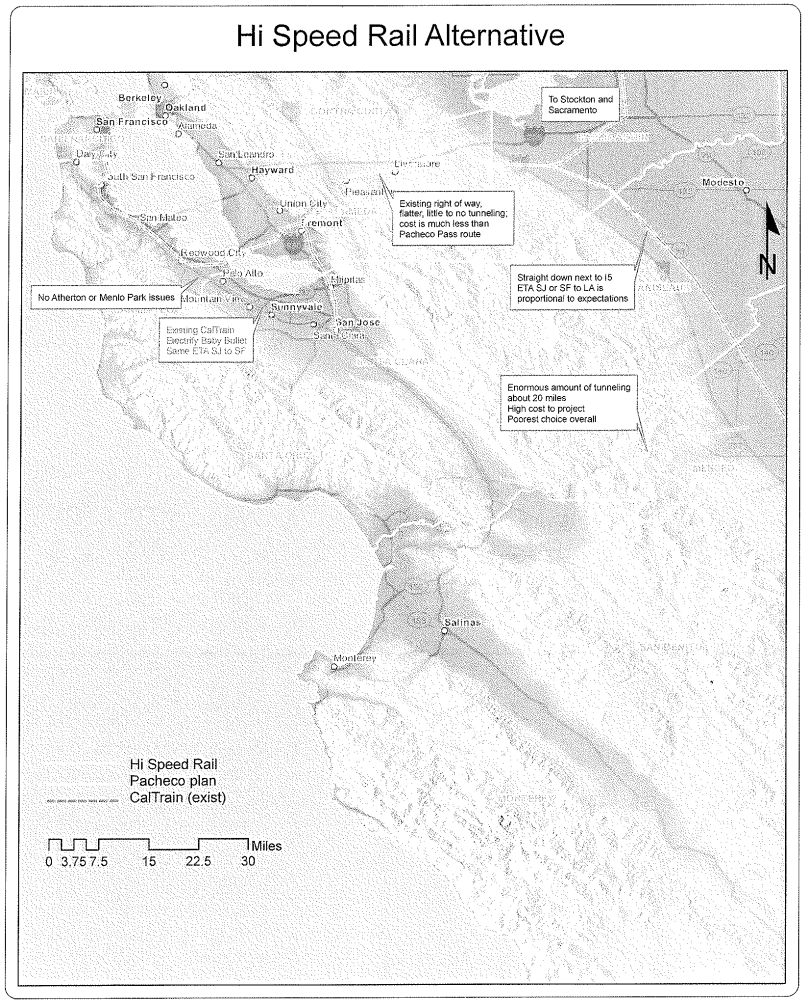
That's all fine, but it's not good enough. It will not tip the balance in our favor. Why? Because as well organized as we may be, either in our respective groups or not, there are too few of us accounted for. Quantity of people counts. The NIMBY label will disappear when there are too many of us to be labled cranks, "rotten apples," or complainers.

What's missing? An upwelling of a grass-roots, popular movement of thousands of us. When meeting halls are packed, when we "take to the streets," when both the State Legislature and the Administration that is driving this project begin to see a major uprising of popular dissatisfaction, we will begin to see this supertanker begin to turn from it's current course. I don't know how to make that happen. It's time for some charismatic leadership to emerge and point the way.

If there emerges a critical mass of our population that rises up to be counted, we can demand legislative action:

- to remove the politicians and amateurs from the rail authority board.
- to fold the project within a Department of Transportation that has constant and rigorous oversight and accountability.
- to remove those on the staff responsible for the mis-management and persistent secrecy and terrible judgements and decisions.
- to manage the funding in an open and transparent way and thereby preventing and eliminating waste, fraud and abuse, and other corrupt practices.
-to engage professional railroad developers to "do it right," whatever that actually means.

1



Comment Letter I231 - Continued

Reference Material for Comment Letter I231

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Here is that list of web sites and blogs again that I just sent out, with an additional one added. If you know of others that I have missed, please let me know.

Martin

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http://www.dontrailroadus.com

http://www.calhsr.com/

http://www.peninsularail.com/index.php

http://www.cc-hsr.org/

http://www.hsr-prep.blogspot.com/

http://www.calrailnews.com/calrailnews.html

http://caltrain-hsr.blogspot.com/

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http://www.mercurynews.com/peninsula/ci_14834095

Peninsulans plan to bombard high-speed rail authority with letters, e-mails

By Mike Rosenberg
San Mateo County Times
Posted: 04/06/2010 09:14:48 PM PDT
Updated: 04/06/2010 11:16:04 PM PDT

Whether they're fired up or fuming mad about the high-speed rail project, residents around the Peninsula intend to bombard the state with letters and e-mails during what should be a critical stage in shaping the electric railroad.
Many people with a stake in the project are passing out templates and guides, reaching out to local leaders and hosting meetings to ensure as many people as possible submit their worries, fears and praises to the California High-Speed Rail Authority.
They say it is important because few have the time or expertise to address the technical issues in the complex, jargon-filled reports that run in excess of 100 pages, including a key document released last month and another to be unveiled Thursday.
A letter-writing campaign is picking up steam in San Mateo, where residents are passing out one-page templates that already include citations, figures and background. All residents have to do is sign their names and addresses, check boxes on topics that concern them, such as property-takings through eminent domain or noise and vibration, and send the form to the rail authority.

The Burlingame City Council, after being notified about the campaign, discussed Monday whether to join it or start one of its own. The council's high-speed rail subcommittee, which consists of Mayor Cathy Baylock and Vice Mayor Terry Nagel, expects to discuss the issue this week.

2

Reference Material for Comment Letter I231

Another resident group on the Peninsula, Californians Advocating Responsible Rail Development, is pushing residents to use a more personal touch. Its members have posted a letter-writing guide including "quick tips" on its Web site and are hosting presentations for local chambers of commerce, school districts, the League of Women Voters and neighborhood groups, said Nadia Naik, one of four Palo Alto women who founded the group.

"It's not a simple template letter, because we feel like it's a very complex issue, and people need to dive into it," Naik said. "We're urging people to be specific as possible."
Another resident group, the Community Coalition on High-Speed Rail, has organized an environmental impact report workshop called "EIR 101" next week in Atherton, said member Russ Peterson. It has also sent postcards with advice on making comments.
It's a critical time for public comment, and the formal responses to the reports are perhaps the most efficient and official way residents can get involved.
The authority last month released a revised environmental report that, if approved, would again pick the Pacheco Pass through the Peninsula as the Bay Area route after a lawsuit led the authority to rescind and restudy its original decision. That comment period will expire April 26.
And on Thursday, the authority will release a report detailing potential track alignments along the Caltrain corridor and begin taking comment on it. State officials said they won't put a time limit on submitting those comments but want them soon.
Under state environmental law, the rail authority must compile and address all unique comments it receives. Rail authority Deputy Director Jeff Barker noted the body has, when releasing reports, consistently gone beyond what the state requires for comment periods and public hearings, and it values the input it receives.
Those wanting to submit comments can send an e-mail to comments@hsr.ca.gov or mail the rail authority at 925 L St., Suite 1425, Sacramento, CA 95814. The rail authority board is also meeting in the Santa Clara County Board of Supervisors chambers in San Jose at 9 a.m. Thursday and plans to schedule further outreach meetings in the coming months.
The Bay Area to Central Valley environmental report is posted at cahighspeedrail.ca.gov, and the route study, called the alternatives analysis, will be posted there Thursday.
Contact Mike Rosenberg at 650-348-4324.
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And, for those of you who are job hunting, here's the opportunity of a life-time. The most important qualification for this job is a very thick skin, capable of resisting CHSRA Board slings and arrows.

If you do get this job, I'm not asking for a finders' fee, just stay in touch and let us know how things are going. Actually, I learned last night that they have been working on the short list and may have a decision today or tomorrow. We will soon know whether they have hired a patsy or someone who will actually manage this Board.

Martin
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Nation

3

Comment Letter I231 - Continued

State cash, election politics: BART fare cut?

Reference Material for Comment Letter I231

Phil Matier,Andrew Ross
Wednesday, April 7, 2010
Read more: http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/04/06/BAFJ1CQN8I.DTL#ixzz0kRMnvLrK

Speed bump: The California High Speed Rail Authority is looking for a new chief executive to get the project going - and they are looking to pay upward of $375,000 a year.
The rail authority, which has estimated the bullet train's cost at $42.6 billion - $9 billion more than the original estimate - is on an international search for someone to oversee the actual building of the line.
According to the paperwork submitted to the state Senate Transportation Committee, the authority wants to pay the new director anywhere from $250,000 to $375,000 a year - plus a one-time $150,000 "recruitment incentive" and "relocation" allowance.

It's no secret that with the exception of Caltrans, transportation directors are among the nation's highest-paid public executives. San Francisco Muni Director **Nathaniel Ford**, for example, makes $308,875 a year, and BART General Manager **Dorothy Dugger** made $332,700 last year.

Still, a pay package that could be as high as $525,000 in the first year is not going over well with state lawmakers who are faced with furloughing workers and cutting services.
"I'm a supporter of high-speed rail," said state Sen. **Mark DeSaulnier,** D-Concord, "but I don't see how under these circumstances we can justify this kind of money."
Rail Authority Deputy Director **Jeff Barker** insists the salary isn't set in stone and was simply a "starting point to begin the search."
"We don't have a candidate, and we don't have a salary yet," he said.
But then they must be getting close - finalists for the job were interviewed by the search committee last week.

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****

4

Response to Letter I231 (Galen, April 7, 2010)

I231-1

Comment acknowledged.

Comment Letter I232 (Lenore L. Hennen, April 25, 2010)

I232

Kris Livingston

From: llhennen@comcast.net
Sent: Sunday, April 25, 2010 10:15 AM
To: HSR Comments
Subject: High Speed Rail Environment Report - San Jose to San Francisco Segment

To: Mr. Dan Leavitt

Mr. Leavitt,

I am a resident of Menlo Park and have serious concerns about the Draft Program Environmental Impact Report prepared on the High Speed Rail, especially with regard to the segment from San Jose to San Francisco. I232-1

In mid 2008 I purchased my condominium at 1155 Merrill Street in the Menlo Square three story building at the corner of Merrill Street and Oak Grove Avenue. Unfortunately, the seller's real estate agent did not disclose to me anything at all about the high speed rail, and at that time I was not aware of the project as newspaper coverage was either very minimal or non existent because the route was not expected to go down the Peninsula. I would not have purchased my unit, which cost over $1 million, had I had any knowledge and understanding of the high speed rail project or it's probable negative impact on living in downtown Menlo Park or on the future sale of my unit. My unit is very important to me from a financial perspective, and it's value will be a major factor in my retirement plan. I feel very strongly that my unit is currently not saleable at any price any where near it's cost due to the potential impact of the building of the high speed rail literally outside my living room and bedroom windows. The uncertainties involving the possible construction and other impacts including vibration, visual, and noise concerns are simply overwhelming. I do not understand how the HSR Authority could support a route that will destroy so many wonderful neighborhoods on the Peninsula, and am certain that they have not adequately considered mitigation and eminent domain costs. Please do not allow the law to be circumvented by the HSR Authority's inadequate review of the different and more viable routing alternatives. I232-2

As just mentioned, my unit is at the corner of Oak Grove Avenue and Merrill Street. Merrill Street fronts the Menlo Park CalTrain Station, and part of the "view" from my bedroom window is the Oak Grove grade crossing. Should the High Speed Rail Authority be successful in starting construction, I and other owners and tenants of the Menlo Square project will be subjected to years of noise, dust, and the unsightly evidence of what will undoubtedly be a protracted construction period, as well as the risk of construction which is started but can not be completed due to lack of funds. I know that the HSR Authority wants to start construction in the hopes that the money will come, but that must not be allowed to happen. I suspect that my unit will be unlivable for the duration of the construction period I232-3 because of the dust, noise, and because of the construction equipment that will surround me. Due to my proximity to the tracks, I think there is at least a possibility that my building will be part of an I232-4 eminent domain action, and I am very concerned about the valuation process. There are three small restaurant businesses that are part of the Menlo Square complex and it is highly likely that they will have to close during the lengthy construction process, putting many workers out of jobs. The overall I232-5 uncertainty of the project, and the clearly negative livability during construction are extremely negative factors not only for my home, but my neighbors, and my City as well.

As an occasional rider of CalTrain it is clear to me that there is insufficient ridership not only for CalTrain, but for the high speed rail. I have, on several occasions, been the only rider to and from I232-6

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San Francisco in the rail car, and this has been the case relatively early in the morning as well as mid afternoon. Thus I believe the ridership numbers in the HSR plan are not supportable as has been put I232-6 cont. forth by others who have studied the numbers with a great deal of intensively. I do not believe this project is economically feasible at this time and that the State of California simply cannot afford to have any obligations relative to this project. I believe that the HSR Authority is going to attempt to circumvent the requirement in Proposition IA that makes it clear that California cannot provide any operating guarantees on this project. Rod Diridon and others are trying to put a different name on the I232-7 financial support which they know will be needed if third party investors can be found to buy bonds or otherwise invest in the project, but I know that it will eventually prove to be a huge cost to the tax payers in the State of California. I am also concerned that CalTrain, in concert with the HSR Authority, is attempting to use funding problems as a means to scare Peninsula residents into supporting the HSR as the "savior" of Caltrain through receipt of funds from HSR for electrification. I232-8 The timing of the Caltrain financial crisis is suspect, and it is clear that the head of Caltrain is in the HSR Authority camp.

This project must not be allowed to proceed without the full reconsideration of routing, and until all I232-9 funds are firmly lined up with no reliance on tax payers. I also believe that Proposition IA was submitted to the voters without adequate information and voters provided a small majority approval I232-10 due to insufficient information. I believe the vote would be far different if this Proposition could be resubmitted to the voters.

I urge you to stop this project and start over so that if done at all, it is done right.

Regards,

Lenore L. Hennen
1155 Merrill Street #203
Menlo Park, Ca. 94025
Phone:650 329-1440
Email: llhennen@comcast.net

2

Response to Letter I232 (Lenore L. Hennen, April 25, 2010)

I232-1

Comment acknowledged.

I232-2

See Standard Response 6 regarding property values.

I232-3

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR. More detailed impact analyses related to HST system construction including trackway, stations, maintenance facilities, transmission lines, staging areas, and other project elements will be performed during the project-level EIR/EIS analysis, when more detailed design, location, and phasing/duration information will be available for the selected HST alignment. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I232-4

See Standard Response 7.

I232-5

See Response to Comment I232-3. Additional analysis of construction activities' potential for negative impacts on businesses along HST alternatives would be conducted at the project level when more detail of alignment location is known. Also note that a construction phasing and traffic management plan would be preapred prior to any construction to minimize impacts on residents and area businesses as noted in Chapter 3.18 of the 2008 Final Program EIR.

I232-6

The forecasts used in the Program EIR suggest that there would a demand for this new mode of travel. See Standard Response 4.

I232-7

Comment acknowledged.

I232-8

See Standard Response 10.

I232-9

The Authority disagrees with the commenter's statement. For more information on the funding plan, please see the Authority's Business Plan.

I232-10

Comment acknowledged.

Comment Letter I233 (John Hultgren, April 26, 2010)

I233

Kris Livingston

From: juancalifornia@aol.com
Sent: Monday, April 26, 2010 4:04 PM
To: HSR Comments
Subject: San Francisco to san Jose Project EIR

Dear Mehdi Morshed (or current acting Executive Director)

Thank you for your letter (dated November 12, 2009) in response to the question I asked at the Menlo Park Town Hall meeting that Representative Anna Eshoo held. My question focused on why the HSR project must disturb what is a delicate section of railroad that includes California's oldest station, Menlo Park. I use a monthly pass to travel from Palo Alto to San Jose and San Francisco, and have enjoyed the service since our family moved to Stanford in 1959.

In 1985, as a student at Foothill College I wrote a paper on the Railroad Four, Stanford, Hopkins, Crocker and Huntington learning the amazing history of building the nation's first cross country railroad. The same year I traveled to Japan on a hiking trek in the Kita Alps, and rode their high speed trains out of Tokyo through the countryside. We here in Palo Alto would not be a city were it not for Leland and Jane Stanford founding Stanford University with the money made in this industry.

Over the past 10 years Caltrain has made enormous improvements as you may know. They added tracks to allow faster trains to pass, cutting the time of the trip for Baby Bullet Trains to 45 minutes from San Jose to San Francisco. They bought new trains, which are excellent from a passenger's point of view. They rebuilt many of the Stations, California Ave., Palo Alto, Lawerence, and moved Millbrae to accomodate easy transfer to BART. And they changed the way they sell tickets, and check them, making that part of the trip much easier.

The route is a very special one, especially for those of us who have lived here for 50 years or more, and are adjusting to more congestion on freeways, the new information age which allows one to actually work on a train, and just the beauty of traveling through this special part of California to get to a Giants game, a Sharks game or a concert at HP Pavillion. I look forward to when all the old trains are replaced. I233-1

In 1977 I lived on High St. in Palo Alto, close enough to feel the trains as they passed, and just recently people reacted to an attempt to raise the noise level of the whistles, with a fast objection. People are very sensitive to construction, to sound and disturbing what is a very peaceful and integral part of our cultural landscape. After attending the April 1st City Council meeting in Palo Alto addressing HSRA, I learned that the bond measure 1A that passed Novemeber 4th 2008 stipulates that the money is only available, (as written) for the S.F. to S.J. section, and this creates a problem. But there are many problems to work out at this point; I was happy to celebrate my 52nd birthday last October 2nd at the Dierdon Station with a celebration of yours out on the lawn. In the larger picture I think that running the route through San Jose, where Amtrak already has been for a long time to Oakland, specifically Jack London Square is the best idea, and others have made the same observation, one at speaker at last week's Palo Alto City Council meeting, and the other in a beatifully written editorial in Daily Post.

While Caltrain is in some trouble financially, so has BART been, and now it looks like they are back on track. I can not support any High Speed Rail plans from S.F. through San Jose, as it would devastate our whole region and not add a bit of time saved, but do look forward to the idea of having High Speed Rail go through San Jose to Oakland.

Thank you,
John Hultgren, Palo Alto

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Response to Letter I233 (John Hultgren, April 26, 2010)

I233-1

Comments acknowledged. See Standard Response 10 regarding route alternatives.

Comment Letter I234 (Jane Nassar, April 22, 2010)

I234

Kris Livingston

From: Jane Nassar [jane_nassar@yahoo.com]
Sent: Thursday, April 22, 2010 11:36 AM
To: HSR Comments
Cc: Anna Eshoo; Barbara Boxer; Diane Feinstein; Ira Ruskin; Joe Simitian; John C. Boyle; Richard Cline; Kelly J. Fergusson; Heyward Robinson; Mark Church; Rose Jacobs Gibson; Rich Gordon; Carole Groom; Adrienne Tissier; Dean Florez
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

181 Spruce Avenue
Menlo Park, CA 94025

Dear Mr.Leavitt and the High Speed Rail Authority:

I have spent most of my life along the CalTrain (formerly Southern Pacific) route between San Jose and San Francisco at the Menlo Park address above. I am an expert on what the impacts would be if a high-speed rail were built.

The corridor used by CalTrain now is heavily developed both with homes and with businesses. There are also schools and parks. If land were to be taken from any individual, business, or government entity, it would cause undue hardship. I know people with homes along the tracks who specifically chose to be in such locations because they needed to be near downtowns and public transportation. Some of these people are handicapped or elderly. Although adequate compensation would be important to people if forced to sell, so would a convenient location. There would not be enough affordable and appropriate places available were people to lose their homes. Being forced to move is traumatic. I234-1

People who own businesses along the train route have spent years building their businesses and seeing them grow. If people were forced out or forced to put up with the noise and dust of building the high-speed rail, it would cause economic hardship. Their customers could be forced away by adverse conditions. Rent for new business locations could be much higher, forcing businesses to raise their prices therefore losing customers. Our towns and cities are struggling now with the economic downturn and do not need more economic hardship. Our governments would lose taxes needed to provide necessary services. I234-2

I live near a park which backs up on the other side of the train route from me. If land was taken from it by eminent domain, it would mean less space for people to picnic, for children to play and for people to walk their dogs. The child care center there could be forced to move. A hall there now rented for meetings and weddings would lose revenue as people chose quieter locations. The rent from the facilities is used to keep the park open. Even if no land were taken, the dirt and the noise from the High-Speed Rail could chase people away. The building process and disruption of lives could go on for years. I234-3

We do not need the High-Speed Rail. It would be very costly to the State of California, which is having financial troubles. We have three major airports in the San Francisco Bay Area which serve people well. We do not wish to cut into the business of our airlines or cause their employees to lose jobs. They bring revenue to our communities. Amtrak runs in this state for those who wish scenic rail travel although Amtrak has not done well financially. I suspect the High-Speed Rail would not pay for itself, but cost the taxpayers for something they do not need. I234-4

I live within 200 feet of the corridor in question. I have experienced noise and vibrations at times, especially when work was being done along the tracks late at night. Luckily we all were informed in advance when and for how long the disruption would last. Building the High-Speed Rail could take years so it would be years of vibration and noise. I234-5

1

Not one house on my street has sold since November 2008 when the HSR Proposition passed by only 52%. The realtors are required by law to point out anything that could negatively impact a home. The possibility of High-Speed rail has made it difficult to sell a home. Reading the local papers, I have not seen homes on neighboring streets selling either. Although I am not planning on selling, this could cause hardship to people who either need to sell for financial reasons, because they are taking a job elsewhere, or they wish to retire elsewhere. Right now potential home sellers and buyers are being held hostage to the threat of the High-Speed Rail. This project would reduce city and country taxes to be gained when homes sell for a higher price. I234-6

I request you revise the Draft Environmental Impact Report and then recirculate it for comments by the public. Because the path you have chosen to build High-Speed rail from San Jose to San Francisco would cause much financial hardship and environmental loss, I request that you study alternative routes. You could build the route from San Jose to Union City and have riders transfer there onto BART to San Francisco and to East Bay Cities such as Oakland and Berkeley. I234-7

Instead of adding High-Speed Rail trains along the Cal-Train route, passengers could get off the High-Speed Rail in San Jose and take CalTrain to the South Bay and Peninsula Cities where their business or personal ties bring them. Most of the time there are plenty of seats in the trains with room for luggage. We have connections to high-technology companies, law firms, major universities such as Stanford and much more along our route. Most of the stations have buses or free shuttles to take people to their destinations. All have taxi service. Our car rental services could benefit by delivering cars to passengers at the stations. Also, some riders might wish to get a slower, closer up view of the famous Silicon Valley by taking Cal-Train all the way to San Francisco. She would get a chance to see how beautiful it is and the varied character of the communities as the train pulls into different stations. They could meet the locals who live and work in our communities and gather much information from them. They could learn of places they would like to visit, then return and spend money in our communities, at our hotels, restaurants, world class shopping malls and districts, and at our sporting events. Some would use our top notch medical centers, such as the one at Stanford. We have much to offer and a CalTrain journey could publicize it. I234-8

The California Environmental Quality Act (CEQA) requires the Authority to mitigate negative impacts of the High-Speed Rail to the greatest degree. Choose a route for the train that is much less destructive. Circulate your new and improved plan for public review and comment. Thank you for taking my concerns into account. I234-9

Yours truly,

Jane Nassar

2

Response to Letter I234 (Jane Nassar, April 22, 2010)

I234-1

See Standard Response 7 regarding Eminent Domain.

I234-2

The Authority recognizes the current economic conditions that have occurred throughout the Bay Area and the state. See Standard Responses 6 and 7 regarding property values and eminent domain. See Response to Comment I232-3. Additional analysis of construction activities' potential for negative impacts on businesses along HST alternatives would be conducted at the project level when more detail of alignment location is known. Also note that a construction phasing and traffic management plan would be preapred prior to any construction to minimize impacts on residents and area businesses as noted in Chapter 3.18 of the 2008 Final Program EIR.

I234-3

See Standard Response 7 regarding Eminent Domain. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Public parks and recreation was not one of those topics. Parks and recreational issues are discussed Chapter 3.16 Section 4(f) and 6(f) Resources (Public Parks and Recreation) of the 2008 Final Program EIR. More detailed analyses related to impacts on recreational resources during construction and operation, including the parks listed in the comment, will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See Chapter 3.4, Noise and Vibration, and Chapter 3.9, Aesthetics and Visual Resources, regarding impacts and mitigation strategies. See also Standard Response 3.

I234-4

This is not a comment on the 2010 Revised Draft Program EIR Material. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. The purpose of the project was not one of those topics. See Chapter 1, Purpose and Need and Objectives, in the 2008 Final Program EIR.

I234-5

See Standard Response 3.

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include both construction and operational impacts and mitigation.

I234-6

See Standard Response 6 regarding property values.

I234-7

Ending HST in Union City to connect with BART would require a 42-minute ride into downtown San Francisco and a 77-minute trip to SFO. The lack of a quick connection from HST to SFO would eliminate the ability to easily utilize the HST to connect to flights, abandoning the opportunity to scale back the short and expensive connecting flights from locations like Fresno. A 42-minute ride on BART into San Francisco would significantly affect ridership and not meet the travel time goal set for HST trips between San Francisco and Los Angeles. See Standard Response 10 regarding alternatives.

I234-8

See Standard Response 10 regarding route alternatives.

I234-9

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The

Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I235 (Alcina Nelson, April 23, 2010)

I235

Kris Livingston

From: Alcina [alcina@earthlink.net]
Sent: Friday, April 23, 2010 7:33 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt,

The following are comments regarding the Draft Program Environmental Impact Report and the Revised Draft Program Environmental Report Material. I live in the North Willow Glen/Greater Gardner Neighborhood and have the following concerns regarding the proposed alignment through that neighborhood.

Section 3.4 Noise and Vibration

NOISE

There is a school, Gardner Elementary, a community center and four parks (three public and one private) in close proximity to the San Jose Station Approach subsection program alignment. The remaining community surrounding that subsection consists primarily of single-family historic homes. Due to the age of the homes (pre 1930's) many of them lack insulation and have single paned windows. I235-1

Table 3.4.4 of the EIR understates the impacts of the projected noise. I do not believe that it is appropriate to artificially reduce the noise impact level from high to medium based on a modest reduction in at-grade crossing noise. I am concerned about the cumulative effect of HSR on a neighborhood that has pre-existing transportation noise due to Routes 280 and 87 as well as aircraft noise from San Jose International Airport. The noise analysis does not appear to consider this. There are numerous noise studies that have been conducted by the Airport and this data should be considered in your analysis.

Additionally, I am concern about noise levels to sensitive noise receptors. Three parks and an elementary school which all serve young children would be impacted by the proposed alignment. The children who use these areas are more sensitive than adults to noise impacts and are at greater risk for hearing loss due to excessive noise exposure. Any increased noise due to HSR operations could pose unacceptable impacts and possible health concerns. Your analysis does not appear to take this into account since the analysis omits Fuller Park, Biebrach Park, the Gregory Tot Lot and the New Brighton Tot Lot.

VIBRATION

The EIR does not appear to contain sufficient information to evaluate whether the vibration would be a significant impact under CEQA. From the limited information available, it is not possible to actually determine whether there will be "Potential exposure of persons to or generation of excessive ground-borne vibration…" (Section 3.4.1.C) I235-2

As mentioned in Section 3.4.6.B, there is a "…need for study of site-specific ground-borne vibration characteristics. Considerable variation of soil conditions may occur along the corridor, resulting in some locations with significant levels of vibration from the HST and other locations at the same distance from the track with almost imperceptible vibration levels."

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The combination of sensitive historic structures with unstable soil conditions could prove problematic during both construction and HSR operations. I would like to see site-specific data and geotechnical analysis to determine whether the vibration impacts would be significant during both the construction and post construction phases.

The EIR and Program Report do not provide sufficient information to assess whether the impacts are significant or not I235-2 cont.

- What is the anticipated vibration damage to structures and public infrastructure?
- What are the long term impacts to the foundations/structural integrity of the surrounding homes due to greatly increased train frequency along the alignment?
- How would it be determined that noise and vibration levels would fall into a nuisance level of impact rather than a significant impact?

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

LAND USE AND PLANNING

Table 2-1 and 2-2 on Pages M2-3 and M2-4 are not consistent. Table 2-1 Compatibility of Land Use Types is indicated as low compatibility for Single-family residential neighborhoods. Table 2-2 states that the Property Impacts can be considered low (presumably this means not incompatible) if no additional right-of-way is required. I235-3

I believe there will be construction impacts to homes on Fuller where it will be necessary to acquire construction easements of up to thirty feet from residential lots. This and the impact to houses on other adjacent streets were not adequately assessed.

PROPERTY

The EIR Section 5.4.6 contains statements that HSR will increase property values. The report does not contain adequate data to support this statement. Our research indicates that there is a mixed result associated with proximity to rail stations, i.e. there are some cases where property values increase but there are also situations where property values decrease. However, proximity to a heavy rail alignment, as opposed to a station, does have a negative impact on property values. The adjacent properties experience the negative impacts associated with rail operations without necessarily receiving any direct benefit. I235-4

ENVIRONMENTAL JUSTICE

Table 2-3, Page M2-8 asserts that there are no Environmental Justice issues in the Pacheco segment since the alignment is within existing Caltrain ROW and therefore HSR would not have environmental impacts in this disadvantaged community. This is an incorrect conclusion; there are a number of environmental impacts associated with the addition of HSR to the existing Caltrain line. Since these impacts exist, they must be evaluated in terms of Environmental Justice. The issues include: I235-5

- Vibration impacts both during construction and operations
- Aesthetic and visual impacts associated with retained fill and elevated structures
- Increased perception of splitting the neighborhood due to increased train service and grade separation
- Noise impacts associated with greatly increased train frequency

These aforementioned impacts are in addition to the disproportionate burden that the neighborhood has historically had to bear for past regional transportation projects. This

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Comment Letter I235 - Continued

vintage neighborhood was constructed in the late 1880's to early 1930's. Since that time, the neighborhood has been negatively impacted by the construction of the original Southern Pacific line, construction of Routes 280 and 87, widening of Bird Avenue and expansion of air traffic over the neighborhood.

The environmental impacts of yet another major transportation project will further degrade the quality of life for this already over burdened community.

Environmental Justice thresholds are exceeded in the Gardner and Gregory Plaza community. The City of San Jose has recently recognized the Gardner area as a Neighborhood in Very High Need as shown in "Potential Neighborhoods In Crisis" version 24MAE10 SNI Neighborhoods in Crisis, a document distributed at the Strong Neighborhoods Initiative Business Plan Update Workshop on March 29, 2010. The Neighborhood in Crisis designation is based on data such as foreclosure rates, vacant homes, and police statistics. I235-5 cont.

For all of the above listed reasons, the Environmental Justice Impacts for the program alignment through Greater Gardner should be considered as High.

Section 3.9 Aesthetics and Visual Resources

The CEQA environmental checklist requires that a project proponent identify whether a project would have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including trees, rock outcroppings, and historical buildings within a state scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare that would adversely affect day or nighttime views in the area (State CEQA Guidelines Appendix G Environmental Checklist Form 2001). I235-6

I do not believe that the EIR and the Report Material adequately addresses the potential degradation of this historic neighborhood.

HISTORICAL AND EXISTING VISUAL CHARACTER

The Greater Gardner area is a historic community with the vast majority of the homes being built between the late 1880's and the early 1930's. The North Willow Glen neighborhood has been remarkably well preserved from its original condition. Fuller Avenue would face significant visual impacts if the program alignment were to be used

Additionally, the neighborhood has been working with the City of San Jose to formally identify this area as a Historic Preservation Area. Budget constraints have delayed this process, but the City of San Jose Planning Department has now secured grant funding to prepare the necessary historic research and studies that are a prerequisite to designating the neighborhood as a Historic Preservation Area (HPA). This neighborhood is the City's first priority city-wide for consideration and review as an HPA. I235-7

Table 3.12 Cultural Resources from the Program EIR appears to understate the historical significance of this neighborhood. What specific materials did you review to come to your conclusions? On what basis did you rate the neighborhood as a medium rather than a high cultural resource?

I strongly disagree with the assertion in Table 2-3, Page M2-8 that the program alignment for the Pacheco segment is highly compatible with the existing land uses. A mega project like HSR is in no way compatible with a historic single-family residential neighborhood. The out-size scale and the necessarily modern industrial look of an elevated structure would pose significant visual impacts to the surrounding community. I235-8

3

The EIR has not addressed whether the project will introduce a new source of light and glare. The levels of illumination need to be defined and quantified; since that information is not included in the environmental documents it is not possible to assess whether the impacts will be significant. I235-9

The existing freeway corridors are buffered, to a certain extent, from the neighborhood. It seems that a Route 87/280 option or an underground option would have been more appropriately selected for the program alignment. I would like to know what alignments were considered for the alignment through the Gardner neighborhood and on what basis the current program alignment was selected. I235-10

I consider the Pacheco segment to be highly incompatible with the Greater Gardner neighborhood area due to the impacts on historic residences and to the visual character of the existing neighborhood. Utilizing an underground option or the Route 87/280 freeway corridors would pose much less impacts to the neighborhood.

Section 3.16 Section 4(f) and 6(f) Resources (Public Parks and Recreation)

IMPACTS TO PARKS

There are three neighborhood parks and one private park in the vicinity of the proposed alignment.

- Fuller Park is a recently constructed City of San Jose Park at a cost to the taxpayers of $850,000 in capital improvements.
- Biebrach Park is the largest and most heavily used neighborhood Park and contains numerous recent improvements costing upwards of $8 MIL.
- The Gregory Tot Lot is located between Gregory Street and the I-280 sound wall.
- The New Brighton housing development, located on the corner of Fuller and Bird contains a private Tot Lot.

The Program EIR Table 4-12 State, Regional, County, and Local Parks, Recreational Areas, Playgrounds, Fairgrounds, and Wildlife Areas Within 900 Feet of the Preferred Alternative Alignment improperly omits Fuller Park, Biebrach Park, the Gregory Tot Lot and the New Brighton Tot Lot. I235-11

Fuller Park lies between Fuller Avenue and the existing Caltrain Tracks. Immediately adjacent to the Caltrain ROW are mature evergreens (believed to have been planted in 1935) that provide aesthetics, avian habitat (including Raptors), and shade; they also provide a sense of tranquility to the surrounding neighborhood. Construction of an elevated structure would require the removal of existing trees, and make Fuller Park significantly less usable as a park. This park is frequently used by North Willow Glen residence. Children play in the park, the bocci court is used, families picnic there and many people walk their dogs along Fuller to enjoy the park. What is now a peaceful and tranquil neighborhood space, a public place where neighbors can come together, would become an area of blight and decay.

I consider the impacts to the aforementioned parks to be significant. I believe that construction of HSR along the existing Caltrain Track through the North Willow Glen neighborhood would pose significant negative impacts to the usability of the park. Such impacts would be difficult if not impossible to fully mitigate.

There are other alternative alignments to the Gardner alignment that could avoid impacting these neighborhood parks; it is not defensible to select an alignment that essentially impacts all the recreational areas within the neighborhood. Other options such as utilizing Route 87/Route 280 or undergrounding HSR would eliminate the park impacts.

Conclusion I235-12

4

Comment Letter I235 - Continued

I have concerns about the completeness of the Program Level EIR and do not believe it fully meets CEQA requirements.

I235-12 cont.

I believe that additional study is needed to address the areas noted above that were inadequately researched or omitted. I also believe that a more in depth look at the environmental impact to the neighborhood would result in the conclusion that the HSR alignment through North Willow Glen/Greater Gardner poses significant impacts that should preclude its further consideration.

Regards,
Alcina Nelson

5

Response to Letter I235 (Alcina Nelson, April 23, 2010)

I235-1

The medium noise impact rating is based on: (1) grade separations which would eliminate the need for bells at crossings and for the Caltrain trains to sound warning horns as they approach each grade crossing; and (2) lower operating speeds resulting in noise levels similar to the existing Caltrain operations. More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. This analysis will include impacts at sensitive receivers, such as residences, historic buildings, schools, and parks. This analysis will also include cumulative impacts from existing noise and vibration sources (such as existing rail, roadways, and airports) and proposed noise and vibration sources. See Standard Responses 3 and 5.

I235-2

See the Response to comment I235-1.

I235-3

There is the potential for temporary impacts to occur during construction including noise, air quality (dust), visual quality, and traffic/circulation. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I235-4

See Standard Response 6 regarding property values.

I235-5

The Program EIR developed minority and low-income population percentage thresholds to identify locations within the study area where there were higher than average concentrations of environmental justice communities as compared to the surrounding study area, city and/or county as a whole. In addition, the Program EIR evaluated size and type of right-of-way needed for the alignment alternatives and proximity to environmental justice populations. These factors provide a reasonable indication of where potential benefits or disproportionate impacts to minority and low-income populations would be most likely to occur. Because this is a program-level document, the analysis considered the potential for environmental justice impacts on a broad scale. Additional analysis and public outreach will take place during project-level investigations to identify minority and low-income individuals including any dispersed locations of these populations and to consider potential localized disproportionately high and adverse effects. See also Standard Response 3.

I235-6

Visual impacts of the HST system for the San Jose to Central Valley corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final EIR, construction of the HST may require the removal of vegetation and landscaping. Design practices and mitigation measures would lessen visual impacts by planting fast-growing trees and by seeding/landscaping areas disturbed by construction. The Final Program EIR identified that the proposed project would result in significant and unavoidable visual impacts even with mitigation. Specific locations and the scale of visual impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I235-7

See Response to Comment O022-8.

I235-8

Table 2-3 on Page 2-8 of the 2010 Revised Draft Program EIR Materials is considering impacts at a program level. Its ranking of "Medium" covers the HST corridor from Diridon Station in San Jose to approximately Interstate 5 in Santa Nella in Merced County. It is a

ranking for the entire length of that corridor. A more detailed examination of the impacts to the Gardner neighborhood has been made at the project level and is reflected in materials presented at recent (May and July 2010) community meetings in San Jose.

I235-9

New sources of light and glare associated with the HST project would be primarily limited to stations, maintenance facilities and sources from trains and maintenance equipment. In many locations, soundwalls and landscaping could obscure most of that light.

Light sources from passing trains will be analyzed when the train design is determined. Potential sources will be headlights and light from within the train that radiates out the windows. The amount of light from train windows will depend on the glass and glazing/tinting applied to the windows. Light and glare will be evaluated as part of the project-level EIR/EIS.

I235-10

No other alignments were considered in the 2008 Final Program EIR through the Gardner neighborhood. The existing Caltrain/UPRR alignment and right-of-way met the statewide goal to locate the HST within existing transportation corridors. As Caltrain's ownership of the right-of-way extends through the Gardner neighborhood to Lick, south of Tamien station, it also provided a potential joint use of an existing publicly-owned facility.

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

I235-11

See Response to Comment O022-13.

I235-12

We believe the 2010 Revised Final Program EIR Material complies with the requirements of CEQA and serves its purpose as a first-tier, program EIR. Please see Standard Responses 1, 2, and 3.

Comment Letter I236 (Margaret Petitjean, April 11, 2010)

I236

Kris Livingston

From: Margaret Petitjean [MPetitjean@webtv.net]
Sent: Sunday, April 11, 2010 1:15 PM
To: CITY.COUNCIL@MENLOPARK.ORG; ksteffens@menlopark.org; grojas@menlopark.org; CWTaylor@menlopark.org; WLM@jsmf.com; throgers@menlopark.org; planningcommission@menlopark.org
Cc: city_council@city.palo-alto.ca.us; board.secretary@vta.org; info@mtc.ca.gov; Holtk@samtrans.com; Ron.Ries@fra.dot.gov; r9.info@epamail.epa.gov; BoardSecretary@samtrans.com; senator.simitian@sen.ca.gov; housing@svlg.net; rosejg@co.sanmateo.ca.us; HSR Comments; simonm@samtrans.com; boardsecretary@caltrain.com; citz4dBAbate@webtv.net; hsrmatters@webtv.net; stophorns@webtv.net
Subject: Fwd: Claim filed over son's train death
Attachments: Claim filed over son's train death

Re: El Camino/Downtown Visioning

Hon. Mayor & Councilmembers, et al

All plans for Menlo Park must include grade separations at the railroad crossings and should be a No.1 Priority to lessen tragic and needless deaths. Failure to do so constitutes negligence.

This is a reminder that the City of Menlo Park officials have consistently failed and then made written refusal to embrace grade separations in the past.

Apart from the deaths at the crossings in Menlo Park there have been countless near-misses of trains hitting vehicles. The claim of a driver whose car was dented from the gate arms descending as he was partially trapped on the tracks was reported to you and a claim was made to Caltrain for the damage to his car. An express train raced by on the other track.

When the petition for change which was lost by the City of Menlo Park but which is on file at Caltrain was circulated by Jon Scott, an attorney and MP Transportation Commissioner, Jon Katz, M.D., a neurologist at Stanford and MP resident and I with 48 years of human experience of the crossing dangers at Ravenswood, there were numerous testimonies that drivers were unlocking their doors and unfastening their seatbelts as they crossed the railroad tracks for fear of being trapped on the tracks. Others are frozen in fear. I236-1

Consider that there is an abundance of foot, bicycle. strollers, carts, buses, cabs, skateboards from the library, recreation center, Burgess Park, Alma and Merrill St. suddenly cutting into the traffic and stopping dead the lawful traverse of vehicles crossing the dangerous tracks.
It is illegal to stop on the tracks but the alternative is to collide with all of the above with their sense of entitlement.
The vehicle code is being mis-read.

It is clear that the Ravenswood crossing should be closed to avoid the imminent dangers or to grade separate as soon as possible. There is not one access across town to avoid the dangers at the crossings, especially since the baby bullet express trains were started with an environmental impact report waived. Where was the council and lawsuits at that time?
What was discussed when all the gate arms in Menlo Park were stuck in the down position blocking access across town except for one vehicle at a time, including emergency vehicles, being guided around the one gate arm by the police and sheriffs. If there had been four-quadrant gates this would have been impossible.

1

Most of us in San Mateo County voted for the Measure A transportation sales tax years and years ago with the promise of grade separations.
That money has gone to other towns. Is it any wonder that there is hope that Caltrain will go broke and there will be no commuter traffic?

Many residents east of all the hazardous crossings take Middlefield to other towns to shop and do business.

It is shameful that commissioners and council members have ignored the railroad and petitioners for change for decades and are now suing to ensure more of the same. I236-1 cont.

Until the crossing dangers, air and noise pollution ends there should be no housing planned anywhere near this railroad and vehicles crossing must be given priority over all the other careless traffic that stops them dead in their tracks.

This council was asked to report to the Public Utilities Commission and the Federal Railroad Administration that vehicles were being trapped on the tracks.
The recent horrific death (article attached) underscores the need for immediate action at whatever cost. Otherwise, we expect more lawsuits for negligence rather than those the city is filing against improvements.

Margaret Petitjean, Menlo Park
H,A.L.T, Citizens for Noise Abatement,
H.O.R.N.

2

Comment Letter I236 - Continued

Attachment to I236

Tuesday April 20 2010 9:56 am

THE DAILY JOURNAL
San Mateo County's homepage

RSS feed
Daily Journal Quick Poll

Would you support a merger of the Burlingame and San Mateo police departments?

Yes
No
We should wait for the one-year trial period, then see if it works

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Claim filed over son's train death

April 10, 2010, 03:29 AM By Michelle Durand Daily Journal Staff

The father of a Redwood City man fatally struck by a Caltrain after yielding on the tracks to a fire engine filed a claim with San Mateo County alleging his death was a result of the dangerous condition.

Charles Isaacson, 64, died just before 5 p.m. Sept. 15, 2009 after southbound train No. 362 collided with his Honda in the area of Whipple Avenue and El Camino Real. After the accident, Caltrain spokeswoman Christine Dunn said Isaacson had stopped on the tracks while yielding to a fire engine coming down El Camino Real with its sirens on. Isaacson's car was trapped on the tracks and hit by the approaching train at approximately 60 mph. Isaacson died at the scene.

The Board of Supervisors is set to deny a claim by his father, Donald J. Isaacson, at its Tuesday meeting along with other claims recommended for denial.

The elder Isaacson alleges his son was killed as a result of the dangerous condition at the Redwood City rail crossing. The county holds that it is not culpable, according to the Human Resources Director Donna Vaillancourt.

After the claim's denial, Donald Isaacson has six months to file a lawsuit.

Charles Isaacson, according to his obituary, was an environmental chemist and principal environmental compliance specialist for Santa Clara County. He planned to retire at the end of 2009, take his boat to San Juan Island and prepare for "more world adventures." Instead, the accident left him survived by his father, sisters, nephews and niece.

Michelle Durand can be reached by e-mail: michelle@smdailyjournal.com or by phone: (650) 344-5200 ext. 102.

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Response to Letter I236 (Margaret Petitjean, April 11, 2010)

I236-1

Comments acknowledged. Full grade separation of the Caltrain and HST tracks are assumed in the Program EIR.

Comment Letter I237 (Arnold Thackray, April 21, 2010)

Arnold Thackray

1671 Stone Pine Lane
Menlo Park, CA 94025

Phone/Fax: 650.566.1189

E-mail: arnold@thackray.org

I237

21 April 2010

Dear Mr Leavitt

Draft Program EIR (Revised) – Bay Area to Central Valley

This letter is written to express my dismay and concern. I am a resident and voter in Menlo Park (address above), hold a PhD in the social sciences from Cambridge University (UK), and have taught at Harvard, Pennsylvania, Stanford and other leading institutions, for 40 years.

The routing of the High-Speed Train through the heart of our Peninsula cities threatens to produce severe environmental blight, health-threatening vibration and noise, and considerable loss of amenity. Houses in my immediate neighborhood have already declined over 15% more in value than have similar properties a mile away, simply because of the (correct) public perception of deterioration to come. More broadly, there is a short-sighted "let's build it and see" orientation in the draft EIR and the various public meetings at which HSR officials have spoken. I237-1

May we politely request that the EIR spell out fully and in detail the losses to be incurred in trees/green spaces/houses/access/quietness/community, and the serious steps that must be taken to mitigate these (tunneling, alternate routes) so that life on this pleasant peninsula is enhanced for our children and grandchildren, not degraded in a way reminiscent of early robber barons? I237-2

Sincerely, Arnold Thackray

Response to Letter I237 (Arnold Thackray, April 21, 2010)

I237-1

The comment expresses concerns about potential impacts to Peninsula cities, including environmental blight, health-threatening vibration and noise, and loss of amenity. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

The comment also expresses concerns about declining property values. See Standard Response 6 regarding project impacts on residential property values.

The comment also states that the project is taking a short-sighted "let's build it and see" approach to HST. However, the tiered approach to the planning and environmental processes is specifically tailored to allow the Authority to carefully weigh the alternatives at each stage of the planning and environmental process. See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR.

I237-2

The comment requests more specificity related to the impact evaluation of the HST alternatives. See Response to Comment I237-1 regarding the level of detail of the Program EIR and the subsequent project-level environmental documents.

Comment Letter I238 (Kathy Hamilton, April 26, 2010)

I238

Kris Livingston

From: Kathy Hamilton [katham3@gmail.com]
Sent: Monday, April 26, 2010 7:17 AM
To: HSR Comments; racline@menlopark.org; ryan.ojakian@sen.ca.gov; Brock.Winstead@sen.ca.gov; assemblymember.ruskin@assembly.ca.gov
Subject: Use this one dated April 26th
Attachments: EIR commentaryformat[1].doc

To: Dan Leavitt and elected officials, please accept this email as a corrected copy of my comments. I have a mailing address in my commentary however I live on Forest Lane in Menlo Park, across from USAnna Eshoo's residence but do not wish to divulge my specific property address for security reasons. I have incorporated this paragraph below and other changes into my attached comment document.

There is clearly a major price adjustment with the properties in the Park Forest area that have happened just because of the anticipated project. "The data demonstrates selling price differentials as much as 40% lower on Forest Lane from their peak in 2008 at $1.6 million to the most recent sale in 2009 of $960,000. Similarly on the 1700 block of Stone Pine Lane where a property closed at $836,000 in 2009, 42% lower than a neighboring property in 2008. Incidentally, the 2008 property sold for 104% of original list price. Whereas, the 2009 property sold for 88% of the original list price. " As has been noted before the overall loss of value in Menlo Park, which can be attributed to the economy, was 12% loss. So the remaining 28% can be attributed to the proposed HSR project using the Caltrain route. I238-1

As you can see the loss is incredible in Menlo Park's Park Forest neighborhood and we absolutely do not want the Caltrain route used because of the devastation of the neighborhood quality of life and naturally the financial implications.

As a note Park Forest is also rich in attorney resources as it houses 8 attorneys in a one block area so a class action lawsuit would be at minimal cost and since it involves the legal counsel's home. Two of the current lawsuits active now come from a Park Forest attorney. I238-2

The real esate information was provided by Keller-Williams, an expert in the real estate community in my area and I too am a real estate broker in addition to my other talents. Regards, Kathy Hamilton

--
Kathy Hamilton
650-281-7200 cell

1

April 26, 2010

To Dan Leavitt and the Members of the High Speed Rail Authority and other Professional Staff,

Please find my commentary and questions on the Draft Level Program EIR.

BACKGROUND and GENERAL COMMENTARY

This is my first real opportunity to comment since I was not notified of this project as many other residents. The visibility of the project did not have heavy public involvement particularly in the heavy residential areas of the peninsula cities prior to the vote, November 2008.

At the time of the vote most of the public was unaware that the Caltrain route was planned, no business plan was presented as was required and since the Program Level EIR and Pacheco Pass was invalidated, so should the vote be invalidated and as well as everything that was worked on after the invalidation since everything is the fruit of the poisonous tree. I238-3

Another example of this principle may be found should the ridership model being studied right now are found to be badly flawed. While UC Berkeley Transportation works on reviewing the current ridership model, there will be a claim by another organization that will be forthcoming during this commentary period that will also state that the ridership numbers are badly flawed. This study is from a well-respected, out of state source. In addition the High Speed Rail Authority has acknowledged the need for a new investment grade ridership study. The people of California deserve the best information since they will pay for this project for decades, at the very least cost, through debt service paid from the state's budget. I238-4

The entire project should be put on hold until proper validation of all the numbers equal profit. Only then does it make sense to proceed and adhere to AB3034.

Violations of AB3034:

- No Business Plan at the time of the vote.
- No peer review committee in effect to review important decisions
- Profitability cannot be proven until solid, investment grade ridership numbers are developed by an objective source, one who does not set up expectations of outcomes prior to the start of the program. Californians could wind up being the biggest investor of all if this project goes unchecked, they deserve an investment grade ridership study most of all.
- Profitability cannot be proven until solid financing is found and there proof that there is sufficient ridership to support it and the routes that will be chosen.
- If any revenue, operating or capital investments are guaranteed by the state it would represent the intent of AB3034 which is to protect the public against an unprofitable venture. I238-5

Changes to AB3034- will require a new public vote:

- in order to accommodate the need for more state funding or subsidies since the Authority will be hard pressed to invest in the program "as is" since we do not expect the legislature to stretch the meaning of no "revenue" guarantees, you just may have to have this go back on the ballot. I238-6

Comment Letter I238 - Continued

- Anticipated corrections in the Ridership numbers will prove that the numbers are not there for profitability which will require a new vote to see if Californians want to continue with this project knowing that public subsidy will be required.

- Route changes will be required because of different population needs- consider concentrating first in the gaps of transportation systems rather than duplications. Use existing train services to connect the gaps such as the Caltrain route and stopping in San Jose. This may now be possible due to the new thinking the FRA may have now about track sharing. I238-6 cont.

- Hitachi has developed a diesel hybrid solution, under trial and successful since July 2007, which incorporates lithium-ion battery system (like a Prius) and has 3 successful trials with the East Japan Railway Company (JR-East). This type of program should be considered since it will prevent over 1800 trees, many heritage that would be removed when they provide valuable screening from the sight and sound of the trains. Since the current law requires electric service, a change would have to be made to consider the newer technology.

ROUTE - DISCRIMINATION OF CALTRAIN ROUTE EARLY ON

1. It is my contention that the filing of the Stimulus Fund application, unduly cemented the Caltrain route because psychologically anyone was afraid to challenge or question the route. Since at the time, this was only a preferred route, it inhibited the rest of the project level EIR from being completed without prejudice. As it turns out since the Program Level EIR was struck down, so the stimulus application and funds allotted could be seen as unduly influencing the Program Level EIR underway right now. Again, The Caltrain route is only proposed and the authority is action by its Federal application and the MOU between Caltrain and HSRA was an attempt to pre-maturely solidify that route choice. The MOU should have been struck down when the program level EIR was decertified. And more recently, Caltrain's declaration that they are going bankrupt is supposed to stir up the public's sympathy for an under subsidized railroad. Most people in the peninsula area want Caltrain to succeed but not at a cost of billions for the HSR. That's the equivalent of choosing HSR as a jobs program- the most expensive jobs program in the world. Many of us, including me, prefer that another form of subsidy is found for this important regional rail system. I238-7

2. The fact that all transit has had dropping ridership and are on the verge of bankruptcy does not validate the need or the chance of profitability for a High Speed Rail project and before you further plunge this state into further debt at the expense of teachers, fireman, policeman and school children, look at what you are doing. And exactly why is this being done? For the good of a few individuals who will profit by stock and land sales or is this for the good of the state? I238-8

3. Who is buying up the land – though it may not illegal to buy land or buy stock in companies who are the selected construction company that will greatly benefit (unless it's a case of insider trading), but the reasoning behind why one would route a train through some obscure areas of the state, makes one pause to ask why? For hints on the why, check out the book, " Paradise Lost?" By Richard Trainor. Mr. Trainor offers hints on a pump and dump scheme for both real estate and stock deals. Could someone be making money on this deal? I238-9

   But perhaps buying of land and stock could be considered conflict of interest for staff and board members. Could you provide all the conflict of interest documents, required by the state, for all the board members to make sure they are personally not buying stock or land that will have them unduly benefit by their own actions. I238-9 cont.

4. Why didn't you take the approach of planning for the gaps in the transportation instead of duplicating routes already run, which would make sense. It would make the money stretch farther and be far more practical. Why should one area go without when another has two exact duplicates in routing? I238-10

5. Something is very wrong with the CEQA law if after all the study and technical work with the millions of dollars spent that goes into preparing for a mega project, a board of political appointees has either unduly influence the selection of alternatives or has the ability to throw out alternatives or significantly change them. This shows a need to change the law and provides another example of why political appointees should not be in charge of a highly technical project. Senator Simitian, "there ought to be a law" to tighten up CEQA that will not allow a board to overturn carefully studied alternatives or to unduly lead them to their conclusions before they are presented to the board. I238-11

Inadequate Communications to cities and residents:

6. The High Speed Rail Authority has created their own problems by ignoring people's and cities request. Case in point, the current lawsuit was filed recently (Morris Brown), was filed because the HSRA's ignored his letters for an explanation of how the financial aspects of the project were following the law. If he had received a plausible explanation, there might have been no lawsuit today. I238-12

   Note: The Attorney General Office will not address violations to AB3034 and when the Authority doesn't answer the public, their only recourse is to sue. The AG's office has written to me personally saying that they cannot represent the public since it would be a conflict with the government agencies they represent. I guess the HSRA is counting on people not sueing since this type of recourse allows only for those with access to reasonably priced legal costs to ask for law enforcement. I238-13

7. I have not received back communications from a letter I wrote in early November, regarding the premature elimination of alternatives in route and deciding on the Caltrain route as the preferred alternative. I am sure it was received since I received an acknowledgement from Dominick Spaethling who promised he would get back with an answer and never did. I followed up more than 3X and presented this issue at various meetings including directly to the High Speed Rail Authority board at one of their late fall meetings. No answer to date. I238-14

8. The HSRA is not fully responding to the cities or the people requests for data. I238-15

9. The HSRA was not granted important extensions to the EIR which commonly done by governmental agencies and no communication has been received back at all regarding these requests. That is totally unacceptable as well as plain rude and an indication that the Authority I238-16

Comment Letter I238 - Continued

thinks they can just steam roller through without explaining the reason why. The Project Level EIR continues so the HSRA is not losing a minute time if the Program level EIR were to continue the 30 days that Palo Alto, Menlo Park and Atherton requested as well as possibly other cities. I238-16 cont.

This is yet again another example of poor outreach. When the authority does have public meetings, it rarely really listens to the public nor responds. The outreach is merely a check mark to satisfy while the HSRA is doing the engineering and moving toward the routes it has decided on. I238-17

Sound, Vibrations and Hazardous materials:

10. Currently I live in an area that is close to the tracks but not on top of the tracks. The vibration from the late night freight trains can be felt through the property. I wonder if the tracks became closer, who that would affect the structure of our 1962 to 1978 houses as well as the radiant heating system of some of the floor systems. I238-18

When a project moves a noise source both higher in the air and closer to dwellings and businesses, the noise profile for those properties changes dramatically. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems . To say this does not require additional study or mitigation is an error. Park Forest in Menlo Park is full of three story houses that will be particularly be effected by at grade or above grade so if High Speed Rail selects the Caltrain as the route. The noise of the horns and noise of the any at grade or above grade alternative would make life unbearable for those in the community near the track. Triple pane windows, supplemental utility bills since all windows would have to be closed at all times, due to the constant noise of the train. Tunneling would be the only acceptable solution for all of the communities if the Caltrain route was chosen. It is far better to go elsewhere, where impacts are less to residential communities and the environment. I238-19

11. Sensitive receptors, such as schools, churches, parks, senior living establishments and medical facilities need special noise analysis. Soil samples near the Caltrain tracks in particular have been noted in the Caltrain EIR as having hazardous substances such as arsenic nearby that could be disturbed and become airborne if disturbed. This is a problem along most of Caltrain corridor. I believe the figure was over 180 possible hazardous sites along the track. I238-20

The Route Choices

12. Practices around the world do not condone going through residential areas. According to California Rail Foundation, Europe has stopped building elevated trains since the 1930's. The same reason California stopped building elevated freeways in the 1970's. The model of going into a community, condemning a right of way, and building a noisy, blight-producing facility through its heart, is dead. No European railway has dared to do this for years, and even most state highway departments now agree that elevated facilities through neighborhood are destructive. There isn't a single instance of a 40 mile elevated railroad built in any European urban. Quadruple-tracking and elevating Caltrain is not only a bad plan; it was nothing to do with modern rail, let alone High Speed Rail. I238-21

13. Regarding route design, regardless of what route is chosen, this document does not address how the land would be used beneath an aerial viaduct would be used or maintained. What would be the use of the land beneath the viaduct parking and landscaping if that design would be chosen? If Caltrain is chosen and this is the secret plan of where the Caltrain trains will remain and the rail authority has not yet divulged their plan to construct the most damaging design plan to the communities and the cities. I238-22

14. The cheapest design is not required by CEQA. CEQA says under Purpose, (PRC Section 21002.1),"Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment" **"the discuss of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly."** Do you see the reference to alternatives to the project or its **location**? That means another place, not just one route that the HSRA was pre-selected. I238-23

15. Section 2704.09 of Assembly Bill (AB) 3034 sets design characteristics and requirements for an HST system. These requirements include maximum limits on travel times, such as a maximum travel time from Oakland to Los Angeles of 2 hours 40 minutes, and a requirement that such travel be accommodated without the need to change trains at any point along the journey. The project description and subsequent EIR analysis is flawed because it does not address these requirements. The City of Oakland is not currently on the proposed HST alignment, and therefore travel to or from Oakland would involve a transfer onto another train or transit system, and would require more than 2 hours and 40 minutes of travel time. The project description and alternatives need to be revised in order to add Oakland to the system, either by coming north through Pacheco Pass and San Jose, or west through the Altamont Pass. I238-24

16. The Project Descriptions in the Program EIS/EIR and the Revised Draft Program EIS/EIR is inadequate because they do not adequately describe or disclose to the reviewing public that the HSR line would include a segment that traverses the San Francisco Peninsula between San Francisco and San Jose. The Project Description, as well as the document's title and all outreach efforts by the Authority, were focused on the HSR alignments connecting the Central Valley and the Bay Area at San Jose, and did not adequately alert the public to the proposal to also extend a HSR alignment along the Peninsula between San Jose and San Francisco. This omission was exacerbated by the fact that no scoping sessions or public hearings related to the project were held at any cities on the Peninsula. I238-25

17. No Business Plan was presented to the voters as was required by law. They voted on a vision not a factually based plan for the actual building of the train. I238-26

18. The document improperly and inaccurately overemphasizes the impacts of a corridor through the cities of Pleasanton and Fremont, while underestimating the impacts of a corridor along the San Francisco Peninsula I238-27

19. The document underemphasizes the impacts of running the corridor through portions of San Jose south of San Jose's Diridon Station by not disclosing the I238-28

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absence of undeveloped land outside of the Union Pacific corridor south of that station. I238-28 cont.

20. The passage of AB 3034 and Prop IA requires that travel time between Oakland and Los Angeles not exceed 2 hours and 40 minutes, and not require changing trains. Therefore, if the path to meet this requirement is via San Jose, then the entire path from San Jose to Oakland should to be dealt with in this EIR. If the path to Oakland will be via an Altamont Pass route, then that route needs to be clearly identified. I238-29

21. The costs of such an Altamont Pass route need to be budgeted, and the San Jose station designed so that it will not have to be later modified to incorporate Oakland-bound trains. I238-30

22. The document does not indicate whether Caltrans has given any sort of recognition or approval to the narrowing for Monterey Highway for the installation of the HST lines. Until this authorization is obtained, then the alternatives involving the use of the Monterey Highway ROW are no more viable than the UPRR ROW. I238-31

23. The Henry Miller alignment alternative (UPRR Connection), one of the three alignment alternatives south of Gilroy, involves the use of the UPRR ROW. This alternative should be rejected as UPRR has clearly stated that it will not share its ROW with the HST project. I238-32

24. The Revised Program EIR dismisses the various Altamont alternatives because the identified routes required use of the UPRR ROW, because UPRR has stated that it will not share with the HST project. No serious attempt was made to identify and evaluate non-UPRR Altamont alternatives with the same level of detail as the San Jose to Gilroy non-UPRR alternatives. The failure to evaluate non-UPRR ROW alternatives for the Altamont Pass alignment renders the alternatives analysis inadequate, because the Program EIS/EIR did not evaluate a reasonable range of alternatives for this alignment. I238-33

25. The Program EIR inappropriately dismisses alignments between San Francisco and San Jose other than the Caltrain corridor with only a cursory analysis, and this dismissal improperly precluded any reasonable consideration of potentially viable alignment alternatives for the San Francisco to San Jose segment of the project. Most if not all of the other segments of the HST system involve consideration of more than one alignment. In order to satisfy minimum state and federal requirements for consideration of a reasonable range of alternatives, the Authority must consider more than one corridor for the segment from San Francisco to San Jose. CEQA requires that you study alternatives. CEQA says under Purpose, (PRC Section 21002.1),"Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment" **"the discuss of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly."** Do you see the reference to alternatives to the project or its **location**? That means another place, not just one route that the HSRA was pre-selected. I238-34 cont.

The following is only a partial list of alternative alignment routes that should be considered in the Program EIR at the same level of details the preferred alternative:

- The document should analyze a Highway 101 alternative that involves an Altamont Dumbarton crossing of the Bay, joining a Highway 101 ROW route near
- Menlo Park and Redwood City, and following the Highway 101 ROW to a point near the South San Francisco Caltrain station. The route would then follow the Caltrain corridor to downtown San Francisco. This alternative would avoid most of the Caltrain corridor and eliminate most of the devastation to the residential neighborhoods that would be caused by the current Caltrain alignment alternative.
- This Highway 101 alternative would also reduce most of the impacts to schools, parks, and historical sites along the Caltrain corridor, and could be less costly than the Caltrain corridor alternatives, particularly in regard to underground the HST rail lines.
- The document should address and analyze alternative alignments within or along the Caltrans ROW and Highway 280.
- The document should address and analyze an alternative where the HST alignment ends in San Jose, and then passengers transfer to Caltrain or take the HST train and have it follow the Caltrain route without the expansion of tracks and both the Caltrain and HSR trains would go underground do the expected volume. I238-35
- The document does not address alternatives that would reduce the number of tracks to less than four. The ridership forecasts are flawed and grossly optimistic. Realistic ridership projections may conclude that only two or three tracks would be
- required for the HST project, not the four tracks currently proposed. Once the forecasted ridership is corrected to (1) reflect current predictions rather than the outdated and inflated figures used in the current EIR, and (2) remove the East Bay ridership from the San Francisco station forecasts, then the reductions in projected traffic volume could result in the need for less than the 4 sets of tracks proposed between San Francisco and San Jose,and it may even be even possible for the HST system and Caltrain to share only 2 tracks hopefully put under ground in a full bore tunnel if the Caltrain route is chosen for both to share.
- The various corridor segments that pass through Menlo Park, Atherton and Palo Alto should be analyzed and discussed in an equal and equitable manner in order to appropriately assess which corridor alternative is truly the environmentally superior alternatives.

Flawed and Inadequate Business Plan

26. The Revised Draft Program EIR fails to provide an explanation of the methodology used to calculate ridership figures. I238-36

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27. The document fails to include an explanation of what portions of projected ridership would occur regardless of whether the project was approved or regardless of the alignment alternative chosen. I238-37

28. The ridership forecasts in the analysis are flawed and grossly overestimate the ridership that the project would generate, particularly since the ridership forecasts were created during a different economic cycle. Realistic ridership numbers need to be used in the analysis to reflect both a robust and a poor economy. I238-38

29. The document fails to include a full tabulation and explanation of project costs, including: methodologies for calculating costs, costs for each alternative and sub-alternative, costs for tunnels through developed urban areas, costs for maintenance activities, and costs for developing ridership. I238-39

30. The document does not include a tabulation of expected funding sources for the project. I238-40

31. The document does not adequately address construction costs, including the full economic costs of using eminent domain to either widen an existing corridor to create a new corridor. I238-41

32. The document fails to address how nearby businesses would be affected during project construction, if access would be limited, if small businesses will survive, and how city tax revenues may be affected as a result. I238-42

33. The document needs to include a realistic and defensible business plan in order to answer the very basic question of whether the HST project is actually environmentally advantageous for California. I238-43

34. Cost reporting should be in 2010 dollars, and not 2006 dollars I238-44

35. The daily ridership projections for the San Francisco station include riders from Oakland and elsewhere in the East Bay, which is a flaw in the analysis. East Bay ridership needs to be shown at an Oakland station location, as required by AB 3034, and not San Francisco. Once the East Bay ridership is removed from the San Francisco projections, the forecasted ridership at San Francisco should be dramatically reduced. I238-45

36. The ridership questionnaire was badly flawed. Example the survey people asked 96% of the people on a train if they'd ride a fast train instead of questioning people in the same percentage of travel mode (such as 30% car, 40% plane and 30% rail- these numbers were examples and are not illustrative as to the actual in the state of California) Examples such as this is a reason as to why the ridership model and numbers cannot be used to establishing the size of the project or the locations of the train since any results would be badly flawed. I238-46

37. New information has been received that indicates that the modeling and the ridership numbers were badly flawed. Even the HSRA acknowledges the need for an Investment Grade Ridership study because of their inability to attract private financing due the state of their current ridership study. The project needs to be halted until a quality study is performed. All information that came from the original needs to be redone and if the ridership study is flawed everything need to be re-done. (damaged fruit from damaged tree concept) I238-47 cont.

38. The December 2009 Business Plan's forecasted annual boardings for the San Francisco to Anaheim corridor are less than half of the forecasted annual boardings referred to in the EIR. The boarding numbers in the EIR need to reflect updated forecast figures. I238-48

39. The recently released California High Speed Rail Project Environmental EIRIEIS Preliminary Alternatives Analysis Report for the San Francisco to San Jose Section provides updated cost figures, making the cost figures used in the Revised Program EIR outdated. The numbers used in the Program EIRIEIS need to be updated to reflect current cost estimates. I238-49

40. There were clear exclusions of expenses for the Caltrain route, which made it appear less expensive. No tunneling construction expenses for the Transbay terminal were included though clearly in the path. Incomplete construction costs and incredibly low and non-specific eminent domain costs for the peninsula were excluded. Shoo fly track costs were not part of the cost estimate for this or other corridors which will add significant costs to each corridor. Was this on purpose or is it deliberate, a deliberate omission to make it look less expensive? I238-50

41. The document fails to include sufficient information on the environmentally superior alternative, thereby depriving the public of an opportunity to comment on the methodology used to identify that alternative. I238-51

42. The second Program EIRIEIS fails to analyze all alternatives at an equal level of analysis as required by NEPA. I238-52

43. The alternatives analysis is inaccurate, incomplete, and biased, and consequently inadequate, as demonstrated under the following topics: I238-53

- The analysis of Altamont Pass Alternatives inaccurately portrays the operational characteristics in a way that results in significantly underestimating the potential ridership of those alternatives.
- The document improperly and inaccurately discounted and found infeasible the potential for the Altamont Pass Alternative to rebuild the Dumbarton Rail Bridge in a way that could be used by both the Caltrain Dumbarton Rail Project and the proposed high-speed train.
- The document overemphasizes the aquatic impacts of rebuilding the Dumbarton Rail Bridge and inaccurately discounts the likelihood of being able to obtain environmental clearance.
- At the same time, the document underestimates the

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aquatic, wetlands, and wildlife impacts of the Pacheco Pass Alternative's crossing of the Grasslands Ecological Area and discounts the difficulty of obtaining environmental clearance for such a crossing. I238-53 cont.

Property Values Plummeting now:

44. The proposed project has had devastating effects to our property values especially in the Park Forest neighborhood of Menlo Park. In the last two years, the properties in the Park Forest Area have gone down in value approximately 40 to 42% and the rest of Menlo Park was down about 12%. The universal 12% drop is no doubt as a result of the economy however the delta of 30% can be directly attributable to the proposed route of the Caltrain. As the markets wake up, the spread will become greater since Park Forest will not recover as the rest of Menlo Park certainly will. Add to that the current requirement by the state that the real estate community is required to provide disclosure statements to prospective buyers, which of course is the right thing to do. This naturally would have a discouraging effect on both making offers on homes as well as the quality of offers. This is to say nothing of the current though quiet practice of realtors avoiding showing properties in the proposed route areas which dramatically affects the days on market and has the effect of producing even lower offers and listing prices.

New Information that came in as of this morning was just added to this analysis.
"There is clearly a major price adjustment with the properties in the Park Forest area. The PDF file above clearly demonstrates selling price differentials as much as 40% lower on Forest Lane from their peak in 2008 at $1.6 million to the most recent sale in 2009 of $960,000. Similarly on the 1700 block of Stone Pine Lane where a property closed at $836,000 in 2009, 42% lower than a neighboring property in 2008. Incidentally, the 2008 property sold for 104% of original list price. Whereas, the 2009 property sold for 88% of the original list price. " I238-54

List prices established to get action are then artificially low, creating a fire sale effect, dropping the comparables even further for future sellers. I have had these numbers independently developed by an experienced real estate broker but I too am a license real estate broker who in addition has had 25 years experience in corporate domestic and international relocations and worked real estate transactions all over the US so I consider myself an expert and fully understand properties and the effects these adverse conditions can have on a neighborhood and a community.

Regardless of" if and where" the train comes through, Eminent Domain procedures need to look at the devastating effects the "proposed project" has on property values for those properties given offers and even more so for those properties who will be effected for a life time and deprived of increased value forever in the future. This project has the effect of ruining the single biggest investment that families have and for this whether they're on top of the tracks or a block away and they should be adequately compensated.

If the HSR project selected the Caltrain route no one has actually thought of the extremely expensive properties. In one small area, Menlo Park, with properties in excess of $1 million, this loss of value is not a small chunk of change. This is the largest single investment most people have and this loss of value can be documented from the project announcement until now, and people will no doubt sue for this loss of value lost now as well as a fair value for their properties with comparable values in other neighborhoods not affected by the coming train project. These loses will also be sued for by those properties nearby and not taken, that have experienced and will experience loss of value today and in the future, as a direct result of the HSR project. Atherton has much higher values as does the Felton Gables area (average 1.8 million) and Palo Alto has properties easily north of 1.8 million.

There are so many retired or near retired families in the peninsula who cannot afford the current tax base or have taken their one time exemption under Prop 13 which allows residents over 55 to transfer their tax base once. For these people, those who get ED offers or just within a block of the tracks, should be given another shot at the "one time" exemption because this was a situation not of their choosing. This has never been answered in writing by the High Speed Real Authority and it's important that this information be known and answered to in an official way. I238-54 cont.

Electrification and the saving of heritage trees:

45. Regardless of where the route is, newer technology should be considered if this is a forward thinking project why look backwards? So these newer methods should be carefully studied before electrification is settled on for the peninsula or anywhere for the train project. This would save thousands of trees, many heritage trees that visually hide the train as well as help the sound be diminished. There are reported to be 1727 trees that would be needed to be removed alone just from electrification of Caltrain, more if Caltrain was chosen for HSR and they chose an at grade or above grade design option. Instead of flanking the sides of the tracks a system in the middle of the tracks servicing both tracks could prevent the taking of trees. I238-55
46. Also consider another alternative to hanging centenary wires from polls, a third rail option into the areas of the densest vegetation such as the peninsula areas. This would help retain more trees and be less disturbing to the communities should the Caltrain route be chosen. Centenary wires can no way be considered low impact in a location as beautiful as the peninsula cities. I238-56
47. But rather than looking at old technology, how about a glance into the future? Hitachi has developed a diesel hybrid solution, under trial and successful since July 2007, which incorporates lithium-ion battery system (like a Prius) and has 3 successful trials with the East Japan Railway Company (JR-East). This type of program should be considered since it will prevent over 1800 trees, many heritage that would be removed when they provide valuable screening from the sight and sound of the trains. Though this would require a change to AB3034, since it says electric in the bill, it would have to be brought up to the voters again. It would be worth it and there are many changes that could be made to AB3034 at the same time I238-57

Fuel savings of approximately 20% are considered possible on typical long-distance assignments, but corridor and commuter train fuel savings could be even higher, because braking energy and frequent stops could be captured and reused. It is projected that CO2 emissions would also be 20% lower and that NOx, particulate and hydrocarbon emissions could be halved. I238-58

48. Considering the old-fashioned type of construction HSRA is looking at and the method of electrification used to power the trains, should give the legislature pause to consider another group to guide the construction of the project since this is a project for the future, not the past. I238-59

UPRR's intentions on Caltrain route and the JPB's role

49. UPRR has remaining rights even though they "sold the Catrain corridor between San Francisco and San Jose for intercity rail. They could just decide that use of the Caltrain route was considered to them a violation of their trackage rights and could refuse to allow the HSRA to use I238-60

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it. This would require a new route be chosen just as in the case of the San Jose to Gilroy since their rights are superior and immune to Eminent Domain claims. I238-60 cont.

50. There is a current lawsuit to ask UPRR to divulge their intentions on the route. This is the basis of a lawsuit with Petersen in Menlo Park. In addition there is another lawsuit that not only challenges how the HSRA plans on starting 4 corridors at one time, but the right of the JPB to "give away." ROW on the Caltrain corridor. This route was paid for by San Mateo residents and the lawsuit contends that they are guardians, stewards of the ROW and do not have the right to "give away" the use of the corridor. I238-61

51. Inadequate construction expenses are included in the business plan, which does not allow the public to fully grasp the construction elements which appear to be noted in the business plan. I238-62

52. Inadequate ROW acquisition costs. It was indicated that a suburban property cost of $479,081 per hector was the cost of the property in the peninsula area. (1 hectare equals=2.47 acres or $193,960 per acre) This figure is insufficient to purchase land anywhere in the Bay Area, let alone the peninsula area. The property along the Caltrain route in the Atherton, Menlo Park and Palo Alto areas run millions of dollars per acre, even fronting the tracks. This totally inadequate number downplays program costs in order to make the project and the corridor look less costly than it will ever be. This doesn't in anyway consider direct impacts to properties not purchased by HSR since there will certainly be massive class action suits that will occur. I238-63

53. No cost for the Shoofly tracks was included as the possibility if the Caltrain or other route is chosen. This is a very expensive and disruptive process for the communities. These easements can often cost more than outright acquisition and these factors need to be considered when weighing any at grade or above grade construction as well as deduct this cost for any deep bore tunnels regardless of where route will be. There are estimates for this type of expenditure the HSRA could use. They should not be playing games with finances by saying they will update the costs or raise yearly when they fully know the possible financial impacts now. It's deceptive and wrong. I238-64

Soliciting Commentary on the revised document put out by the HSRA for the Draft EIR

54. The HSRA did not incorporate the new sections required by judgment into the entire document and offer a complete new document for the public to comment on. If you do not have any document that is certified, it would seem inappropriate to only offer pieces of a non-existent document. Many of the people never saw the complete document and it would be a public service to do so. I238-65

55. Limiting the scope of comments to the Revised Materials is inappropriate if the original analysis was flawed and I believe the HSRA violated the spirit and the intent of the law, if not the actual law. I238-66

Inappropriate Listing of Supporters and Opponents:

56. It is wholly inappropriate to list agencies and organizations who support, or have expressed concern over, the election of the Preferred Alternatives (Sections 7,3,2, and elsewhere) in the document. Their comments and concerns would certainly be acknowledged but their identification in this document can have the effect of unnecessarily pitting one agency or organization against another, rather than focusing attention on which environmental issues need to be addressed in the document. I238-67 cont.

Project Description and Engineering detail:

57. The project description is essentially limited to the alignment of the track corridors and possible stations, but does not mention the additional support facilities, other than the maintenance facility that would be needed. These additional support facilities would include layover facilities, turnouts, bridges and tunnels, advanced signaling and communications systems, electrification facilities, station automobile parking structures, and public open spaces needed to support the pedestrian traffic generated by the hub stations. The Revised Program EIR is inadequate because they are not identified or analyzed in the document. If the potential environmental impacts of these supporting facilities are not going to be addressed in the Program, EIR, they should be identified, the typical effects explained and should be addressed in detail in the project level EIR. I238-68

58. Grade Separations not identified in the document. It should indicate which crossings are expected to be separated by either underpasses or overpasses. Example: an elevated railway would be a significant change from the existing landscape, and could have significant impacts on neighboring communities. Project construction could have significant impacts such as disruption of existing rail service and disruption of local businesses. The impact of shoo-fly tracks were not mentioned as a necessary part of construction if at or above grade design options were chosen or the impacts of this practice to businesses, local homeowners, or the possible additional costs was not mentioned. These issues were not addresses in the EIR and their impacts must be analyzed for the CEQA document to be adequate. I238-69

59. The document fails to adequately indicate the extent to which the project would require acquisition of private property through eminent domain and possible costs for any acquisition were wholly underestimated. I238-70

60. Agriculture

61. Direct impacts to agricultural resources would occur if the HST alignment and associated infrastructure (substations, utility lines, etc.) needed to pass through lands that are currently in agricultural use. Given that the UPRR has notified the Authority that it will not permit the use of its ROW within the San Jose to Gilroy corridor (or anywhere else), the relocation of this alignment may require the conversion of agricultural lands. This possibility must be considered, and the potential impacts of such conversions evaluated, in the Revised Program EIR. I238-71

Air Quality and Greenhouse Gases

62. The document fails to fully disclose or adequately analyze the projects potential air quality impacts, including the production of greenhouse gases (GHG) and I238-72

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contribution to global climate change.The analysis focuses on emissions associated with operations. It does not consider construction impacts and their contribution to GHG emissions. I238-72 cont.

63. Construction activities will cause major traffic disruptions, resulting in indirect air quality and GHG emissions from idling vehicles. These potential emissions were not analyzed in the document. I238-73

64. New electrical infrastructure (transmission and distribution lines and substations) will be required. The construction impacts of these facilities are not included in the analyses. Greenhouse gas emissions should be recalculated and reconsidered based on updated and realistic ridership figures. I238-74

65. The comparison of rail travel GHG emissions to air travel GHG emissions should be revised to account for the reductions in air travel since 2002 and the improvements made in emissions from air travel. I238-75

66. The document fails to adequately compare air quality and ORO emissions between the alternative options for the new railway - elevated viaduct, elevated berm, at grade, below grade, and underground. Construction activities and duration vary dramatically for different types of construction. Air quality and ORO emissions for longer duration construction should be considered. I238-76

67. The document uses flawed assumptions in the impact analysis. For example, the document states that the RST will operate on 100 percent clean, zero-carbon emissions electricity. It may be impossible to operate on 100 percent clean, zero-carbon emissions electricity, both because there may be insufficient energy production infrastructure in the state to meet the electricity requirements of the RST system, and because "clean energy" cannot be separated from other electricity.Does the project actually reduce emissions, or only move them out further into the future? This issue is not considered in the analysis. I238-77

68. Construction emissions, especially ORO emissions, should be amortized and included in the analysis. I238-78

69. Construction activities include rebuilding Caltrain, which will result in a disruption in service and in turn result in commuters and travelers finding other transportation options, likely increasing vehicular emissions.In addition to direct air and ORO emissions associated with Caltrain rebuilding, the project will also result in indirect traffic and air emissions. These emissions have not been included in the impact analysis. I238-79

70. The required new electrical infrastructure will result in both construction and operational particulate and ORO emissions (SF6 from substations). These emissions have not been included in the impact analysis. I238-80

71. The document fails to adequately analyze or disclose the long term result of unmitigated ORO increases or decreases using the Urban Forest Reporting Protocol (UFRP) adopted by the California Air Resources Board (CARE). For each regional or local section of the proposed project alignment, the EIR should use the methodology provided in the UFRP to provide a tree and vegetation analysis, including baseline conditions, the effects of the proposed project, and recommended action for improved air quality. I238-81 cont.

Biological Resources

72. It is a mistake to equate only miles of disturbance with environmental impacts. Quote:"However, this alternative has greater environmental impacts ... since it requires nearly 38 additional miles of HST alignment to be constructed along the east bay" and repeats this statement The severity of the environmental impact depends on what biological resources are encountered in those 38 additional miles, and what is encountered in the original alignment before the 38 miles are added on. I238-82

Similarly, the impacts depend on the nature/severity of the impacts encountered. One significant impact in a short stretch of alignment would have more weight than several, or indeed many, less than significant impacts in a longer stretch of alignment. Conclusions regarding the severity of biological impacts based solely on the extent of acreage to be disturbed by the project would not appear to be supported by substantial evidence in the record.

73. The document perpetuates a common error in only considering threatened and endangered species (T &E species). EIRs and EISs are not environmental compliance documents. They are environmental impact assessment documents. Yet there is no consideration of the potential for impacts too many non-T &E species, especially keystone species, particularly in terms of habitat loss and fragmentation. I238-83

74. The document does not address the wide-ranging effects of air and water emissions (pollution) and noise on biological resources, particularly wildlife and their critical habitat. The harmful effects of pollution have contributed to the listing of numerous species under the Endangered Species Act, yet the document focuses on the direct impacts associated with the loss of habitat. Habitat fragmentation and degradation are not addressed. The indirect effects of air, water, noise, and other emissions, even if they meet regulatory and thresholds, are ignored. Not all habitats are of equal importance. Certain habitats disproportionately contribute to ecosystem functioning and are analogous to keystone species. Even non-keystone habitats vary in quality with very different functional value. These nuances are ignored or overlooked, and should be a major focus of affected environment discussions. I238-84

75. The document fails to address the potential loss of valuable wildlife habitat, including wetlands, particularly if the proposed right-of-way must be relocated away from the Caltrain. UPRR right-of-way anywhere along the San Francisco to Gilroy corridor. Such relocation appears likely given Union Pacific's refusal to share a ROW with the HST system. I238-85

76. The document fails to address the eventual footprint that may actually be required for construction activities, and how this construction footprint might affect surrounding trees. A tree resource may be adversely affected because it is adjacent to the project, even though it is not in the identified ROW. I238-86

77. The Program EIR relies on a tree survey and assessment that is now seven years old and I238-87

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was prepared exclusively for the Caltrain Electrification Project, and not the HST Project, making this tree survey both too out of date and inappropriate for use with this project. The tree survey concluded that the greatest tree-related impacts from the Caltrain Electrification Project would be to trees outside of the Caltrain ROW; since the proposed HST Project would have a wider ROW, the impacts to trees outside the ROW would necessarily be greater.

Moreover, the tree survey's identification of trees that would be affected by the Caltrain Electrification Project relied on an estimate of the number, type, and health of trees within a typical mile, and not on actual counts or surveys. The tree survey does not recognize the value that a particular tree or group of trees may have for the community thus, impacts cannot be quantified for each community without updating the scope of impact, incorporating real time conditions and tree cover, and recommending the appropriate mitigation. I238-87 cont.

Cultural Resources

78. The document does not identify and name each type of historic resource, and only identifies the total number of resources located along each alignment. It is therefore not possible to assess the significance of impacts. I238-88

79. The document also fails to address the potential impacts to cultural resources that may occur if a new alignment is required due to UPRR's refusal to share its ROW. I238-89

80. Inadequate measures are provided in the document to mitigate the noise, vibration, and visual impacts of the proposed HST system on the historic resources located near the proposed alignment. For example, the historic buildings along the proposed alignment are of older construction and likely more susceptible to vibration impacts, and therefore require resource-specific mitigation measures to ensure that these historic properties are preserved. I238-90

Environmental Justice

81. Limiting potential property impacts to land uses within 50 feet of either side of the existing corridor, or within 50 feet of both sides of the centerline for new HST alignments, is too restrictive and limiting to fully assess impacts. Potential environmental impacts could extend well beyond 50 feet, and so too would the potential for disproportionate impacts to minority and low income populations. I238-91

82. The potential for environmental justice impacts exists whether the minority or low income population is 1,5, 10,20 percent or 50 percent of the total. The question is not what the minority or low income population is, but whether it is disproportionately impacted regardless of size. The potential for environmental justice impacts is made on a determination of whether or not there are disproportionate impacts to minority or low income populations, not just whether minority of low-income populations exists along the alignment or that these populations exceed some threshold. The wording of the environmental justice section in Chapter 6 should use the term "potential for environmental justice impacts" rather than whether the alignment has a "low, medium, or high environmental justice impact rating." I238-92 cont.

83. How can the HSRA begin construction on 4 segments at one time without full cash or private funds for all four? Independent Utility is a federal term, not at all provided for in IA. Also wondering how Caltrain can receive funding for electrification since it is not a HSR project until you are ready to fully construct San Francisco to the Central Valley. There is not a usable segment between San Jose and San Francisco since no segment can run high speed rail independently until the entire system is built due to Positive Train Control. See the Morris Brown Lawsuit for details on all my financing concerns. http://www.scribd.com/doc/30054575/Lawsuit-Stamped I238-93

84. No financial guarantees of anytime should be allowed for this project. It would cost the citizens billions of dollars if this is permitted for revenues, operating or capital expenditures. I238-94

Please respond to me about all the valid points that I have enumerated in this document. I am very concerned that such a terribly flawed plan will add an incredible burden for the state in an already horrendous economy but more importantly this project does not provide the data, substance and proof of profitability required by AB3034. I238-95

Thank you,

Jeff and Kathy Hamilton
405 El Camino Real #416
Menlo Park, Ca. 94025

Response to Letter I238 (Kathy Hamilton, April 26, 2010)

I238-1

Broad changes in the economic conditions have affected the state and the nation which has resulted in changes in property values throughout California. The Authority is aware that property value issues are a great concern and will be evaluated at the project level. See also Standard Response 6 and 7.

I238-2

Comment acknowledged.

I238-3

Comment acknowledged.

I238-4

We disagree with the comment. The ridership and revenue model provides an appropriate tool for the environmental analysis for which it has been used. Please see Standard Response 4.

I238-5

This is not a comment on environmental issues, and not a topic area noted by the Superior Court in the Town of Atherton case as requiring additional CEQA work. AB3034, signed by the Governor on August 26, 2008, enacted Public Utilities Code section 185033 which required the Authority to prepare a business plan by September 1, 2008. After approval of the state budget, the Authority published a business plan in early November 2008. Section 185033 was amended and now requires the Authority to prepare a business plan not later than January 1, 2012, and every two years thereafter. A peer review committee has been established in keeping with to Public Utilities Code section 185035. The Authority is complying with the requirements of Proposition 1A and applicable statutes.

I238-6

Comment noted. The Authority is complying with Proposition 1A as passed by the Legislature, signed by the Governor and enacted by the voters in 2008. The Authority's 2005 Statewide Program EIR certification and decision approving broad corridors for the HST system also selected the electrically powered steel-wheel on steel-rail train technology for the system. No challenge was filed to that decision, and it is final. Thus, the Authority declines to consider the suggested diesel-hybrid train technology.

I238-7

We disagree with this comment and note that the Authority has received extensive public input that questions the upcoming decision on the EIR and the proposed network alternative. The Authority specifically recognizes the concern of the Penisnula cities and their general endorsement of a no project or non-Pacheco option. The Authority is complying with the judgment in the Town of Atherton case, which has resulted in this Revised Final Program EIR and the need to make a new decision on a network alternative to connect the Bay Area with the Central Valley. The Revised Final Program EIR includes the staff recommendation for the Pacheco Pass Network Alternative serving San Francisco via San Jose and explains the basis for that recommendation. The Board also has before it the other 20 representative network alternatives and multiple additional alignment alternatives examined in the EIR and will have an opportunity to weigh the alternatives and the tradeoffs they represent. The Authority Board will make a new decision in consideration of the Revised Final Program EIR and all the evidence before it in the record in a fair and unbiased manner.

I238-8

Comment acknowledged. The basis for the Authority's decision to proceed with planning for a high-speed rail system to connect northern and southern California is documented in the 2005 Program EIR/EIS for the Statewide High-Speed Train System.

I238-9

The Authority is in the process of completing its program EIR process for the Bay Area to Central Valley study area. The Authority is not purchasing land for the HST system at this time. The rationale for the staff recommendation on the preferred alternative is discussed in Chapter 7 of the 2010 Revised Final Program EIR Material. As to implications of conflict of interest, we note that Authority staff and Board members are subject to California's Political Reform Act.

I238-10

See Chapter 7 of the 2008 Final Program EIR and the 2005 Statewide Program EIR for project and alignment rationale. The statement of project objectives for the HST system in the 2008 Final Program EIR notes the system is intended to connect the major metropolitan areas of northern and southern California passing through the Central Valley. Those major metropolitan areas include San Francisco and San Jose. In addition, Proposition 1A, passed by the voters in November 2008 to provide funding for the construction of the HST system, designates the corridor from San Francisco Transbay Terminal to Los Angeles Union Station and Anaheim as phase 1 of the system, and requires that a passenger be able to travel to any station on the corridor without changing trains. Streets and Highways Code section 2704.09. See Standard Response 10.

I238-11

Comment acknowledged.

I238-12

Comment acknowledged.

I238-13

Comment acknowledged.

I238-14

Comment acknowledged.

I238-15

Comment acknowledged.

I238-16

The Authority provided a 45-day public comment period for the 2010 Revised Draft Program EIR Material. This circulation period complies with CEQA.

I238-17

The Authority disagrees with this comment.

I238-18

More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source. See Standard Responses 3 and 5.

I238-19

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will also include cumulative impacts from existing and proposed noise sources. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See Standard Responses 3 and 5.

I238-20

See Standard Response 3.
More detailed information and analysis of hazardous materials impacts and mitigation will be included in project-level EIR/EISs. The project-level noise analysis will include impacts at sensitive receivers, such as residences, schools, parks, and similar facilities.

I238-21

Please see Response to Comment I034-1.

I238-22

The utilization of the area under elevated structures would be analyzed in project-level studies and local jurisdictions would be consulted. Procedures for maintaining the HST's infrastructure could be detailed in the project-level EIR/EIS, along with appropriate agreements and cooperative approaches for managing these issues.

I238-23

Comment acknowledged. The Authority is aware of its obligations to consider project alternatives in the Program EIR. The 2008 Final Program EIR evaluated 21 representative network alternatives, as well as additional alignment alternatives. The Superior Court in the Town of Atherton case concluded the EIR's range of alterantives complied with CEQA.

I238-24

See Response to Comment L003-25.

I238-25

Please see Response to Comment L003-26.

I238-26

Comment acknowledged. See Response to Comment I238-5.

I238-27

See Response to Comment L003-165.

I238-28

See Response to Comment L003-166.

I238-29

See Response to Comment L003-167.

I238-30

See Response to Comment L003-167.

I238-31

See Response to Comment L003-168.

I238-32

See Response to Comment L003-169.

I238-33

See Response to Comment L003-170.

I238-34

See Standard Response 10.

I238-35

With the exception of the reduction in the number of tracks along the Caltrain corridor, the 2008 Final Program EIR and the 2010 Revised Draft Program EIR materials evaluate the alternative alignments identified in the comment using consistent evaluation criteria and objectives – please see Standard Response 10. These include a U.S. 101 alignment, an I-280 alignment, and termination of an HST Alternative in San Jose.

Alignments passing through Menlo Park, Atherton and Palo Alto are discussed in an equal and equitable manner following the established program level methodologies and criteria. See also Response to Comment L003-172.

I238-36

See Response to Comment L003-27.

I238-37

See Response to Comment L003-28.

I238-38

See Response to Comment L003-29.

I238-39

See Response to Comment L003-30.

I238-40

See Response to Comment L003-31.

I238-41

See Response to Comment L003-32.

I238-42

See Response to Comment L003-33.

I238-43

See Response to Comment L003-34.

I238-44

See Response to Comment L003-35.

I238-45

See Response to Comment L003-36.

I238-46

The Authority disagrees with the comment. See Standard Response 4.

I238-47

It is unclear what "new information" the commenter is referring to, however, we disagree with the statement that the ridership forecasts were flawed. The ridership and revenue forecasts have been based on a model that we find sufficient for the environmental analysis for which it has been used. Please see Standard Response 4.

I238-48

See Response to Comment L003-37.

I238-49

See Response to Comment L003-38.

I238-50

The commentor is referring to the recently released Preliminary Alternatives Analysis Report, San Francisco to San Jose Section. In the 2008 Final Program EIR the cost for the segment Transbay Transit Center to 4th/Townsend (Caltrain 1) did include 2.5 miles of tunnel as described in Appendix 2-A. As stated in Section 5.2 of the 2010 Revised Draft Program EIR Material, the capital costs are representative of all aspects of the implementation of the proposed HST system, including construction, right-of-way, environmental mitigation, and design and management services.

I238-51

See Response to Comment L003-159.

I238-52

See Response to Comment L003-160.

I238-53

See Responses to Comments L003-160, L003-161, L003-162, L003-163, and L003-164.

I238-54

See Response to Comment I238-1. Broad changes in the economic conditions have affected the state and the nation which has resulted in changes in property values throughout California. The Authority is aware that property value issues are a great concern and will be evaluated at the project level. See also Standard Response 6 and 7.

I238-55

The potential impacts to trees will be evaluated in the project level EIR/EIS. The configuration of the catenary system and its potential effects on trees will be addressed in that document. The commenter accurately points out that there are several ways to electrify a system with an overhead catenary system that may not require the support poles for the system to be on the outside of the tracks. Solutions with the poles between pairs of tracks, in addition to other pole configurations, could be studied at the project level to potentially reduce the need to trim or remove trees that are close to the tracks.

I238-56

Third rail technology is not capable of delivering power to efficiently operate high speed trains at high speeds. The design of the Eurostar to operate on 750 VDC was a temporary compromise that allowed through trains to operate between London and the Channel Tunnel on the existing commuter rail network at limited speed until the high speed rail link (with overhead catenary) was completed in 2007. Typical DC electrification requires substations every 1-3 miles while typical AC electrification requires a substation every 20 miles. This would result in up to twelve times the number of substations, which cannot be placed in the operating right-of-way. Dual current/ dual voltage electrification would increase both the procurement cost and operating cost of every trainset in the HST fleet.

I238-57

The prototype developed by Hitachi is a hybrid propulsion system that combines an engine generator, motor, and storage batteries, known as NE@train. This system provides regenerative braking which has not been previously possible on conventional diesel-powered trains, and enables increased energy savings via regenerated energy. Regenerative braking is very useful for increasing energy efficiency on trains that have many closely scheduled stops. Development of a system to allow braking energy to be re-captured on a non-electrified railway is significant, but the top test speed of the equipment is far below the requirements for HST. The current generation of high-speed train achieve similar energy savings by also using regenerative braking but instead of storing the energy in batteries, the energy generated during braking is returned to the power grid via the OCS.

See also response to comment I053-7, that address the selection of the HST as the system alternative.

I238-58

See Response to Comment I238-57.

I238-59

The Authority disagrees. They are using state-of-the-art technology of HST and designing for the next generation.

I238-60

We acknowledge UPRR's rights under the trackage rights agreement with the PCJPB. The trackage rights agreement is noted in Chapter 3 of the 2010 Revised Draft Program EIR Material. Page 3-3 has been clarified in the Revised Final Program EIR to identify UPRR's rights to conduct intercity passenger rail. See Response to Comment O012-14 and Standard Response 9.

I238-61

Comment acknowledged.

I238-62

See Standard Response 8 regarding Business Plan.

I238-63

See Response to Comment I011-13.

I238-64

See Response to Comment L003-33.

I238-65

As indicated in Chapter 1 of the 2010 Revised Draft Program EIR Material, the Authority followed provisions in the CEQA Guidelines

which acknowledge the option of recirculating only those portions of an EIR that require revisions. We note that the 2008 Final Program EIR has been available on the Authority website and is referenced in the 2010 Revised Draft Program EIR.

I238-66

See Response to Comment L003-9.

I238-67

See Response to Comment L003-11.

I238-68

See Response to Comment L003-16.

I238-69

See Response to Comment L003-17.

I238-70

See Standard Response 7 regarding Eminent Domain.

I238-71

See Response to Comment L003-53.

I238-72

See Response to Comment L003-54.

I238-73

See Response to Comment L003-56.

I238-74

See Responses to Comments L003-57 and L003-58.

I238-75

See Response to Comment L003-59.

I238-76

See Response to Comment L003-60.

I238-77

See Responses to Comments L003-61 and L003-62.

I238-78

See Response to Comment L003-63.

I238-79

See Standard Response 10.

I238-80

See Response to Comment L003-66.

I238-81

See Response to Comment L003-67.

I238-82

See Response to Comment L003-69.

I238-83

See Response to Comment L003-70.

I238-84

See Response to Comment L003-71.

I238-85

See Response to Comment L003-72.

I238-86

See Response to Comment L003-75.

I238-87

See Response to Comment L003-76.

I238-88

See Response to Comment L003-79.

I238-89

See Response to Comment L003-79.

I238-90

See Response to Comment L003-80.

I238-91

See Response to Comment L003-83.

I238-92

See Response to Comment L003-84.

I238-93

The cost and funding of the HST system is described in the California High Speed Rail Authority 2009 Business Plan, see Standard Response 8. As outlined in the 2009 Business plan both the capital costs and funding are projected to occur over a time period of several years. Construction costs for Phase 1 of the HST system would be incurred over the years 2011 to 2018; vehicle costs over the years 2011 to 2035, systems and electrification costs from 2013 to 2019 and finally, program implementation costs would be incurred over the years 2010 through 2020. These cost are matched to a funding plan consisting of federal grants, state funds, private investment and local funding assistance with private funding opportunities early on through design-build contracts and other mechanisms.

I238-94

Comment acknowledged.

I238-95

Comment acknowledged. See prior responses.

Comment Letter I239 (Joseph F. Sinnot Jr., April 25, 2010)

I239

Kris Livingston

From: Joseph Sinnott [jfsjr37@gmail.com]
Sent: Sunday, April 25, 2010 1:14 PM
To: HSR Comments
Cc: city.council@menlopark.org
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Sirs:

I am concerned that the impact of High Speed Rail on the Caltrain service is being misrepresented and understated. Specifically,

1. Construction of HSR on the Caltrain Right-of-Way will have disastrous impacts on the travel times and the on-time performance of Caltrain. Slow orders will make schedules unpredictable and unreliable. I239-1

2. Construction will also impact parking and customer access to the Caltrain trains. This is particularly true when TCE's and temporary tracks are on the opposite side of the right of way from parking lots. Menlo Park is an example of this. I239-2

Both of these will have negative impacts on Caltrain ridership. Furthermore, HSR trains will be competing with Caltrain bullet trains for those riders travelling between San Jose, Milbrae, San Francisco, and Redwood City/Palo Alto. I239-3

The environmental impact of having these riders take to their cars on 101 or 280 in order to get to and from work, for example, needs to be addressed in the Program Level EIR. I239-4

I will await your earliest response.

Regards,

Joseph F. Sinnott, Jr.
Menlo Park

1

Response to Letter I239 (Joseph F. Sinnott Jr., April 25, 2010)

I239-1

See Standard Response 10 and Response to Comment I006-10.

I239-2

See Standard Response 10 and Response to Comment I006-10.

I239-3

As part of the 2005 Statewide Program EIR, the Authority compared HST and various other modes of travel; including auto, conventional rail, and air. HST system would lower the number of intercity automobile passengers on highways by up to 70 million annually, and would provide door-to-door travel times comparable to airplanes and less than one-half as long as car travel. HST would meet the need for safe and reliable mode of travel at less than half the cost of building more freeways and airport runways, link major metropolitan areas of the state and deliver predictable, consistent travel sustainable over time. Moreover, HST would not require an operating subsidy, and would provide lower passenger costs than for travel by automobile or air for the same intercity markets.

The HST system would also be highly compatible with local and regional plans supporting rail systems and transit-oriented development, and would improve inter-modal connectivity with local and commuter transit systems. Prop 1A ensures that complementary rail capital improvements would be funded by a $950 million portion of bond funds. These funds must be allocated to intercity, commuter and urban rail systems and shall provide direct connectivity and benefits to the high-speed train system and its facilities or be part of the construction of the system.

Ridership and revenue forecasts were conducted by Charles River and Associates (1995-2000) for the Authority. More recent forecasts currently used by the Authority were developed by an independent study done by Cambridge Systematics (2006-2008). The Cambridge Systematics study was financed and managed by the Metropolitan Transportation Commission (MTC). Cambridge Systematic's ridership and revenue model was developed and verified from thousands of intercept surveys of in-state auto, rail and air travelers as well as Census Bureau, Federal Aviation and National Department of Transportation data. MTC assembled a peer review panel comprised of local, national, and international travel model experts to provide an objective and independent review of the modeling assumptions, methodologies, and results during each stage of model development for the Cambridge Systematics study.

The most recent ridership forecasts for the HST system estimate between 88-117 million passengers annually by 2030 for the entire 800-mile network. Off this,

- 17% would have taken a flight
- 74% would have driven
- 7% would have taken conventional rail
- 45% would be business/commuter trips
- 55%would be personal/recreational trips

Throughout the last ten years, the Authority has sought comment from high-speed train operators, manufacturers, the construction industry, private sector, public agencies, organizations, and other interested parties. The Authority has entered into Memorandum of Understandings with the French, Japanese, and Spanish Governments to exchange information. See also Standard Response 10.

I239-4

See Standard Response 10 and Response to Comment I006-10.

Comment Letter I240 (Trina_Ingle-Cabreros, April 14, 2010)

Kris Livingston I240

From: Trina Cabreros [trinacabreros@yahoo.com]
Sent: Wednesday, April 14, 2010 8:31 AM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

808 Park Ave

Burlingame, CA 94010

4/14/2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I240-1

I live in Burlingame, at the following address: 808 Park Ave
The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires.

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

I240-2

- Noise and vibration impacts, which would make living (both during construction and afterwards) unbearable
- An unsightly view which will divide Burlingame and forever change our small town appeal I240-3
- The devastation of our beautful full growth trees along California Ave I240-4
- Public safety dangers - particularly near the high school I240-5

I240-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect.

I240-7

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

1

Yours truly,

Trina Ingle-Cabreros

2

Response to Letter I240 (Trina Ingle-Cabreros, April 2, 2010)

I240-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I240-2

See Response to Comment I031-2 regarding noise and vibration.

I240-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I240-4

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I240-5

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I240-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I240-7

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I241 (Ted Crocker, April 24, 2010)

I241

Bay Area to Central Valley Revised Draft Program EIR Material Comments

Ted Crocker, Burlingame, CA

April 24, 2010

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

Attention: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt,

Because of my deep involvement in and understanding of this project since last September, I hope you will take the time to read my comments and respectfully request that the Authority listen because I, more than you or your team, have my finger on the pulse of the people here in Burlingame. I apologize if I have not removed all signs of emotion, but I feel this is appropriate given what is at stake.

As I found the 2008 Program EIR to be grossly devoid of meaningful analysis, I would like to start by noting that my comments are meant to supplement and lend support to those provided by the Cities of Burlingame and Palo Alto and the SMUHSD, as well as the many other Burlingame businesses and residents from whom you will receive comments during this scoping period. While it is hard to quantify, this letter is also meant to help bring home the personal side of what many of us are feeling due to this project, and these feelings should be factored in when deciding on impact levels. I apologize that I do not have the time to address each item number individually, but believe you and your team should be capable of applying my comments to the appropriate sections. In considering the cumulative impacts to Burlingame, I ask that you pay particular attention to the list of Burlingame's "Sensitive Receptors" supplied by the City to the HSRA. I240-1

Where I stand, an Overview. I do not support the HSR project in its current iteration, both from a monetary stand point and for what I see as the design path for our community due to the limited funds – an elevated structure. For the greater good, I do recognize the need to support public transit, including Caltrain, and expand the rail system. I do recognize the need for grade separation and electrification. That said, I will only support a rail "highway" through the center of my small town if it is done with extreme sensitivity to the community, leaving it, as much as a giant scar can, better than existing. This means in no way can it be built above grade. It should strive to run silent and invisible. If this cannot be accomplished within budget, then the HSRA needs to take a closer look at alternative routes. I240-2

The Importance of Burlingame to My Family. I am a SF Peninsula native and my wife and I have raised our kids in the same home for 17 years in a very stabile, pre-WWII Burlingame neighborhood of charming houses known as Oak Grove Manor. As Mayor Baylock said at the April 8 board meeting, there is no wrong side of the tracks in Burlingame. The owners in my neighborhood show a lot of pride of ownership. No living behind gates here, either. This is the type of neighborhood everyone strives for. We know absolutely everyone on our street, over forty of whom attended our Christmas party. I joke about it being a "Leave it to Beaver" neighborhood, but it really is. "Ward" and "June" live all up and down our street and we all look out for each other's kids and pets. One of the best parts of living where we do is the sense of community, the small town feel and the convenient and scenic walking and bike riding access to Burlingame's many amenities. Our house is located within an easy walk or bike ride to the Burlingame Aquatic Center, a multitude of tennis courts and playing fields, Washington Park, the Recreation Center, down town shopping, City Hall, the library, schools I240-3

Bay Area to Central Valley Revised Draft Program EIR Material Comments

Ted Crocker, Burlingame, CA

(Village Park Pre-School, Washington Elementary School, and Burlingame High School, all located within a stone's throw of the proposed ROW), and the pride and joy of our city, the c. 1884 Burlingame Train Station.

$20M View of our newly revamped Burlingame Station and the hills beyond. This view, and the history and money it represents will be obliterated by an elevated structure. I240-3 cont.

Comment Letter I241 - Continued

The Crocker Residence – Showing Typical Pride of Ownership on a Complete Remodel

I240-3 cont.

Bay Area to Central Valley Revised Draft Program EIR Material Comments

Ted Crocker, Burlingame, CA

Lack of Outreach and Understanding Critical to EIR. I am not unlike most busy parents caught up in their children's lives and in the middle of a major remodel. I was paying little attention to the details of the HSR legislation, and instead relied on the media and the bond summary I read on Election Day. I remember when voting that I understood it to be more of a feasibility study, with absolutely no knowledge that the Caltrain corridor had already been decided. Thankfully, in September of 2009, a local grass roots group left a flyer on my doorstep. On it there was what, at first, seemed like a somewhat inflammatory image of a possible HSR structure though the middle of Burlingame. Being an engineer, I trust no one until I have analyzed something myself. It didn't take long before realizing the HSR concept I thought I had voted for was fast on its way to turning into a nightmare for our community. So I attended a Town Hall meeting at the Rec. Center on September 26 where I heard HSR representatives talk about the wonderful job they have done with outreach and how there is broad support of HSR. I also came away with the distinct impression that a tunnel was out of the question based purely on cost. Based on my own perspective thus far, I found this all a little suspect, so in the process of passing around a petition against an elevated structure; I did a polling of over 150 households within a three block radius of my own. What I found out made me mad. Over 95% had ABSOLUTELY NO IDEA WHAT WAS GOING ON WITH THE HSR PROJECT. Only two people approved of an elevated structure, one of which has since changed their mind. After continued frustration with the HSRA to provide campaign style outreach, I formed my own grass roots group known as HSR-PREP with the goal of bridging that gap in outreach. We have worked closely with our City and other grass roots groups up and down the Peninsula. I have become known as a respected local source of knowledge, recognized by many district and nearby district politicians, union leaders, school districts, teachers associations, etc. I241-4

To date,

- There are no publicly posted signs, banners, or posters from the HSRA alerting citizens of what is headed their way.
- Our broke City has not been provided any funding from the HSRA to do outreach in their stead.
- Stakeholders (I am listed as one) seem to be randomly identified, when all of us are stakeholders.
- In my experience walking the streets, not even Burlingame's major businesses, our prime tax base, were made aware of any of the scoping periods, including this one, until I made a stink at a Council meeting in front of Mike Garvey, when shortly thereafter a card was sent out to SOME, not all, businesses and residents along the ROW.
- The type of in-your-face outreach needed to engage a community at a level where the understandings and conversations are meaningful has been really pathetic.
- The supposed "broad support of HSR" is propaganda, at best. I resent it when board members like Rod Diridon try to put words in our mouth, as it does not garner trust.
- What's worse was hearing HSRA board members call concerned citizens names, such as Rotten Apples, NIMBYS, Naysaysers and the like, dismissing them as a small but noisy group, when in fact people were just starting to wake up and their concerns were and continue to be legitimate. Again, this does not garner trust.

It is now long after this EIR was "circulated" the first time, and while awareness is up significantly thanks to efforts of groups like mine, public knowledge remains surprisingly ignorant; a true indicator of how poor a job the HSRA has done in reaching out to the communities it will impact. Still, despite their urgings to limit comments only to the San Jose to Gilroy section, I am hopeful, with this second chance at the Program EIR, that the HSRA will acknowledge public comments outside of the Gilroy to San Jose section, and undergo a full and realistic evaluation of its preference for the Caltrain corridor as its ROW, reaching far beyond a simplistic desire to build a cheap and dirty system through our communities.

To this day the image provided by the other grass roots group has been the most accurate of any images provided to Burlingame thus far, including two grossly under scaled mock-ups I have seen from the HSRA, the

Comment Letter I241 - Continued

first being 30' wide at the station and the latest only 60' wide at the station as well as unrealistically heavily illuminated from underneath and under built. I241-4 cont.

Industrial Scale with Industrial Problems not in Concert with Burlingame. A 4-track system through the middle of a densely populated and highly sensitive area is unheard of anywhere else in the world and with good reason – it is ruinous. What is being proposed is no longer a quaint and historic railway. This is a highway through the middle of our town. Most people have no concept of the scale of the proposed HSR. I don't even think the engineers or the HSRA board do, as evidenced by the under scaled mock-ups they have provided Burlingame. The AA's Appendix C reveals conceptual drawings for Caltrain-only stations for an elevated structure at between 112' – 139' wide. There is only 120' between the face of the train station and the curb at Carolan Ave. And what about shoofly tracks? Where will they go? I'm suspect of the 24' needed for construction as that must include room for both equipment and shoofly tracks. I have directed people to the 100' wide Millbrae overpass at the BART station and asked that they look up for a sense of scale. The thought of introducing such an industrial scale structure at one of the key focal points of our town is criminal. In my opinion, this will be the beginning of taking Burlingame from the quaint town many of us have worked so hard to protect towards that of some of the more industrial/urban towns, a direction I have sadly watched Millbrae take in recent years. It is like building a completely out of character, cheap quality, oversized house in the middle of a still intact original neighborhood. Once you go down that road, it is impossible to reverse, because the next person no longer has the incentive to build their house to the same standard as the originals, and so it spirals. I241-5

Aesthetics and Blight.

- Not only will the scale be out of place,
- but an elevated structure will assuredly attract graffiti
- and homeless.
- Elevated structures create dark and unwelcoming spaces, seldom used for much more than parking. I241-6

We have already seen it happen before construction is complete at both the Broadway pedestrian overpass and the Peninsula overpass at 101, as well as along the 101 sound wall.

- Speaking of a sound wall, an elevated structure, in order to meet sound level requirements is likely to require a sound wall 12-15' high. Not only does this add cost, but it also adds unsightly mass to an already out of scale elevated structure. I241-7
- And what about all the vegetation that will be lost and take generations to grow back? I241-8
- Have we learned nothing from history? Have we learned nothing from the protests against elevated highways during the 60's? Look what has become of the Embarcadero and the Cypress Freeways. Which would we rather have now, the new or the old? The answer is obvious. Look what is happening to the east span of the Bay bridge compared with the original. Spend the money now to create something we can all be proud of. I241-9
- An above ground solution, whether a berm or an elevated structure is still a physical divide.

Noise – Existing, During and After Build. Our house is located 1/4 mile from the ROW, 1/8 mile from Rte 101 and 2 miles from SFO, all sources of significant local noise.

- Existing.
  - The highway noise, while not loud, is annoying, and mostly noticed when trying to enjoy a quiet moment in our back yard which faces the highway. I241-10
  - The 15' sound wall helps, but not significantly,
  - Especially when there is cloud cover as this creates an inversion layer that reflects the highway sound back into my neighborhood.

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  - The same can be said for the airport. Under certain conditions – wind and cloud cover - the planes can be heard taxiing and taking off at the end of the runway.
- During
  - We were able to hear the pile driving clearly during reconstruction of the Burlingame station. My friends "up the hill" were able to hear the pile driving during the upgrades to our station as well, so they will also hear the same if an elevated structure is built. I can't speak to the construction noise attached to a trench structure, but certainly the noise associated with a tunnel would be a lot less than for an elevated structure. You need to assess the differences.
- After
  - All these additional trains on the Caltrain corridor will add to the ambient noise levels surrounding my neighborhood. I feel we are at the limit for human comfort now. I used to like the sound of the freight trains at night until the horn levels were increased. I foresee the proposed project as making the situation far worse than the present horn conditions
  - My research has lead me to conclude that while the electric train may run at lower decibels than a diesel at the same speed, due to the increased overall speeds, the electric trains will actually be creating noise levels on par with the horns I241-10 cont.
  - Worse because a 400m train every two minutes will create a more continuous level of high decibels.
  - In addition, because an electric train creates the same decibel level, but at a higher frequency, the human ear perceives it as being louder, and
  - High frequency noise travels through sound walls more than low frequency noise.
  - Because I would be sandwiched between a sound wall along the highway, and another for HSR, I am concerned about the bounce or echo effect that the two walls will have on noise created outside of the ROW. In other words, jet or traffic noise may end up amplified. Right now, sound is allowed to dissipate up the hill.
  - The poor learning environment created for students is addressed by others.

I am not happy about the prospect of almost certain increased ambient noise levels at our home. As it is, it is already too noisy for true peace and quiet outdoors where I live. A fountain is the standard answer to drowning out the existing noise, but even that is not enough. I have friends that live 1-1/4 mile from the tracks up the hill on Manzanita in Hillsborough. They can hear the horns quite clearly, and perceive them as loud. If an elevated structure is built, without an additional sound wall, they will be able hear the new trains much more than if the system were run below grade. Still, on cloudy days, the added noise will still be reflected back on all of us.

Dust – During and After Build. The dust from the highway, while slightly reduced compared to before the sound wall was constructed, is still an issue.

- Increasing the train traffic up the Peninsula to the forecast train every two minutes will add significantly add to the area dust levels,
  - from resurfacing of the tracks,
  - to the wear and tear of the metal on metal contact of the wheels on the tracks
  - to the overhead pickups on the catenary wires,
  - and unless there is some kind of regenerative brake system being used, there will also be dust created by the brakes. I241-11
  - Air blasts from passing trains will stir up dust. If a trench is ultimately chosen, careful attention must be paid to cover enough distance away from pedestrians so as to protect them from a face full of up-blasted dust and debris.
- The dust created by construction is no surprise.
  - The big concern here is that the HSRA determine what is contained in the soil before it digs it up. As you will hear from others, arsenic is known to be in the surrounding soil, and it is very

Comment Letter I241 - Continued

common along old rail lines as the ties were often soaked in an arsenic based preservative, and the tracks were often sprayed with arsenic based pesticides and herbicides.
- In addition, some businesses are sensitive to dust. There are many auto repair businesses along the ROW. When rebuilding an engine, dust is the enemy, and could cost the owners untold dollars. I241-11 cont.

Vibration. While understanding and controlling vibration during operation is a big deal, vibration during construction is an even bigger deal.
- For older buildings, including historic buildings, they must be identified.
  - I know of people in Millbrae whose foundations were cracked during construction of BART, but because they did not know enough to document the condition of their home before construction were unable to collect for damages. Notices should be provided to everyone along the ROW alerting them to document their property condition before construction starts.
- Refer to the Tainan Science Park High Speed Railway Monitoring study on Vibration.
- For businesses utilizing sensitive instruments. I am wondering about the new hospital under construction? It is highly likely they will have sensitive instruments, so you should be communicating with them to find out. I241-12
- There are other businesses along the Rollins Rd corridor north of Broadway that may have sensitivity issues
  - I know of one mom and pop music store by the Burlingame station that gives lessons in a back room directly against the ROW.
  - There is a dog grooming business in the same building that is just recovering from the work done to the station. The dogs will likely be very nervous due to construction noises. To relocate to another location will cost the owner $10K that she does not have.

Property Values. I know CEQA does not look at these figures, but in all good conscience they must be considered by the HSRA. Property values have dropped 25% since the high at the end of 2007,
- Along the ROW, people are taking a bigger hit as I have been told by Realtors that they currently advise their clients not to buy a property anywhere near it. Therefore, those that live along the ROW are already in a depressed situation due to this project even before the project begins. You may be happy about this because it gives the Authority an unfair advantage should they have to do property takes.
- What happens to the person that is upside down on their property? Will they be relegated to the street? I see no answers to this situation in the HSRA literature.
- How many businesses along the ROW have you received input from and how many have you notified? I241-13
- What about the impacts to the surrounding infrastructure during construction. These costs will drag down the local economies if not paid for by the HSR project.
- Our train station was just recently revamped and upgraded at a cost of over $20M; much of which will be destroyed in order to build HSR.
- As an investment in our neighborhood, we recently completed an $800K addition which I designed and built not to flip, but with the intention that we would grow old in this house. I know many people that are either moving or putting off major remodels/additions as a result of this project. This in turn is affecting my property value. As equity is reduced, we all become more and more vulnerable in the event of economic crisis.

Grade Separation a Wash in Terms of Time. I personally cross the tracks 8-10 times a day with my kids and on errands. My wife typically crosses 2-4 times per day. My two kids on average cross the tracks an additional 2 times per day. That's 11-16 times per day as a family, or 2.75 – 4 crossings per person per day. On balance, we don't find this a problem as the delays caused by being on the wrong side of the gate are I241-14

offset by those being on the "right" side of the gate. When the traffic light at the adjacent intersection turns green to allow traffic to get out of the way of the train, cars are allowed to move through the intersection sooner than they might otherwise have been able to. When a train comes and I am positioned near the intersection and turning left (south) on California Drive, I don't have to compete with the oncoming traffic. It seems to me that it is the intersections more than the trains that create inevitable delays. I think this should be studied in greater detail. I241-14

The view looking west on Burlingame Avenue of Skyline Ridge and the Burlingame train station **is no accident**. An elevated rail structure would forever obliterate it. I241-15

Comment Letter I241 - Continued

View of Skyline Ridge from Oak Grove Crossing. Another view that would be obliterated by an elevated structure. The gates are 24' high. Trust me. I hate that building on the right. That was a well known mistake on the part of the Burlingame Planning Commission. But this brings up the point; I have to look at this every day now and I hate it. An elevated rail would be far worse to look at every day. It would be a constant reminder of something else I hate. This is an emotional toll HSR will take on me personally should it be built without sensitivity to the community. I241-15 cont.

Underground Water Sources. I241-16

- Note that there are many private wells in Burlingame. This is because much of Burlingame was orchard space at one time. I note a case in the building of Italy's HSR system where an entire town lost its water supply when an aquifer was drained due to the construction. You should ask for a well count before beginning construction.
- Flood control must be maintained.
- Streams must be maintained.

100' Wide Millbrae Overpass. Dark and not in keeping with the Scale of Burlingame's Downtown. I241-17

Comment Letter I241 - Continued

Location of Crocker Residence relative to the ROW.

Include in I241 -3

The EIR Process.

- The existing document contains very little by way of balanced and flushed out arguments for the various route choices. Barely a nod was given to the economic or environmental impacts outside of the Authorities own concern which is to build HSR as cheaply as possible.
- I want to point out that in choosing the Caltrain Corridor during the first pass at the Program level EIR, a lot of thought went into justifying why 280 or 101 could not be used and not much thought as to how either one could be constructed (for a cost basis), I241 -18
- While for the Caltrain Corridor little thought was given to the design, the cost, or the impacts to the surrounding communities, and thus the justification was premature.

- In choosing the Caltrain Corridor, so much was overlooked, including openly involving the communities involved, it is laughable.
- I find it outrageous that only two schools along the entire corridor were identified, when a quick Google Map search reveals 32 schools. Compare the number of sensitive receptors identified by Burlingame now compared to when the first pass at the EIR was done. Less than 5% were identified. The updated information must be included in the new analysis.
- I firmly believe the Caltrain Corridor was seen as the easy way out because Caltrain was so hungry and the ROW "seemed" relatively clear, straight and level.
- As was evidenced in the budget for the Peninsula stretch, little consideration was given to mitigating the potential impacts to the communities along the Peninsula.

With the re-release of the Program level EIR, the HSRA has another chance to look at the Peninsula with a lot less naiveté. I241 -18 cont.

- I find it not only disingenuous, but wholly not in keeping with CEQA to expect the communities to pay for mitigating damages such as requiring them to pay for underground solutions when that cost should have been considered in the economic analysis used to determine a preferred route. If this is to be the case, where Burlingame must come up with $1B+/-, then I say despite grade separation and electrification, there is not enough benefit to Burlingame to justify this project on any level.
- HSR is costing Burlingame tax dollars and public services before having even started. The city of Burlingame needed to approve use of $185K from the reserve fund to hire experts and for outreach due to the poor job on both fronts by the Authority. As a result Burlingame may have to close the already cash strapped Easton library and a fire station.
- Who will maintain the ROW under an Elevated Structure?
- While the Caltrain ROW may be wide enough to accommodate a 4-track system, it may not be wide enough to do it and avoid a high cumulative impact to the region.

Cumulative impact. As you review the comments from myself and others, you need to consider not just the individual impacts, (i.e. this one is low, this one is medium, this one is high, etc.), but you need to look at the cumulative impact. In other words, a town that might have only one high impact issue may not require as much mitigation as a town that has extensive medium and low impact issues. If the list is long, as a whole, the impacts to the town become high. I241 -19

Collateral Facilities. Here I am referring not only to those businesses and homes in the way of the new ROW and construction, but also those facilities that must be added to make the HSR system operable. You must identify, cost and locate all facilities that will need to be added, and their potential impacts. This may include pump stations, substations, etc. I241 -20

Caltrain. In the near future, there can be no doubt that Caltrain is more important to our community than HSR.

- First, an efficient system and schedule should be designed for Caltrain.
- Second, HSR and Caltrain should be fully integrated.
- Efficiencies can be realized in this approach, including the possibility of reduced ROW requirements.

I241 -21

Overhead Wires,

- The catenary wires are ugly and add to the industrial look.
- What are the EMF impacts on local businesses, residents and equipment?
- If trenching, I would suggest a third rail design as this would allow for a shallower trench and keep the EMF further away from sensitive receptors which also includes people and animals.

I241 -22

Comment Letter I241 - Continued

The Walking Experience. Everywhere, we walk in Burlingame. We walk because it is the type of town that invites walking.

- Consider what happens to the walking experience when a park-like setting is replaced by an industrial setting. I should have to say no more. Look at some of the images I have provided from near the ROW and stop to consider what you are proposing to do to our town.
- My kids walk near the tracks after school to and from local businesses. What will be the impact during construction? The Donut Shop is a major hang out as is the Oak Grove Market.

I241-23

Another of my favorite views as I walk to down town or walk the dog is that of the park like setting in front of Burlingame High School where Carolan Ave is bordered by redwoods along the ROW. Not only would I hate to lose the eucalyptus trees on the west side of the ROW, but I would also be upset by losing the mature redwoods on the east side. In your mind, replace this tranquil setting with one with no trees and a huge elevated concrete highway. What will that do to the walking experience?

I recently placed a survey on my website. As of this writing 64 people have participated. Here are the results.

Type of Structure	# Votes	% Votes
Berm	0	0
Raised Viaduct	1	1
Open Trench	1	1
Cut & Cover Trench	8	12
Tunnel	49	76
Combination of Above	3	4
No Idea What Talking About	2	3

A Cut & Cover Trench. As you take another stab at cost analyzing the Caltrain corridor, consider that while their preference is for a tunnel, Burlingame's willingness to accept a cut and cover trench should be viewed as a welcome compromise. Here are some arguments for a trench.

- Promote community buy-in
- Must design to allow future covering as land use changes, or rail needs protection
- Built in sound walls
- Allows daylight (compared with tunnel) for better rider experience
- Does not need to be covered full length
- Train contained in the event of a catastrophic even such as derailment due to earthquake of terrorist attack
- Dirt, even contaminated dirt, might be able to be use for berms in other locations if contained.
- More stable in an earthquake than elevated as far as lateral forces
- Less visual impact, disappears when you step back
- Sound less likely to propagate long distance (i.e. up the hill)
- Earth backing walls absorbs more sound and vibration energy.
- Won't visually divide the city – this is clearly addressed ion CEQA.
- Egress possible in an emergency.
- Dust from brakes and tracks grinding self-contained
- dB delta between a trench and elevated is about 15 dBA
- Less bounce/echo effect from nearby traffic, and or jets.
- Won't substantially degrade the existing character or quality of the site and its surroundings when compared to an elevated structure
- A trenched station could be partially hidden. In other words, an elevated station will be 112"-137' wide. A trench station exposing only the Caltrain tracks can be contained to approx 70-80', which will fit between our station and the adjacent street once completed.
- At 125 mph, it will take less than 3 minutes to travel from the BART station in Millbrae to the San Mateo downtown below grade. This is a small trade off in rider experience compared with the community experience it will save, especially if not all of it is covered..

I241-24

Comment Letter I241 - Continued

Route Altenative.

- Before anything else, the new independent ridership study/review needs to be completed before the Altamont versus Pacheco issue can be settled and system capacity requirements determined.
- If money is short, then HSR should stop at San Jose. The middle of the state should be built out, forever more establishing the route, and LA to SJ would be connected. Too many people are open to this solution for it to be ignored. Legislation can be amended and the extensions, including the Peninsula, can be built out later when enough funds are available to do it right. In the meantime we can all make use of existing connectors. I241-25
- If the money is "found" to be there, I would weigh a below grade alternative along the Caltrian Peninsula corridor versus an elevated system along the Bay or Rte 101. I already submitted a case for an elevated structure down the Bay straight into San Jose from Millbrae (see e-mail below). In this instance, it is likely that Mountain View would pick up the fourth station, and Caltrain would have to be grade separated and electrified on its own.
- Someone needs to have some serious conversations with the Obama administration.

From: Ted Crocker <muthaiga@earthlink.net>
Subject: Draft Scoping Comment/CSS
To: "'Michael Garvey'" <garveycgs@yahoo.com>, muthaiga@earthlink.net
Cc: "'Don Cecil'" <Don.cecil@mcbayarea.com>, "'Spaethling, Dominic'" <Spaethling@pbworld.com>, "'Bruce Fukuji'" <bruce@fukuji.com>
Date: Tuesday, February 2, 2010, 5:54 PM

Hi Mike,

I understand that the Draft Scoping Report for the SF to SJ (Peninsula) High Speed Train Project EIR/EIS is not yet closed. It's a bit confusing, as I'm not sure how CSS fits in with public comment, but it is my understanding that my one vote is equal to my City's one vote, if not for CSS, then for the Alternatives Analysis. It is also my understanding that if an alternative is not presented before the next round, then there is no hope of having it added. While the Draft is still open, I would like to add my three (3) comments as follows. I241-26

1.) I will add my vote to Burlingame City's for a cut-and-cover trench/tunnel combination below utility and stream level along the Caltrain corridor through Burlingame. A split design will create too many problems for our city and a full height/fully elevated structure is unacceptable for all reasons, except maybe cost. Saving money is not a good reason if in the long run it ruins our town. I241-27

2.) While I still have a chance, thinking outside the box for a moment this alternative could solve more than it hurts, and thereby help your cause. Please add an alternative that explores running elevated HSR tracks from the Millbrae station out to the Bay side (over 101), then south along the Bay (along the existing levies where possible) all the way to San Jose. The route could dip inland as necessary to clear certain obstacles such as the Coyote Point Marina (sailboat mast heights). I understand no solution is perfect, so, if the CHSRA is hell bent on running HSR up the Peninsula to join SJ and I241-28

SF, then my hope is that, rather than be dismissed outright, this proposal will fuel some creative discussion outside of the existing proposed alternatives.

- **Potential Positives**
- a. Construction on HSR can carry on with little interruption or disruption to Peninsula residents.
- b. Promotes train ridership by offering incredible views of the Bay and hills versus travelling through tunnels and trees up the Caltrain corridor
- c. Eliminates expense of tunneling along Caltrain Corridor, thus more in line with the proposed budget
- d. May eliminate potential lawsuits from Peninsula residents/groups/cities
- e. Less effect on property values
- f. Will not further divide towns
- g. Solve a problem/selling point: Some moneys can be used to rebuild the fragile levies that keep many below-water-level cities safe, such as Palo Alto, San Mateo, Foster City, etc.
- h. The scale of the tracks will not have the same impact along the Bay as it will through the smaller, quainter towns on the Peninsula. We've already got the large scale bridges.
- i. Less likely to compete with Caltrain's Bullet train
- j. UPRR taken out of the HSR equation along the Peninsula
- k. Potentially a lot less resistance from the Peninsula population during the process
- l. Less impact on pass through populations that do not have a HSR station planned – noise, vibration, electrical, dust, aesthetics, etc.
- m. The Bay south of the San Mateo Bridge (Rte 92) can absorb an industrial look as much of it is already industrial I241-28 cont.
- n. Wetlands/Marshes/salt ponds, etc. should be able to recover from the construction of an elevated structure
- o. No eminent domain issues along the Caltrain corridor
- p. Will not interfere with existing projects and studies already done for the Caltrain corridor regarding grade separation (see SMTA's Draft Reports) and TOD's (see San Carlos)
- q. The scale (aesthetic impact) of the train system along the Caltrain corridor can remain the same, primarily at two tracks, rather than expanding to four
- r. Shorter route to San Jose from Millbrae saves time
- s. Saves construction costs compared to "doing it right" up the Caltrain corridor
- t. Less impact to businesses
- u. Less impact to public utilities
-
- **Potential Negatives**
- a. Bypasses a fourth Redwood City or Palo Alto Station, but these can be serviced by the Caltrain Bullet Train, and Mountain View is better setup to accept the fourth station
- b. Environmental groups will be protective of the marshes and endangered species, but I note that they have already said they are in favor of HSR, so hold them to their word – are they NIMBYs? Besides as noted above, I expect the impact should be minimal and recovery full over a relatively short time. It is certain, the destruction can be no more than is planned for the Caltrain corridor.
- c. Caltrain will see this as losing the chance to climb on the coattails of the federal funding and sharing of equipment during construction of their upgrades. I think if they were to look at the numbers, sharing the corridor with HSR will be less advantageous to Caltrain than they expect. Perhaps money saved by my alternative could be shared with Caltrain to smooth over the MOU

Comment Letter I241 - Continued

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3.) Also, I'd like to add a request that when the Draft for the above is released, it include a Comments and No. of Comments Table similar to that included in the San Jose to Merced Draft Scoping Report, pages 11-15. http://www.cahighspeedrail.ca.gov/images/chsr/20090901150201_Draft%20San%20Jose%20to%20Merced%20Scoping%20Report%20with%20Comment%20Summary.pdf I241-29

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Response to Letter I241 (Ted Crocker, April 24, 2010)

I241-1

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR.

I241-2

Comment acknowledged.

I241-3

See Standard Response 6.

I241-4

Comment about being a neighborhood or local expert is acknowledged. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Outreach was not one of those topics. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The Authority conducted scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS including meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007. The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The 2010 Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San Jose on the Revised Draft Program EIR. If the Authority proceeds with a network alternative that involves Burlingame at the project level, the Authority will continue its efforts at public outreach in the area.

The Authority disagrees that limiting the scope of comments to the Revised Draft Program EIR Material is inappropriate. The Authority requested that members of the public focus their comments on the new information and analysis contained in the Revised Draft EIR Material and stated that the Authority's legal obligation extended to responding only to those comments related to the new materials. The Authority's request is based on CEQA Guidelines section 15088.5, applicable to situations like the current one where a lead agency must revise and recirculate only a portion of a prior Final EIR. The current EIR process is specifically intended to comply with the judgment from the Town of Atherton litigation and that judgment found that only those issues in the revised materials required further CEQA compliance.

I241-5

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor and

visual quality and cultural impacts will be addressed as part of project-level EIR/EIS.

I241-6

The detailed maintenance of the HST project's structures will be discussed in the Project EIR, currently underway. Procedures for maintaing the HST's infrastructure will be detailed in the Project EIR. Potential deterrents to graffiti could include introducing vines to the concrete surfaces of columns and walls, dense landscaping to obscure columns and walls, and maintenance agreements to ensure the timely removal of any potential graffiti.

The utilization of the area under elevated structures can be analyzed at the Project level. Potentially, local jurisdictions could be consulted to see what uses they want permitted and to determine the responsibility and liability for those uses. As stated in your comment, a wide variety of uses are common under elevated structures. Examples from existing elevated corridors include linear parks, like the Ohlone Trail in the East Bay, or parking, in commercial areas where it is desired. There are examples of businesses locating under elevated railway structures. Borough Market, in London, is a very successful marketplace like the Ferry Building in San Francisco, which is under a steel railway junction. A four-track railway crosses through Berlin on brick arches. Many poplar restaurants are located under the tracks. This thoughtful utilization of space under railway structures is repeated throughout the world.

I241-7

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

I241-8

It is assumed in the Program EIR that Caltrain and HST will remain within the existing right-of-way at most locations, meaning that trees outside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way. If there is a need to acquire adjacent properties for locations where the current Caltrain right-of-way is not wide enough to accommodate the addition of HST, replacement landscaping would likely be established outside the area required for rail operations. This landscaping would replace that removed for the project. The project-level analysis will discuss mitigations for the visual impacts.

I241-9

Comment acknowledged.

I241-10

See Standard Response 3 and Standard Response 5.
More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed noise sources. The analysis will evaluate construction-period and long-term operational impacts. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices.

I241-11

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3 of the 2008 Final Program EIR. More detailed analysis of potential operational, maintenance, and construction air quality impacts, including dust, will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement as well as construction. In addition, a mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general

public in the event that unknown contamination or buried hazards are encountered.

I241-12

See Standard Response 3.

More detailed information and analysis of vibration impacts and mitigation will be included in project-level EIR/EISs. The project-level vibration analysis will consider impacts to both typical structures and to structures that may be more susceptible to vibration, and land uses with high sensitivity to vibration, such as research facilities, musical performance facilities, and hospitals. Appropriate mitigation, if necessary, can be incorporated into the project design to buffer vibration at the source.

See the Response to Comment I241-12 regarding construction-period noise impacts.

I241-13

See Standard Response 6 regarding property values.

I241-14

The Authority appreciates the comment. Delays to traffic and pedestrians during construction and operation of the HST will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes. The shared-use alternative proposed would fully grade separate both HST and Caltrain.

I241-15

The examples of view you provide will be affected by the HST project. The final design, to beundertaken at the Project-level, will affect the elevation of the HST structure. To determine the visual impacts in the Program EIR, the assumption was made that the grade separation needed at the existing Burlingame Caltrain station would be a split grade separation, with the railway elevated partially and the roadway depressed partially. This has been the common design configuration along the peninsula, including crossings in San Mateo, Belmont and San Carlos and proposals in Redwood City and Menlo Park. In the case of your photo looking at the Burlingame Caltrain station, the elevated viaduct depicted in a photosimulation in the Program EIR, the structure would run at about the same elevation as the roof of the building wings. The tower would be partially visible about it, as would the distant hills.

The view looking west on Oak Grove Avenue would potential be affected the same way. The roadway would dip down partially and the railway would run about 10-12 feet above grade, about the height of the roof of the building you find lacking in character. The view to the hills, at this location, would be visible over the structure.

I241-16

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hydrology and water resources was not one of those topics. Please see Chapter 3.14 of the 2008 Final Program EIR. Potential impacts from shallow groundwater as well as mitigation strategies was discussed in this chapter. More detailed analyses related to wells and flood control will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. In addition, the HST would span watercourse channels and embankments to minimize impacts on streams. See Standard Response 3.

I241-17

Comment acknowledged. Your photograph of the underside of the Millbrae Avenue grade separation appears to be the depiction of a worst-case situation. The view shows parking, security fences for both Caltrain and BART, and a metal utility building. The grade separation is designed to be utilitarian and not welcoming. There are many examples of aerial railway structures that are designed to be inviting to pass beneath. Detailed design of grade separtations and appropriate mitigation of impacts will be determined at the project level.

I241-18

As shown in the 2008 Final Program EIR and the 2010 Revised Draft Program EIR Material, the Authority evaluated alternatives using established methods and uniform criteria for all alternatives. While cost was part of this evaluation, many additional factors were considered, please see Standard Response 10.

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Responses 3.

Please see Response to Comment I241–4 regarding public outreach that has occurred during this process.

See Standard Response 3. Because this is a program-level document, the analysis evaluated impacts to educational and other community facilities on a broad-scale. Potential project-specific effects on all schools in the study area will be evaluated at the project-level. The Authority will consider the comment as part of the project-level EIR/EIS process.

Along with other factors in favor of and an evaluation of the impacts, the Authority did recognize the benefits of using the existing publicly owned rail corridor, please see Chapter 7 of the 2010 Revised Draft Program EIR Material. Mitigation strategies are identified for all of the alternatives alignments under consideration in the 2008 Final Program EIR. Additional mitigation strategies are added in the 2010 Revised Draft Program EIR Material.

Comments noted. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

Use and maintenance of the property under an aerial viaduct will be determined at a later stage in the design of the HST system and will no doubt depend on such factors as the needs of the HST system, HST security policies, height of the viaduct, and adjoining land uses. The 2008 Final Program EIR, Chapter 3.17, discusses cumulative impacts and mitigation strategies at the program level, and will be reviewed in more detail in the project-level EIR.

I241-19

The Authority disagrees. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Cumulative impacts was not one of those topics. Cumulative impacts were considered in Chapter 3.17 of the May 2008 Final Program EIR. A list of detailed projects and plans used in the analysis are listed and discussed in Appendix 3.17-A. A definition of cumulative impacts per CEQA and NEPA is included in Chapter 3.17. Sufficient detail is provided for this program-level analysis, and further analysis will be included in the project-level environmental analyses, when more detailed engineering, design, and location information will be available for the HST system and when future projects can be considered in more detail.

I241-20

See Standard Response 2 regarding the tiered EIR process and Standard Response 3 regarding the level of detail for impacts analysis and mitigation in the program-level EIR. Detailed analysis at the project-level EIR/EIS will identify impacts resulting from all phases and components of the project construction and operation. Feasible mitigation measures will also be discussed at the project-level.

I241-21

See Standard Response 10.

I241-22

Potential impacts from the HST system in terms of visual and EMF issues related to the overhead catenary system are discussed in Chapter 3.9, Aesthetics, and Chapter 3.6, EMF, respectively of the 2008 Final Program EIR. These issues will be reviewed and evaluated in more detail during the project level environmental process and the Authority will consider the comment as part of the project-level EIR/EIS processes. Third rail systems are not compatible with high speed train systems due to train operating speeds and power requirements.

I241-23

Comment noted. The project-level traffic impact analysis study will evaluate the effect of the project on existing and planned pedestrian and bicycle facilities. Potential impacts on pedestrian and bicycle connections to and across HST facilities will be analyzed. Detailed information and analysis of potential traffic impacts including impacts to pedestrian and bike facilities and feasible mitigation measures will be included in project-level EIR/EISs and documented in a Traffic, Transit, Circulation and Parking Report.

I241-24

Comment acknowledged. Please see section entitled Alignment Profile Alternatives in Standard Response 10.

I241-25

See Standard Response 10 regarding route and vertical profile alternatives.

I241-26

Comment acknowledged.

I241-27

Comment acknowledged.

I241-28

A bayside route from Millbrae to Diridon Station in San Jose is not feasible for a number of reasons. The most significant are the Don Edwards San Francisco Bay National Wildlife Refuge that extends in portions on the west side of the bay from Mountain View to Foster City and the regulations upon filling the bay, which covers not only filling in the bay, but also any structure that crosses the bay, such as a bridge or trestle.

To reach the bay from the Millbrae station would require acquiring a right-of-way through the industrial district Millbrae Avenue and Broadway in Burlingame. Bypassing Coyote Point bisects a golf course. The alignment then passes offshore of neighborhoods in San Mateo, Foster City and Redwood City. The Bay south of the San Mateo Bridge is mostly protected wildlife refuges, not industrial.

A bayside route would also require a high crossing to allow access to the Port of Redwood City and any other U.S. Coast Guard-designated navigable waters. The alignment would also need to avoid FAA-designated airspace at the Palo Alto airport and Moffett Field.

I241-29

Comment acknowledged.

Comment Letter I242 (Melissa Selcher, April 22, 2010)

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814 (or comments@hsr.ca.gov or fax (916) 322-0827)

DATE: 4/22/2010

I242

APR 22 2010

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose.

Your EIR at pg. 5-2 states: "Cities that are known to have narrow Caltrain rights-of-way include Millbrae, San Mateo, Redwood City, Atherton, Menlo Park, Palo Alto, Mountain View and Sunnyvale. In these locations the PCJPB right-of-way would not be sufficiently wide enough to accommodate all four tracks and at the program level would result in the need to acquire up to approximately 10 acres of additional adjacent property at various locations between San Francisco and San Jose." At pgs. 6-2,6-3,6-10,6-11,6-14,6-15,6-18,6-19,7-8 the EIR states that "Between San Francisco and Lick …although property acquisition would be required for a 4-track at-grade alignment in the more narrow portions of this right-of-way" and references now that "Heritage Trees" would need to be taken through Eminent Domain. Pg. 7-9 refers to "considerable number of organizations, agencies, and individuals who have expressed concern regarding potential impacts on the Caltrain Corridor" and pg. 7-22 refers to "considerable city and community concern for implementation of HST along the Peninsula overall" and pg. 7-24 refers to "potential impacts along the Caltrain Corridor including: alignment, environmental consequences, local growth, station planning and land use as well as noise, vibration, biological and cultural resources." **I am concerned about the new sections of the EIR because if HSRA selects a street-level or elevated track design anywhere from San Jose to SF that (Check Boxes You Feel Correct):** I242-1

☑ **Eminent Domain Takings:** my property and/or many properties/businesses will need to be "taken" through Eminent Domain, that I will lose my Prop. 13 tax exemption, and I will be evicted from my property against my will or HSRA will close my business. I cannot afford an attorney to fight eviction, and cannot move from my house.

☑ **Suicides & Deaths:** there will be many more suicide deaths because publicized "death by High Speed Rail trains" will be an attractive nuisance and encourage this activity, and there may be many deaths due to street level accidents and 150 mph trains. This letter is actual/constructive notice to HSRA of these potential wrongful deaths. I242-2

☑ **Arsenic:** dangerously high levels of arsenic have been discovered along Caltrain tracks, and near schools near these tracks like Sunnybrae Elementary, San Mateo & Burlingame H.S.'s. Entire neighborhoods/business zones must be zoned off and sealed if any construction is done with a street/elevated design, similar to asbestos projects. I242-3

☑ **Children & Noise/Sound/Vibration Impacts:** there are approximately 20 or more schools located near Caltrain tracks (Sunnybrae, San Mateo/Burlingame H.S., etc.) from San Jose to SF that will suffer during construction and afterwards due to the sound/noise/vibration impacts from these trains. Children will be unable to concentrate or study due to lengthy construction and sound/noise/vibration afterward from 120-150 mph trains during school hours. I242-4

☑ **Racial Injustice and Civil Rights Violations:** the primarily poor Hispanic, African-American and new immigrant families residing near the existing Caltrain tracks are low-income and cannot afford an attorney to contest Eminent Domain Condemnation Proceedings. But they will be the majority of evicted residents. They have been provided no information from HSRA prior to Eminent Domain takings. Further, 40-foot high sound walls will create a "Berlin Wall" separating East from West along these racial lines, which is likely a Civil Rights violation. I242-5

Additional Concerns/Complaints:

*** All above-referenced concerns are eliminated if HSRA tunnels the whole project from SJ to SF, or if HSRA riders exit at San Jose and use existing Caltrain Bullet trains to travel to SF (both of which I strongly suggest.)*** I242-6

NAME Melissa Selcher

SIGNATURE

ADDRESS 475 CHATHAM ROAD

ADDRESS BURLINGAME, CA 94010

Response to Letter I242 (Melissa Selcher, April 22, 2010)

I242-1

The Authority has sought to utilize existing transportation corridors, like the Caltrain corridor, to the greatest extent feasible to minimize environmental impacts. However, the March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Specific property that may be necessary to implement a particular project level alignment alternative will be addressed during the project-level environmental process.

Eminent domain is the inherent power of the government to acquire private property for public use. The owners of such private property shall not be deprived of their property without just compensation as provided in the Fifth and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. Any property acquisition and relocation will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) of 1970 as amended and Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively. See Standard Response 7.

I242-2

The Authority disagrees with the comment that an at-grade or aerial alignment between San Jose and San Francisco will result in more deaths due to street-level accidents, or that the HST system will encourage “death by HST.” The HST project under consideration in this Program EIR includes grade separations to fully separate the HST from local automobile and pedestrian traffic. The HST project is therefore anticipated to improve existing safety conditions in those areas like the Caltrain corridor between San Francisco and San Jose that have current problems with pedestrian/auto/rail accidents due to auto/rail grade crossings. The HST project also includes a fully access-controlled guideway with intrusion monitoring. The access controls on the HST guideway, combined with the grade separation, are anticipated to eliminate rather than increase the current condition on the Caltrain corridor where the easy pedestrian access to the rail tracks has resulted in the unfortunate problem of suicide deaths on the corridor. The Authority notes that high-speed train speeds along the Caltrain corridor would not exceed 125 mph.

I242-3

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hazardous materials and wastes was not one of those topics. Please see Chapter 3.11 of the May 2008 Final Program EIR. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

As part of the project-level environmental documents, a subsequent hazardous materials/waste analysis consisting of an environmental site assessment will be conducted to further analyze identified hazardous materials/waste sites and to further analyze and document the potential impacts related to the proposed project. This analysis will be prepared in conformance with the ASTM guidelines for preparing an environmental site assessment (E1527-05). Based on the information presented in the project-level environmental site assessment, a determination will be made regarding any sites that will need to have a Phase II environmental site assessment performed. This recommendation for a Phase II assessment, along with the implementation of any recommendations made in the document prepared in conjunction with the Phase II assessment, would be identified as a mitigation measure for addressing the potential contamination sites along the identified alignment that require further investigation regarding hazardous

materials/waste. The assessment document would specify that the Phase II environmental assessment must be prepared in conformance with the ASTM Standards Related to the Phase II Environmental Site Assessment Process (E1903-01).

A mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

I242-4

See Response to Comment I040-4 regarding noise and vibration.

I242-5

See Response to Comment I040-5.

I242-6

The proposed alignment along the Caltrain corridor between San Francisco and San Jose is approximately 50 linear miles. It is not considered feasible or practicable to have a tunnel for this distance. Nevertheless, the Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3 regarding level of detail.

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

Comment Letter I243 (Russ Cohen, April 26, 2010)

I243

Kris Livingston

From: COUNCIL-Baylock, Cathy [cbaylock@burlingame.org]
Sent: Monday, April 26, 2010 1:51 PM
To: Russ Cohen; GRP-Clerk
Cc: PW/ENG-Murtuza, Syed
Subject: RE: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Dear Russ,
Thank you for your thoughtful comments. I am copying our Public Works Director so that your comments are entered into the official record.

Cathy Baylock
Mayor

-----Original Message-----
From: Russ Cohen [mailto:russ@russcohen.com]
Sent: Mon 4/26/2010 12:45 PM
To: Comments@hsr.ca.gov
Cc: COUNCIL-Baylock, Cathy; Marc.Hershman@asm.ca.gov; Lieberman@sen.ca.gov; Senator.simitian@sen.ca.gov; margo.rosen@mail.house.gov; Mark.Pulido@sen.ca.gov; assemblymember.ruskin@assembly.ca.gov; COUNCIL-Nagel, Terry; COUNCIL-Keighran, Ann; COUNCIL-Brownrigg, Michael; COUNCIL-Deal, Jerry

Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Date: April 26, 2010

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425, Sacramento, CA 95814

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR).

While my concerns about this project are numerous and stem from the current business plan, I will limit my comments to environmental impacts discussed or in some cases, not discussed. I243-1

Trees and Parks

Along the Caltrain corridor in many cases you will find trees that line the right of way. They are not only scenic, but provide

1

practical relief from noise and soot. Perhaps Burlingame is not the only location where historic groves of trees line the tracks. It is inevitable that the trees along the route will be decimated to accommodate any of the alternatives. Mitigation for mature trees cannot simply be limited to replanting of new trees or the building of a man made structure to replace what was once a natural barrier to the effects of train traveling though densely populated towns throughout the state. I243-1 cont.

There are many parks near the right of way. Some estimates put the numbers at over 175 parks that will be impacted. Washington Park and Laguna Park in Burlingame are prime examples. These parks will have a significant impact from noise and vibration and line of sight from the parks. I243-2

Both the tranquil and active elements of these parks will be negatively impacted. As part of the EIR, all impacts on parks within one half mile from the right of way should be studied.

Technology and Economy

Many rail experts believe and have for some time that the new generation of technology emerging for rail is not exclusively electrification but a hybrid locomotive capable of toggling between electric power and diesel, much like our Hybrid passenger motor vehicles function today. There has been no investigation or discussion about this possibility. Its relevance is in direct proportion to the alternatives of deep tunneling and its feasibility. This alternative to power needs to be analyzed. I243-3

Although there is no legal obligation to study the economic impacts of HSR as part of the DEIR, I believe it pivotal to the success or failure of the project. Burlingame in particular, but perhaps other cities along the route have thriving downtown shopping districts adjacent to the rail corridor-Palo Alto, Mountain View, San Mateo are just a few that come to mind.

Without an economic Impact Report, there is no way to accurately predict whether HSR will, while benefiting commuters of the rail, be harmful to those surrounding the rail line. If there is no investigation from this economic perspective, then after its completion, the rail line may not have any viable place to service. The downtowns may be as decimated as the trees I am concerned about. A study can provide real data to either calm the fears of many business owners or prove that this project may do irreparable harm. I243-4

This Economic Impact Report should also include data tat reveals whether property within one half mile of the corridor will have property values that either decrease or increase. Again, there is only speculation and a serious lack of reliable data in this regard.

Thank you.

Sincerely,

Russ Cohen

605 Lexington Way, Burlingame, CA 94010

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Response to Letter I243 (Russ Cohen, April 26, 2010)

I243-1

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

I243-2

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Public parks and recreation was not one of those topics. Parks and recreational issues are discussed Chapter 3.16 Section 4(f) and 6(f) Resources (Public Parks and Recreation) of the 2008 Final Program EIR. A study area of 900 feet on either side of the HST centerline was used to identify resources at the program level. More detailed analyses related to impacts on recreational resources during construction and operation, including the parks listed in the comment, will be performed during the project-level EIR/EIS analysis when more detailed design and location information will be available. See Chapter 3.4, Noise and Vibration, and Chapter 3.9, Aesthetics and Visual Resources, regarding impacts and mitigation strategies. See also Standard Response 3.

I243-3

The Authority disagrees with your statement regarding future propulsion for railways. Existing diesel locomotives function like hybrids, with a diesel generator supplying power to electric motor that power the wheels. All HST systems (150 mph+) are 100% electrified.

I243-4

See Standard Response 6.

Comment Letter I244 (Joel Selcher, April 22, 2010)

Dan Leavitt, California High Speed Rail Authority **DATE:** 22 Apr.l 2010 I244
925 "L" Street, Suite 1425
Sacramento, CA 95814 (or comments@hsr.ca.gov or fax (916) 322-0827)

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose.

Your EIR at pg. 5-2 states: "Cities that are known to have narrow Caltrain rights-of-way include Millbrae, San Mateo, Redwood City, Atherton, Menlo Park, Palo Alto, Mountain View and Sunnyvale. In these locations the PCJPB right-of-way would not be sufficiently wide enough to accommodate all four tracks and at the program level would result in the need to acquire up to approximately 10 acres of additional adjacent property at various locations between San Francisco and San Jose." At pgs. 6-2,6-3,6-10,6-11,6-14,6-15,6-18,6-19,7-8 the EIR states that "Between San Francisco and Lick …although property acquisition would be required for a 4-track at-grade alignment in the more narrow portions of this right-of-way" and references now that "Heritage Trees" would need to be taken through Eminent Domain. Pg. 7-9 refers to "considerable number of organizations, agencies, and individuals who have expressed concern regarding potential impacts on the Caltrain Corridor" and pg. 7-22 refers to "considerable city and community concern for implementation of HST along the Peninsula overall" and pg. 7-24 refers to "potential impacts along the Caltrain Corridor including: alignment, environmental consequences, local growth, station planning and land use as well as noise, vibration, biological and cultural resources." **I am concerned about the new sections of the EIR because if HSRA selects a street-level or elevated track design anywhere from San Jose to SF that (Check Boxes You Feel Correct):** I244-1

☑ **Eminent Domain Takings:** my property and/or many properties/businesses will need to be "taken" through Eminent Domain, that I will lose my Prop. 13 tax exemption, and I will be evicted from my property against my will or HSRA will close my business. I cannot afford an attorney to fight eviction, and cannot move from my house.

☑ **Suicides & Deaths:** there will be many more suicide deaths because publicized "death by High Speed Rail trains" will be an attractive nuisance and encourage this activity, and there may be many deaths due to street level accidents and 150 mph trains. This letter is actual/constructive notice to HSRA of these potential wrongful deaths. I244-2

☑ **Arsenic:** dangerously high levels of arsenic have been discovered along Caltrain tracks, and near schools near these tracks like Sunnybrae Elementary, San Mateo & Burlingame H.S.'s. Entire neighborhoods/business zones must be zoned off and sealed if any construction is done with a street/elevated design, similar to asbestos projects. I244-3

☑ **Children & Noise/Sound/Vibration Impacts:** there are approximately 20 or more schools located near Caltrain tracks (Sunnybrae, San Mateo/Burlingame H.S., etc.) from San Jose to SF that will suffer during construction and afterwards due to the sound/noise/vibration impacts from these trains. Children will be unable to concentrate or study due to lengthy construction and sound/noise/vibration afterward from 120-150 mph trains during school hours. I244-4

☑ **Racial Injustice and Civil Rights Violations:** the primarily poor Hispanic, African-American and new immigrant families residing near the existing Caltrain tracks are low-income and cannot afford an attorney to contest Eminent Domain Condemnation Proceedings. But they will be the majority of evicted residents. They have been provided no information from HSRA prior to Eminent Domain takings. Further, 40-foot high sound walls will create a "Berlin Wall" separating East from West along these racial lines, which is likely a Civil Rights violation. I244-5

Additional Concerns/Complaints: I244-6

*** All above-referenced concerns are eliminated if HSRA tunnels the whole project from SJ to SF, or if HSRA riders exit at San Jose and use existing Caltrain Bullet trains to travel to SF (both of which I strongly suggest.)***

JOEL SELCHER
NAME
SIGNATURE
475 Chatham Road
ADDRESS
Burlingame, CA 94010
ADDRESS

Response to Letter I244 (Joel Selcher, April 22, 2010)

I244-1

The Authority has sought to utilize existing transportation corridors, like the Caltrain corridor, to the greatest extent feasible to minimize environmental impacts. However, the March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Specific property that may be necessary to implement a particular project level alignment alternative will be addressed during the project-level environmental process.

Eminent domain is the inherent power of the government to acquire private property for public use. The owners of such private property shall not be deprived of their property without just compensation as provided in the Fifth and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. Any property acquisition and relocation will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) of 1970 as amended and Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively. See Standard Response 7.

I244-2

The Authority disagrees with the comment that an at-grade or aerial alignment between San Jose and San Francisco will result in more deaths due to street-level accidents, or that the HST system will encourage “death by HST.” The HST project under consideration in this Program EIR includes grade separations to fully separate the HST from local automobile and pedestrian traffic. The HST project is therefore anticipated to improve existing safety conditions in those areas like the Caltrain corridor between San Francisco and San Jose that have current problems with pedestrian/auto/rail accidents due to auto/rail grade crossings. The HST project also includes a fully access-controlled guideway with intrusion monitoring. The access controls on the HST guideway, combined with the grade separation, are anticipated to eliminate rather than increase the current condition on the Caltrain corridor where the easy pedestrian access to the rail tracks has resulted in the unfortunate problem of suicide deaths on the corridor. The Authority notes that high-speed train speeds along the Caltrain corridor would not exceed 125 mph.

I244-3

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hazardous materials and wastes was not one of those topics. Please see Chapter 3.11 of the May 2008 Final Program EIR. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

As part of the project-level environmental documents, a subsequent hazardous materials/waste analysis consisting of an environmental site assessment will be conducted to further analyze identified hazardous materials/waste sites and to further analyze and document the potential impacts related to the proposed project. This analysis will be prepared in conformance with the ASTM guidelines for preparing an environmental site assessment (E1527-05). Based on the information presented in the project-level environmental site assessment, a determination will be made regarding any sites that will need to have a Phase II environmental site assessment performed. This recommendation for a Phase II assessment, along with the implementation of any recommendations made in the document prepared in conjunction with the Phase II assessment, would be identified as a mitigation measure for

addressing the potential contamination sites along the identified alignment that require further investigation regarding hazardous materials/waste. The assessment document would specify that the Phase II environmental assessment must be prepared in conformance with the ASTM Standards Related to the Phase II Environmental Site Assessment Process (E1903-01).

A mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

I244-4

See Response to Comment I040-4 regarding noise and vibration.

I244-5

See Response to Comment I040-5.

I244-6

The proposed alignment along the Caltrain corridor between San Francisco and San Jose is approximately 50 linear miles. It is not considered feasible or practicable to have a tunnel for this distance. Nevertheless, the Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3 regarding level of detail.

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

Comment Letter I245 (Gia Agresta, April 20, 2010)

I245

Dan Leavitt, California High Speed Rail Authority **DATE:** 4/20/10
925 "L" Street, Suite 1425
Sacramento, CA 95814 (or comments@hsr.ca.gov or fax (916) 322-0827)

APR 22 2010

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose.

Your EIR at pg. 5-2 states: "Cities that are known to have narrow Caltrain rights-of-way include Millbrae, San Mateo, Redwood City, Atherton, Menlo Park, Palo Alto, Mountain View and Sunnyvale. In these locations the PCJPB right-of-way would not be sufficiently wide enough to accommodate all four tracks and at the program level would result in the need to acquire up to approximately 10 acres of additional adjacent property at various locations between San Francisco and San Jose." At pgs. 6-2,6-3,6-10,6-11,6-14,6-15,6-18,6-19,7-8 the EIR states that "Between San Francisco and Lick … although property acquisition would be required for a 4-track at-grade alignment in the more narrow portions of this right-of-way" and references now that "Heritage Trees" would need to be taken through Eminent Domain. Pg. 7-9 refers to "considerable number of organizations, agencies, and individuals who have expressed concern regarding potential impacts on the Caltrain Corridor" and pg. 7-22 refers to "considerable city and community concern for implementation of HST along the Peninsula overall" and pg. 7-24 refers to "potential impacts along the Caltrain Corridor including: alignment, environmental consequences, local growth, station planning and land use as well as noise, vibration, biological and cultural resources." **I am concerned about the new sections of the EIR because if HSRA selects a street-level or elevated track design anywhere from San Jose to SF that (Check Boxes You Feel Correct):** I245-1

Eminent Domain Takings: my property and/or many properties/businesses will need to be "taken" through Eminent Domain, that I will lose my Prop. 13 tax exemption, and I will be evicted from my property against my will or HSRA will close my business. I cannot afford an attorney to fight eviction, and cannot move from my house.

Suicides & Deaths: there will be many more suicide deaths because publicized "death by High Speed Rail trains" will be an attractive nuisance and encourage this activity, and there may be many deaths due to street level accidents and 150 mph trains. This letter is actual/constructive notice to HSRA of these potential wrongful deaths.

X **Arsenic:** dangerously high levels of arsenic have been discovered along Caltrain tracks, and near schools near these tracks like Sunnybrae Elementary, San Mateo & Burlingame H.S.'s. Entire neighborhoods/ business zones must be zoned off and sealed if any construction is done with a street/elevated design, similar to asbestos projects.

X **Children & Noise/Sound/Vibration Impacts:** there are approximately 20 or more schools located near Caltrain tracks (Sunnybrae, San Mateo/Burlingame H.S., etc.) from San Jose to SF that will suffer during construction and afterwards due to the sound/noise/vibration impacts from these trains. Children will be unable to concentrate or study due to lengthy construction and sound/noise/vibration afterward from 120-150 mph trains during school hours. I245-2

X **Racial Injustice and Civil Rights Violations:** the primarily poor Hispanic, African-American and new immigrant families residing near the existing Caltrain tracks are low-income and cannot afford an attorney to contest Eminent Domain Condemnation Proceedings. But they will be the majority of evicted residents. They have been provided no information from HSRA prior to Eminent Domain takings. I245-3

Further, 40-foot high sound walls will create a "Berlin Wall" separating East from West along these racial lines, which is likely a Civil Rights violation. I245-3 cont.

Additional Concerns/Complaints:

*** All above-referenced concerns are eliminated if HSRA tunnels the whole project from SJ to SF, or if HSRA riders exit at San Jose and use existing Caltrain Bullet trains to travel to SF (both of which I strongly suggest.)*** I245-4

Gia Agresta **NAME**

Gia Agresta **SIGNATURE**

442 Chatham Rd **ADDRESS**

Burlingame, CA 94010 **ADDRESS**

Response to Letter I245 (Gia Agresta, April 20, 2010)

I245-1

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hazardous materials and wastes was not one of those topics. Please see Chapter 3.11 of the May 2008 Final Program EIR. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

As part of the project-level environmental documents, a subsequent hazardous materials/waste analysis consisting of an environmental site assessment will be conducted to further analyze identified hazardous materials/waste sites and to further analyze and document the potential impacts related to the proposed project. This analysis will be prepared in conformance with the ASTM guidelines for preparing an environmental site assessment (E1527-05). Based on the information presented in the project-level environmental site assessment, a determination will be made regarding any sites that will need to have a Phase II environmental site assessment performed. This recommendation for a Phase II assessment, along with the implementation of any recommendations made in the document prepared in conjunction with the Phase II assessment, would be identified as a mitigation measure for addressing the potential contamination sites along the identified alignment that require further investigation regarding hazardous materials/waste. The assessment document would specify that the Phase II environmental assessment must be prepared in conformance with the ASTM Standards Related to the Phase II Environmental Site Assessment Process (E1903-01).

A mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

I245-2

See Response to Comment I040-4 regarding noise and vibration.

I245-3

See Response to Comment I040-5.

I245-4

The proposed alignment along the Caltrain corridor between San Francisco and San Jose is approximately 50 linear miles. It is not considered feasible or practicable to have a tunnel for this distance. Nevertheless, the Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3 regarding level of detail.

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local

service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

Comment Letter I246 (Helen Stevens, April 24, 2010)

I246

Kris Livingston

From: Helen Stevens [hstevens@smfc.k12.ca.us]
Sent: Monday, April 26, 2010 7:41 AM
To: comments@hsr.ca.gov.
Subject: FW: hsr
Attachments: hsr letter.doc

From: mary svens [mailto:hshsms@yahoo.com]
Sent: Sunday, April 25, 2010 2:32 PM
To: Helen Stevens
Subject: hsr

1128 Palm dr
beautiful burlingame, ca, 94010

April 24th, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing will significantly impact my beloved city, Burlingame by the HSR going through and dividing my city, if you choose your current route. Impacts would be experienced not only by me and my family, but my neighborhood, the beautiful eucalyptus trees that provide places for birds to nest, the natural environment and future generations. I am a not an "expert" with respect to all of the impacts of the proposed route you are currently thinking. I am just one more concerned person/citizen, hoping you will take into consideration an alternative route. I246-1

Please consider the following:

- HSR routes in other countries (Europe, Japan) **DO NOT** go thur residential areas, I246-2
- SF to SJ has Caltrans, which serves all the pennisula cities, Burlingame would have no direct access to services, I246-3
- it's **smarter to start where there is no access now:** from central Calif to Silicon Valley, I246-4
- Calif. as a state is **broke:** all transits systems are going broke (Caltrans, BART) an examaple: the "Chunnel" from England to France went broke I246-5
- The HSR business plan is unsound & it too will go broke~ then what? I246-6

The above are just a few of what I see are important factors to address. Other impacts include the noise and vibration, our city being divided, and the location near many schools along the peninsula route. Many of the listed impacts could be eliminated or reduced, by choosing a completely different routing solution (how about one that parallels the 101 freeway as a choice: it's an "industrial" area and less impact on houses/ homes). I246-7

I believe the law requires the Authority to do a more thorough investigation of routing I246-8

1

Comment Letter I246 - Continued

alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101. The law requires you to identify ways to eliminate to mitigate the many undeniable impacts of the project and to do this to the **greatest degree feasible.** I246-8 cont.

I request you to reconsider, reconsider this project as well as revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study other alternative routes such as:. I246-9

include:

- Highway 101 corridor,
- Altamont Alignment to Highway 101,
- **first** connecting the central valley to San Jose,
- Ending the High Speed Train in San Jose,
- waiting until Calif has enough $$ for schools & social programs to help its people first

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,
helen stevens

Response to Letter I246 (Helen Stevens, April 24, 2010)

I246-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I246-2

The Authority disagrees with the commenter's statement.

I246-3

It is unclear what the comment is stating. Caltrain runs from San Jose (and Gilroy) to San Francisco and Burlingame would retain access to Caltrain. The closest HST station to Burlingame identified in the 2008 Final Program EIR is at the existing Caltrain/BART Millbrae station, which is immediately adjacent to the northern city limit of Burlingame.

I246-4

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

I246-5

BART recently identified a surplus to allow it to consider lowering fares. We assume you are referring to Caltrain, not Caltrans. They continue to have strong ridership and revenue but the state removed its historic share of transit operating funds.

While Eurotunnel (the company that owns the Channel Tunnel, or Chunnel) did struggle initially, it has been profitable since 2007.

I246-6

The Authority disagrees with your statement. For more information on the funding plan, please see the Authority's Business Plan.

I246-7

This comment addresses potential impacts to communities within the Bay Area, particularly in Burlingame, including noise, vibration, schools, and community impacts. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

The comment also states that impacts could be eliminated or reduced by choosing a different route, suggesting one that parallels U.S. 101.

Please see Standard Response 10.

I246-8

See Standard Response 10 regarding alternatives. The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I246-9

Comment acknowledged. We believe this Revised Final Program EIR complies with CEQA and that it is not necessary to start the program EIR process anew. Regarding proposed alternatives for further study, please see Standard Response 10.

Comment Letter I247 (Iavor Boyanov, April 26, 2010)

I247

1008 Park Ave,
Burlingame, CA, 94010

April 26, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. The Authority's proposed project routing would extremely significant impacts on the San Francisco Peninsula. Impacts would be experienced by me, my family, my neighborhood, and by the natural environment. I can assure you that I am a genuine "expert" with respect to the impacts of the project you propose. These impacts include, but are not limited to, noise and vibration impacts, view impacts, business impacts, impacts on trees and other vegetation, and increased public safety dangers. Many of the listed impacts could be eliminated, or vastly reduced, by choosing a completely different routing solution. I247-1

I believe the law requires the Authority to do a more thorough investigation of routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible. I247-2

I request you to revise the Draft EIR, and then recirculate a Revised Draft EIR for further review and comment by the public. The Revised Draft should study the following alternative route

Some possible alternatives include:

- Highway 101 corridor
- Altamont Alignment to Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose
- Other variations

I247-3

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

Iavor Boyanov

Response to Letter I247 (Iavor Boyanov, April 26, 2010)

I247-1

Comment about being a neighborhood or local expert is acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system. See Standard Response 10.

I247-2

See Standard Response 10 regarding alternatives. The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I247-3

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA. See also Standard Response 10 regarding alternatives.

Comment Letter I248 (Betsy McGinn, April 25, 2010)

I248

Kris Livingston

From: Betsy McGinn [betsjoym@yahoo.com]
Sent: Sunday, April 25, 2010 5:18 PM
To: HSR Comments
Cc: assembleymember.hill@assembly.ca.gov; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; senator.simitian@sen.ca.gov; cbaylock@burlingame.org; Michael Brownrigg; akeighran@burlingame.org; Jerry Deal; tnagel@burlingame.org
Subject: High Speed Rail EIR Comments
Attachments: EIR Comments 4 22 2010 REV.doc; San Carlos Rail Structure 2.jpg; San Carlos Rail Structure 3.jpg; San Carlos Rail Structure.jpg; Burlingame Trees Along the Tracks.jpg; Trees & Tracks from my front porch.jpg

The EIR comment letter below is also attached. Photos attached!

Dear Mr. Leavitt and the High Speed Rail Authority:

I am writing to you today to comment on the Draft Program Level Environmental Impact Report (EIR) on the Authority's proposed routing of the High Speed Rail system in the San Francisco Bay Area. I248-1

I live in Burlingame, less than 200 ft. from the Caltrain tracks (photo enclosed). The Authority's proposed project design and routing of the High Speed Train along the Caltrain alignment would be devastating for the community of Burlingame.

I have been extremely involved with my community on the HSR project from the day proposition 1A passed in November 2008. Prior to the 2008 election, my husband and I did all possible research to unearth accurate information about HSR plans, in order to cast an educated vote. We could find nothing that specified the route and I can assure you that as a long time resident of Burlingame, the current planned route is completely inappropriate in light of the beautiful, walkable communities it will destroy. There are a great number of real impacts of the proposed project, none of which have been properly investigated and mitigated as the law requires. I248-2

Proposition 1A lacked transparency in all ways including the intended alignment and as such, I believe you owe it to citizens of California to thoroughly investigation and seriously consider other routing alternatives. You have dismissed without adequate analysis the use of existing right of ways along Highway 101 and Interstate 280. The law requires you to identify ways to eliminate or to mitigate the undeniable impacts of the project, and to do this to the greatest degree feasible, including considering other routing alternatives I248-3

There are several alternatives to the alignment you have chosen, including the following. I248-4

- Highway 101 corridor
- Altamont Alignment to Highway 101
- Highway 280 corridor
- Ending the High Speed Train in San Jose

Below I have detailed many of the ways in which the alignment currently chosen by CHSRA is wholly inappropriate for the densely populated community of Burlingame and our Peninsula neighbors: I248-5

- **Unbearable Noise** - the sound of steel wheels on steel tracks will resonate for miles. There is no valid research on this issue by CHSRA and there is no precedent for noise levels of High Speed Rail in the United States. An extraordinary amount of research and analysis is required to address this impact, and the project should not move forward until it has done this work. I248-5 cont.
- **Vibration** - the vibration of 180+ trains each day racing through our neighborhood will be felt by those living far beyond the tracks. Because we know the plan is for a raised structure in Burlingame, the noise will reverberate off the hills and impact every resident of this community. I248-6
- **Property Takings** - the density of our Peninsula neighborhoods will undoubtedly require property takings both from businesses and residents. I248-7
- **Heritage Trees (photo enclosed)** - the tracks through Burlingame are lined by a dense eucalyptus grove which will be decimated in the construction of this project. I248-8
- **Visual Impact** -The view of an unsightly elevated structure will blight the heart of the Burlingame community (we have already been told that this is what we are getting because there is no money to trench or tunnel. We are told that either of these options will require funding from the nearly bankrupt cities of the Peninsula) I248-9
- **Resulting Blight (photo enclosed)** – it is inevitable that a raised structure will result in a blighted area. I have enclosed pictures of a structure in the nearby community of San Carlos. This is a lovely community, much like Burlingame, but you can see that even once-nice neighborhoods suffer. I248-10
- **Ground Toxicity** - digging in and around the tracks will unearth arsenic contamination in the vicinity of our prized High School. I248-11
- **Property Values** - not only will those residents subject to eminent domain be impacted but those of us near the tracks will experience dramatic property value declines, as a result of noise, vibration, visual impact and blight of an above-ground structure. I248-12

There is no benefit to the majority of communities along the proposed Peninsula alignment, yet we are being asked to make the ultimate sacrifice, the right to quiet enjoyment of our homes. I would ask that you look at this project through a lens of "Do No Harm," when evaluating next steps. There are far too many complex issues for you to proceed on this project, without more due diligence, particularly on the various route alternatives I248-13

I believe the law requires the Authority to do a much more thorough investigation and documentation of the impacts I have described above – not only in my neighborhood, but in all neighborhoods along the alignment you are proposing.

You must redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I248-14

I request you to revise the Draft EIR to include new routing alternatives, and then recirculate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

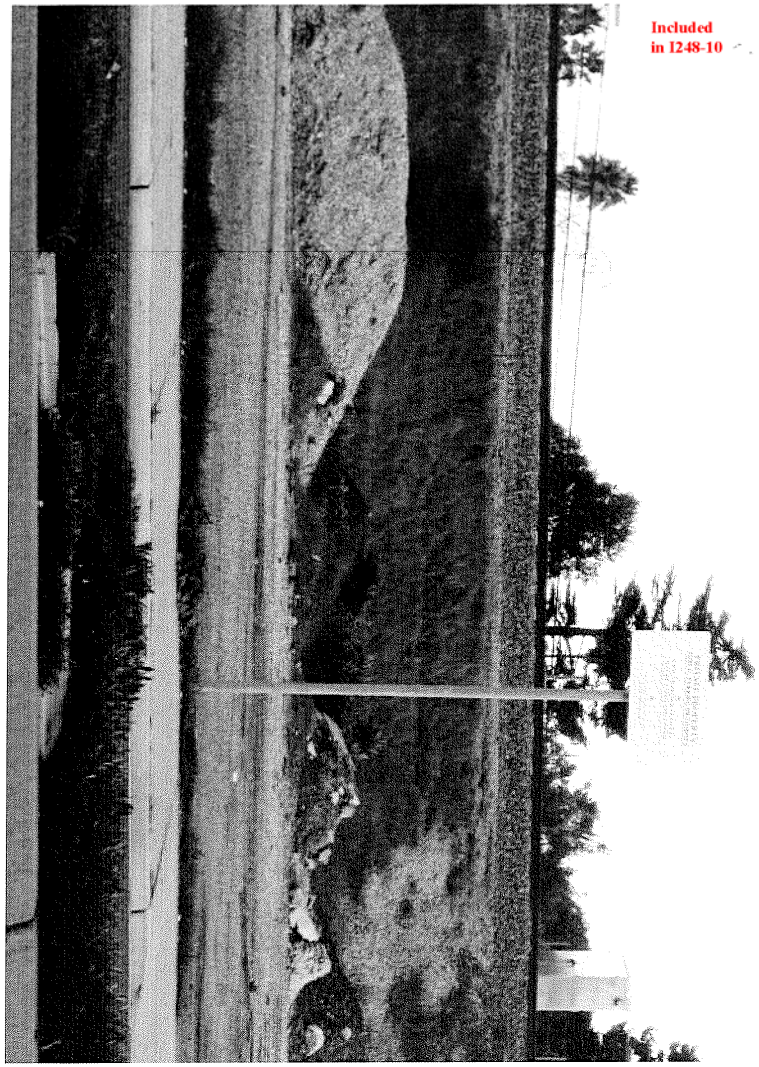
Best Regards,

Betsy McGinn

Betsy McGinn
1112 Palm Drive
Burlingame, CA 94010

1 2

Comment Letter I248 - Continued



Comment Letter I248 - Continued

Comment Letter I248 - Continued

Response to Letter I248 (Betsy McGinn, April 25, 2010)

I248-1

This comment addresses potential impacts to communities within the Bay Area, particularly in Burlingame. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

I248-2

See Response to Comment I248-1. The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See Standard Response 6 regarding potential project effects on quality of life.

I248-3

Comment noted regarding Proposition 1A. The 2008 Final Program EIR studied potential HST alternatives along highways 280 and 101, but these were not included in the preferred alternative. The Superior Court judgment in the Town of Atherton case did not require additional work under CEQA to study potential HST alternatives on SR 280 or US 101.

I248-4

See Standard Response 10 regarding alternatives.

I248-5

The studies will be conducted in accordance with the Federal Railroad Administration (FRA) procedures presented in the High-Speed Ground Transportation Noise and Vibration Impact Assessment Report prepared October 2005. The FRA Guidance Manual reflects the result of research conducted for the FRA and is presented as part of FRA's efforts to provide guidance in the consideration of HST as a transportation option in those intercity corridors where it has the potential to be a cost effective and environmentally sound component of the intermodal transportation system. See also Standard Response 5.

I248-6

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

I248-7

See Response to Comment 1136-7.

I248-8

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

I248-9

The ability to add the two tracks to the existing Caltrain alignment and design a grade separation that would not visually dominate the existing Burlingame station lead to the visual impact ranking in the

2008 Final Program EIR. From downtown, the station would remain the dominant feature at the foot of Burlingame Avenue. The eucalyptus trees would remain the dominant visual item along California Drive and Carolan Avenue.

I248-10

The locations presented in by the commenter from San Carlos are in industrial or commercial areas, where there is a greater probability of bleak vistas. It appears that the photo of a pile of rubble against the elevated right-of-way is near a site north of Holly Street where an empty lot is proposed for a transit-oriented development, not part of this project. At the San Carlos Caltrain station, the elevated station could be landscaped and use similar materials as the historic depot to blend in with the environment.

I248-11

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Hazardous materials and wastes was not one of those topics. Please see Chapter 3.11 of the May 2008 Final Program EIR. More detailed information and analysis on potential hazardous materials/waste impacts and mitigation measures including those related to arsenic and naturally occurring asbestos will be included in project-level environmental documents.

As part of the project-level environmental documents, a subsequent hazardous materials/waste analysis consisting of an environmental site assessment will be conducted to further analyze identified hazardous materials/waste sites and to further analyze and document the potential impacts related to the proposed project. This analysis will be prepared in conformance with the ASTM guidelines for preparing an environmental site assessment (E1527-05). Based on the information presented in the project-level environmental site assessment, a determination will be made regarding any sites that will need to have a Phase II environmental site assessment performed. This recommendation for a Phase II assessment, along with the implementation of any recommendations made in the document prepared in conjunction with the Phase II assessment, would be identified as a mitigation measure for addressing the potential contamination sites along the identified alignment that require further investigation regarding hazardous materials/waste. The assessment document would specify that the Phase II environmental assessment must be prepared in conformance with the ASTM Standards Related to the Phase II Environmental Site Assessment Process (E1903-01).

A mitigation strategy identified in the 2008 Final Program EIR was the preparation of a Site Management Program/ Contingency Plan prior to construction to address known and potential hazardous material issues, including: measures to address management of contaminated soil and groundwater; a site-specific Health and Safety Plan (HASP), including measures to protect construction workers and general public; and procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

I248-12

See Standard Response 6 regarding property values.

I248-13

Please see Response to Comment O004–11 regarding the benefit of HST in the Caltrain Corridor. Caltrain will benefit from the creation of a fully grade-separate right of way, allowing trains to operate more safely be eliminating at-grade traffic and pedestrian crossings. Most residents would see a benefit, as travel across the rail corridor would no longer be disrupted by waiting for trains at grade crossings. Neighbors who now hear the mandated blowing of a horn when any train approaches a grade crossing would have this eliminated. Grade seperations wuold also allow traffic to flow more effeciently and thereby improve air quality.

I248-14

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I249 (Jane A. Behrens, April 26, 2010)

I249

Kris Livingston

From: Betsy McGinn [betsjoym@yahoo.com]
Sent: Monday, April 26, 2010 7:17 PM
To: HSR Comments
Cc: Joseph Simitian; Jerry Hill; Leland Yee; Ira Ruskin; Cathy Baylock; Michael Brownrigg; Ann Keighran; Jerry Deal; Terry Nagel
Subject: Comment Letter from Jane Behrens of Burlingame

Mr. Leavitt - please find below a comment letter from a Burlingame resident who experienced technical difficulties in sending.

Forwarded Message ----
From: Jane Behrens <bearingwitnessjb@yahoo.com>
To: comments@hsr.ca.gov
Sent: Mon, April 26, 2010 4:10:59 PM
Subject: High Speed Rail

April 26, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

I am worried about noise and vibrations. With the proposed train schedule (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase and cause problems for many citizens in Burlingame. Please analyze and inform me how noise levels will increase in the neighborhoods near the tracks. I249-1

HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR to underground the tracks. I249-2

Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please inform me how you decided that there will be NO impact on community cohesion in the city of Burlingame. I249-3

1

Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful to our community. In addition to the HSR tracks there will be a need for extra tracks for Caltrain to keep running during construction. The running of trains every 5 minutes, together with the addition of high electrical poles and wires will also have an impact. This will harm how our neighborhood looks and will dominate the landscape. Please inform me how you concluded that the visual impact of HSR on our community will be "low." I249-4

My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I249-5

HSR will harm how we get to school, work, businesses, and other destinations on the other side of the tracks. I249-6

I don't want trees cut down along the Caltrain right-of-way in Burlingame. I249-7

I am concerned about how the noise levels of HSR will impact the quality of the educational environment at Burlingame High School. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and their learning environment. I249-8

Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I249-9

Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities. I249-10

Powerful new electrical poles and wires will be needed to run the high speed trains. I am concerned about the health effects of electromagnetic fields on Burlingame residents, especially children, living near these poles. Please inform me of the effects of this exposure and how you will mitigate them. I249-11

To avoid the problems indicated, you should consider alternative routes to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. I249-12

Very truly yours,

Jane A. Behrens
1133 Palm Drive
Burlingame, CA 94010

2

Response to Letter I249 (Jane A. Behrens, April 26, 2010)

I249-1

See Response to Comment I002-2 regarding noise and vibration.

I249-2

The Program EIR depicts four tracks through Burlingame for Caltrain and HST. Regarding undergrounding of the tracks, see Standard Response 10 regarding vertical profile alternatives.

I249-3

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I249-4

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I249-5

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I249-6

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I249-7

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I249-8

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I249-9

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I249-10

The Authority appreciates the comment. Site specific noise, air quality, and accessibility impacts during construction and operation of the HST to sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I249-11

See Response to Comment I028-10.

I249-12

See Standard Response 10 regarding route alternatives.

Comment Letter I250 (Iglika Boyanova, April 26, 2010)

I250

1008 Park Ave
Bulringame, CA, 94010

APR 27 2010

Date April 26, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Burlingame (San Mateo county) at the following address 1008 Park Ave.
The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I250-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- **Noise and vibration impacts**

It is hard leaving next to train tracks. I as a person who leaves two houses forms the tracks – I am an expert in this field. The noise and vibration coming from the train has forced us to make some house hold changes. We use to have our bedroom upstairs but we have put it downstairs in the farthest room away from the train because of the noise of it. Currently Caltrain has only two tracks. The plan for HSR is to put two additional tracks. In addition to the current noisy Caltrain trains, the HSR trains will go 125 mph. I do not want to think how noisy it will get with trains passing by every five minutes. Steel wheel rail technology is very noisy. Elevating trains (this is the current plan) will project the noise even further. I250-2

The officials who are making decisions for a possible new high-speed rail line along the Peninsula are very dubious about tunneling, which is more silenced model. It would be just too expensive. For them only makes financial sense to favor cheaper at-grade or viaduct-type options. Nobody takes in consideration that here in Peninsula we have huge population density and everybody will suffer from having a HSR on aerial tracks.

- **View impacts**

The Program Level Environmental Impact Report states that the high speed rail system will require the following:

Envision tracks at least 75 to 80 feet wide, on top of a 15 to 20 foot wall, and 20 more feet of wires stretched overhead, with over 200 trains each day at speeds approaching 125 miles per hour. The picture is really scary for all the people that live in our area. I am also worried about our historic Burlingame train station. Is it going to be buried by the tracks? I would like to know what will happen with it when the elevated tracks are build? I250-3

- **Impacts on trees and other vegetation**

I am afraid that our beautiful **communities will suffer tremendously.** I250-4

On the Caltrain corridor, many trees would have to be removed for electrification alone, and the HSR would have considerably more impact on trees in the Peninsula urban area than the Caltrain electrification project. Many mature and heritage trees would be destroyed.

- **Public safety dangers**

Also we have to consider years and years of construction, dust, dirt and noise.

- Temporary shoo-fly tracks required during construction would require easements over properties bordering the right-of-way. Construction will involve years of noise, dirt and dust. Millions of cubic yards of earth will need to be moved, raising dust, noise and other construction issues.
- Where a station is located, a wider right-of-way will be needed to accommodate six tracks for one mile in either direction. I250-5
- Our Bulingame High School is only 400 ft away from the future HSR tracks. Please, do not let our kids suffer from having a HSR tracks build such a close proximity with our beloved school.
- The tracks will divide our town – will split the community that we love so much. The proposed plan for HSR will go through the middle of town effectively cutting the town in half. I know several people whose homes are right on the rail line including couple of business that will probably have to be removed. I do not want to live in a town divided by an enormous train track.

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I250-6

I request you to revise the Draft EIR you have prepared, to address my concerns and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.
Yours truly,

Iglika Boyanova

Response to Letter I250 (Iglika Boyanova, April 26, 2010)

I250-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

I250-2

See Standard Response 3.

More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. This analysis will also include cumulative impacts from existing and proposed noise sources.
The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

I250-3

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

I250-4

The infrastructure for overhead electrification would be visible, but its visibility would be low. Consider that San Francisco's Union Square is bounded on two sides by overhead wires to power the City's electric buses. These wires and their poles, over busy city streets, are not highly visible at all and do not comprise part of one's visual memory of Union Square.

I250-5

The comment raises serval issues related to public safety, including shoo-fly trackts, station location, and Burlington High School. Comment also exresses concernns about community division. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of community division and public safety impacts will be conducted for the project-level EIR/EISs.

I250-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I251 (Jenny Lau, April 26, 2010)

I251

Kris Livingston

From: JENNY LAU [jlau3000@yahoo.com]
Sent: Monday, April 26, 2010 12:13 PM
To: HSR Comments
Cc: assemblymember.hill@assembly.ca.gov; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; senator.simitian@sen.ca.gove; cbaylock@burlingame.org; tnagel@burlingame.org; akeighran@burlingame.org; mbrownrigg@burlingame.org; jdeal@burlingame.org; Mark.Pulido@sen.ca.gov
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Date: April 26, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing on April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am an owner resident in Burlingame. I was disappointed by your report, which did not adequately address the real issues that most concerned us, the residents on the Peninsula, whose daily life will be most affected by the HSR project. I251-1

My house is about 600 feet from the current train track. Your report did not measure how my property value would be seriously affected. We have just spent a very significant amount of our saving to up-grade our house in 2008 because we are approaching retirement age and are planning to keep this as our retirement home. If HSR aerial duct is built here we cannot even sell our house and move away because doing so will mean losing almost all of our retirement saving!! This is no small matter for us. We have no time to recuperate this lost. I251-2

Obviously, your report on noise and vibrations is hardly sufficient. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), I need to know how you can say that the noise and vibrations created will not be significant?? Furthermore, there is no mention of the two major schools (Burlingame High and Washington Elementary), which are only a few hundred feet away from the train. I do not see any analysis to verity that noise impacts on each classroom in these schools can comply with American National Standards Institute S12.60 Classroom Acoustics Standard. I am not sure who was your acoustical consultant here. You definitely need to ensure that noise levels not exceed 35 dBA in an empty classroom. I251-3

Last but not least, the building of HSR in a manner that creates huge physical barriers will no doubt divide Burlingame and destroy the strong tradition of its community. This is not even something one can measure by dollar amount. How is destroying the living environment of a 100 year old town be measured? What kind of government will do such thing to its citizens? On whose behalf is this government operating? I251-4

Given the ridership estimation of HSR rail is so over blown one has to ask what might happen if the train service cannot sustain itself financially. I am afraid at that point the track area will become dilapidated. It will provide a fertile ground for graffiti and unwanted activities. If such scenario happens is there a plan to resolve this? Is this being factored

1

into the current business cost? Burlingame is a city with no slum areas. This is something we are very proud of. This is something we plan to keep. I251-5 cont.

Given these problems I strongly opposed to the aerial duct option of your plan. I urge that you work on your alternative routes to the present Caltrain corridor or adopt an underground/covered trench version, which will reduce the devastating impacts on my life and my community's life. I251-6

Sincerely,

Jenny Lau
816 Howard Ave.
Burlingame

cc: City Council of Burlingame,
Assemblyman Jerry Hill
Senator Leland Yee
Senator Joe Simitian
State Senator Alan Lowenthal
Congresswoman Jackie Speier
U.S. Senator Barbara Boxer, FAX: 202-224-0454 U.S. Senator Diane Feinstein, (415) 393-0710
Mark Pulido, District Director, Long Beach

2

Response to Letter I251 (Jenny Lau, April 26, 2010)

I251-1

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I251-2

See Standard Response 6 regarding property values.

I251-3

See Standard Response 3.

More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. This analysis will include impacts at sensitive receivers, such as residences, schools, and parks.

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I251-4

See Response to Comment 1017-4. See also Standard Response 6.

I251-5

Comment acknowledged. We disagree that the ridership forecasts are overstated. See Standard Response 4.

I251-6

Comment acknowledged. See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I252 (Jeff Londer, April 26, 2010)

I252

Kris Livingston

From: jwlonder@aol.com
Sent: Monday, April 26, 2010 2:31 PM
To: HSR Comments
Cc: richard.steffen@mail.house.gov; dontrailroadus@yahoo.com; assemblymember.hill@assembly.ca.gov; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; senator.lowenthal@sen.ca.gov; senator.simitian@sen.ca.gov; cbaylock@burlingame.org; tnagel@burlingame.org; akeighran@burlingame.org; mbrownrigg@burlingame.org; jdeal@burlingame.org
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

216 Bancroft Road
Burlingame, CA 94010-2822

April 26, 2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. I am Economist by training with specialization in Urban Economics. I hold a Master's degree in Economics as well as a Bachelor's degree in Mathematics and Economics.

Based on my expertise and experience, I have the following comments to make on the Draft EIR:

Total costs of HSR have not been adequately assessed. Construction costs are only are small portion of the total cost of the Program. The countless costs to the communities, the environment, safety, etc. make elevated tracks or even a covered trench a far more expensive proposition in the long run. In fact, these additional costs are more than just one time construction costs. They are costs that will be felt over the entire lifetime of HSR, perhaps 100 years or more. High Speed Rail is a long term solution in transportation for California and the project must NOT be built using a short run cost analysis. I252-1

The ridership statistics also appear to be highly exaggerated. It is not clear to me how these numbers, which are the foundation for the project's success, were derived. It appears that they were made using a very simplistic methodology and comparison with the Northeastern Corridor. I252-2

Assuming that ridership statistics are correct, the impact of huge parking areas capable of handling tens of thousands of vehicles has not been adequately assessed, specifically related to land aquisition, increased pollution, safety issues and traffic concerns. I252-3

Assuming that ridership statistics are correct, the impact of passenger pickup has not been adequately addressed. The necessary rental car facilities, taxi, bus, light rail and

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other local transportation modes required to bring people "the last mile" have not been analyzed and accounted for. I252-4 cont.

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above, and that the California Environmental Quality Act (CEQA) also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement. I252-5

I request you to revise the current Draft EIR to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as CEQA requires.

Yours truly,

Jeff Londer

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Response to Letter I252 (Jeff Londer, April 26, 2010)

I252-1

See Response to Comment I011-13.

I252-2

High-speed rail ridership forecasts are not an area identified by the Superior Court in the Town of Atherton case for further corrective work under CEQA. The model development process and the resulting ridership estimates are described in Chapter 2 of the May 2008 Final Program EIR, pages 2-11 and 2-12. The modeling reports describing the model development process are available on the Authority's website, www.cahighspeedrail.ca.gov, Ridership and Revenue Forecasting Study. See Standard Response 4.

I252-3

The impacts associated with additional parking facilities are addressed in the May 2008 Final Program, including the potential demand for parking and the land use effects associated with adding parking facilities.

I252-4

See Standard Response 4. Station design and facilities, including car rental areas and drop-off areas are beyond the scope of the program analysis, although included in the overall station footprint. The project level environmental process will provide a more detailed evaluation of issues surrounding station design and facilities. See also Standard Response 3.

I252-5

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I253 (Kent Lauder, April 8, 2010)

I253

Kris Livingston

From: kjlauder [kjlauder@sbcglobal.net]
Sent: Thursday, April 08, 2010 9:53 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

To Dan Leavitt, and HSRA members: I sent a letter a few days ago outlining the problems with the viability of hsr. I would like to add a little to the main point I wanted to get across.

Primarily, it involves the stubbornness and tenacity hsr members demonstrate when defending their position; which is that hsr must go through, no matter what.

The facts do not support this project. It is not a priority, compared to all the uses that this money could be used for. (Bringing down the Calif. debt; education; alternative energy solutions that would save the state billions; etc. You get the picture). I253-1
The cost will be too high, the funding will be too low, the ridership numbers will be below the break even level, their will be destruction to communities and destruction to the environment. It will not take cars off the road or save energy (Cato institute)). In other words, it is an embarrassment of riches as far as counter arguments are concerned. Yet you persist. Why?

It is human nature that when people take up sides, they become entrenched in those sides, where logical argument has no sway. This is the situation we have here.

So I would ask you to ask yourself this question. When someone argues a certain point - cost for instance - what is your mindset when you hear it. What I observe is an immediate defensive posturing. That is, you are not listening openly and weighing the evidence, you are formulating an answer, a rationalization to cover a weak argument. I253-2
Usually, those arguments skirt the direct question and follow a vague, sentiment driven line of argument. i.e. "its the future - or we'll be left behind if we don't do this," and other nonsensical statements. This is head in the clouds rationalizing.

When hsra proposed this project, they purposely low balled the cost, and had to admit that it would go substantially beyond the 43 billion; Why? Not because they wanted open discussion about it, they wanted to get prop 1a passed, even if they had to lie. Ridership numbers were exaggerated - another lie - so as to fool the public. I253-3
They tried to incorporate language in the business plan that would allow them to tap into the state's general fund if private investment didn't come through. Underhanded, to be sure. I253-4
There is no other explanation for it other than fraud.

In other words, folly has trumped common sense, and we find that we have to deal with a stubbornness all out of proportion to reality.

And by the way, I do have a counter argument against those who hang their hat on "it's the future" twaddle. Who says it's the future? In the 19th and 20th centuries, transportation of people was important. I253-5
In the 21st century, it is the movement of information, rather than people that will be the 'future'.

The ridership numbers for the Chunnel, between London and Paris, (the two greatest hubs in Europe) were estimated at 19 million riders for 1994; so far they got only 9 million - in 2009. SF and LA are dead end hubs, with no connections to the rest of the country. You will lucky to get 3 million. I253-6

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In any event, this project will go down as the greatest financial catastrophe in U.S. history. That will be your legacy; you can hang your hat on that. I253-7

Kent Lauder
kjlauder @sbcglobal.net
Burlingame, CA

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Response to Letter I253 (Kent Lauder, April 8, 2010)

I253-1

Comments acknowledged. Please see Standard Response 8 for information on the Business Plan regarding funding. Over 45 years in many countries around the world, HST has repeatedly proven its ability to cover its operating costs and return a profit. The project continues to be pursued because the voters of the State of California approved it in November 2008, approving $9 billion in state bonds.

I253-2

See Response to Comment I011-13.

I253-3

We disagree that project cost estimates have been understated and ridership overstated. See Standard Response 4.

I253-4

We disagree. The 2009 Business Plan as revised in April 2010 provides the business case for high-speed rail in California, including a finance plan for funding project construction and updated ridership demonstrating revenues in excess of operations and maintenance costs. See also Standard Response 4.

I253-5

Comment acknowledged.

I253-6

The ridership forecasts are consistent with those found in other systems worldwide. See Standard Response 4.

I253-7

Analysis performed to date indicates that the HST system will generate revenues in excess of operating costs for Phase 1. See also Standard Response 4.

Comment Letter I254 (Thomas Paine, April 26, 2010)

I254

Kris Livingston

From: susan castner-paine [castnerpaine@yahoo.com]
Sent: Monday, April 26, 2010 5:37 PM
To: HSR Comments
Subject: Draft Program EIR Comments

Thomas Paine

728 Concord Way

Burlingame, CA 94010

April 26, 2010

Mr. Dan Leavitt

California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA 95814

Re: Bay Area to Central Valley Revised Draft Program EIR Comments

Dear Mr. Leavitt:

I am writing to officially submit my comments on the CHSRA March 4, 2010 Revised Draft Program Level EIR.

I254-1

My family has lived in the same house in Burlingame for 33 years. Our home is two blocks east of the Caltrain right of way, and for 33 years, we have considered Caltrain not only a valuable mode of transportation, but a good neighbor.

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We are very concerned about the proposed use of the Caltrain right-of-way for the high speed rail project. The peninsula right-of-way bisects the very heart of virtually every city on the peninsula.

In Burlingame, the city grew around the historic Southern Pacific station built over 110 years ago. One quarter of Burlingame's residents live on the east side of the right-of-way, and the east side is home to Burlingame's only high school, as well as Washington Park (considered by many to share with San Mateo Central Park title of the peninsula's most beautiful park), the city tennis courts, the Burlingame Aquatic Center and the Burlingame Recreation Center. Burlingame Avenue and Broadway retail centers on the west side terminate at the tracks and stations. For almost 90 years, residents have crossed the tracks to access their downtown. For many, like our family only two blocks from downtown, this is a wonderful walk through the park and across the tracks. I254-1 cont.

Because Burlingame has six rail crossings, only two alternatives are being considered: raised viaduct or below grade. We oppose any raised track solution because it would divide our city with a physical barrier that could not be ignored. Because we have a station at Burlingame Avenue, the rail platform in that area would be considerably over 100 feet wide, on heavy stanchions and crowned with catenary wires draped down from substantial poles. The crossing under the platform would be a dark and forbidding introduction to the amenities and neighborhoods on the other side. Additionally, construction of an elevated system would cause enormous disruption to an already chaotic traffic situation at Burlingame Avenue and Broadway intersections. The required four operating tracks, shoefly tracks and construction easements would require the elimination of the historic Franchard eucalyptus grove, the encroachment into Burlingame's other major north-south arterial, Carolan Drive, and the disruption of an area containing arsenic that is currently capped in front of Burlingame High School.

Undergrounding, on the other hand would actually create a more closely knit Burlingame, with expanded access in both directions. The historic Burlingame Square that surrounded the Burlingame station one hundred years ago would again become a public amenity. Pedestrians could comfortably and safely pass from the downtown to the neighborhoods and public improvements on the east side. I254-2

We are also very concerned about the amount of noise from both the wheels on tracks and the catenary wires. It is very difficult to pin down the high speed rail projections on frequency of trains, but if we assume the minimum of running every five minutes, in each direction, we confront a constant assault, interrupted only by the added noise of the Caltrain trains. This noise pollution will be accompanied by increased vibration and I254-3

dust caused by the trains speeding through our town at speeds up to 125 mph.

There is no way that this visual blight and the overlay of noise, vibration and particulate pollution will not adversely affect the quality of life for the residents of Burlingame and especially for those on the I254-4

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Comment Letter I254 - Continued

east side of the tracks, diminish the value of our homes. High Speed Rail would accomplish what 100 years of development could not: create a "wrong side of the tracks" in Burlingame. I254-4 cont.

More fundamentally, we believe that the HSRA should reconsider the decision to route its proposed trains through the Pacheco Pass and the Peninsula, rather than the straighter and more direct route through the Altamont Pass. Only insider financial interests and the inflated egos of several local politicians on the HSRA board explain the last minute switch to the Pacheco pass alternate. The overturning of the Program EIR/EIS creates an opportunity for rational reconsideration of this fatuous decision. It should be taken in the alternative analysis and in the review of any project environmental analysis for the San Francisco – San Jose segment of the proposed HSR system. I254-5

It is our earnest request that the High Speed Rail Authority adopt a below grade HSR alternative through Burlingame.

Thank you for your consideration.

Respectfully,

Thomas Paine

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Response to Letter I254 (Thomas Paine, April 26, 2010)

I254-1

The comment expresses concerns about potential impacts to Burlingame from an elevated alignment, including community division, visual quality, traffic, cultural resources (Franchard eucalyptus grove), and arsenic exposure impacts. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of community division, visual quality, traffic, cultural resources, and arsenic exposure impacts will be conducted for the project-level EIR/EISs.

I254-2

Comment acknowledged.

I254-3

See Standard Response 3.

More detailed information and analysis of noise and air quality impacts and mitigation will be included in project-level EIR/EISs.

I254-4

The comment addresses visual blight, noise and vibration, and particulate pollution,and how these impacts affect quality of life and property values. As discussed in the Response to Comment I254-1, the 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment, and these impacts will be further addressed in the project-level EIR/EISs. See Standard Response 6 regarding the requirements of CEQA and quality of life impacts and property values.

I254-5

The Authority disagrees with the commenter's statements. See Standard Response 10 regarding route and vertical profile alternatives.

Comment Letter I255 (Jennifer and Juergen Pfaff, April 4, 2010)

I255

Jennifer and Juergen Pfaff
615 Bayswater Ave
Burlingame, CA 94010

4/4/2010

Comment to the 'Revised Draft ProgramEnvironmental Impact Report Material'
March 2010.

As long-time residents of Burlingame, we are very concerned about the impact by the planned HSR on the environment of our city. We are particularly concerned about the vibration impact on the historic Caltrain station built in 1894, as well as the vibration impact on other historic and residential buildings close to the tracks.

The present revised program EIR does not provide any evidence that addresses the lack of evidence for the assumption that the impact can be reduced to less than significant: "The Court finds that in light of this contradiction between the FPEIR and the CEQA Findings, the Authority's finding that the mitigation strategies will reduce the vibration impact to a less-than-significant level is not supported by substantial evidence." I255-1

The revised draft program EIR merely says it will address the difference between FPEIR and CEQA findings when certifying the program EIR. This will not allow any input nor comments from the concerned public on this issue. We expect and respectfully request the HSRA to remedy the lack of evidence before going any further.

Best Regards,

Jennifer and Juergen Pfaff

Response to Letter I255 (Jennifer and Juergen Pfaff, April 4, 2010)

I255-1

Comment noted. The revised project description between San Jose and Gilroy would not result in changes to the discussion of cultural resources beyond what was identified in the 2010 Revised Draft Program EIR Material related to Keesling's shade trees. The analysis for cultural resources is included in the May 2008 Final Program EIR, Chapter 3.12, Cultural Resources and Paleontological Resources, and Appendix 3.12-A. Under Section 106 of the National Historic Preservation Act (36 CFR § 800), the procedures to be followed at the project level include identification of resources (such as those in Burlingame), evaluation of their significance under the National Register of Historic Places and CEQA, identification of any substantial adverse effects, and evaluation of potential mitigation measures. Specific resources within the Area of Potential Effects will be further examined in detail at the project level because the identification of potentially affected resources and project effects and mitigation are dependent on the HST location and system design, and can only be done at the project level. More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3 and 5.

Comment Letter I256 (Pfaff Family, April 20, 2010)

I256

Kris Livingston

From: Jennifer Pfaff [jjpf@pacbell.net]
Sent: Tuesday, April 20, 2010 8:39 PM
To: HSR Comments
Subject: HSR PRogram Level EIR comments
Attachments: HSR Jen Pfaff.docx; ATT00001.htm

Pfaff Family
615 Bayswater Ave.
Burlingame, CA 94010

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

April 20, 2010

Dear Mr. Leavitt,

On April 19, 2010, during an HSR open house presentation in Burlingame, Mr. Doty and Mr. Spaethling were questioned about the business plan and how the HSR project would be funded. Both admitted that profitability will be judged only on operating costs, not on capital investment. Therefore 45 billion of investment will become the taxpayers' responsibility. I256-1

So we wonder, where in the business plan is it stated how much money will be required annually to pay back the debt on this investment?

Sincerely yours,

Pfaff Family
615 Bayswater Ave.
Burlingame, CA 94010

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Response to Letter I256 (Pfaff Family, April 20, 2010)

I256-1

This comment relates to the Authority's Business Plan rather than to the EIR. Please see Standard Response 8.

Comment Letter I257 (Jennifer and Juergen Pfaff, March 14, 2010)

I257

Kris Livingston

From: Jennifer Pfaff [jjpf@pacbell.net]
Sent: Sunday, March 14, 2010 9:29 PM
To: HSR Comments
Subject: Comments about HSR revised Draft Program EIR
Attachments: EIR comments ju-1.doc; ATT00001.htm

Juergen and Jennifer Pfaff
615 Bayswater Ave.
Burlingame, CA 94010
March 14, 2010

Mr. Dan Leavitt
925 L Street
Sacramento, CA 95814

Dear Mr. Leavitt,

This is in regard to the corrections of inaccuracies and mitigations thereof in the revised Draft EIR referring to the Pacheco route between Gilroy and San Jose.

Since the public at large was not provided with complete and factual information regarding route choice, voters never had the opportunity to consider other potential impacts and mitigation necessary and how these might have figured into the decision whether or not to support Proposition 1A. The process regarding alignments does not seem to have been transparent.

Therefore, this is a request to fairly and accurately assess the Altamont route choice in light of the corrections and mitigations to the EIR. The impact of the alternative Altamont pass alignment to the business plan should also be assessed. I257-1

As a lifelong Peninsula resident, I believe that the correct information and all mitigations should have been available before the vote on Proposition 1A since it likely would have influenced the vote.

For example, many towns on the Peninsula, such as Burlingame, will be heavily impacted by the choice of alignment because of the frequency of high speed trains going through the middle of our towns. Had we been provided accurate information before the vote, we might not have supported Prop 1A as the preferred route as defined in the Proposition offered us. These inaccuracies included not only route, but assumptions of ticket costs and ridership predictions that now seem to lack credibility.

I don't believe one can consider an option over another if it has not been thoroughly and accurately assessed and disclosed in documents provided by the Authority.

Sincerely yours,

Jennifer and Juergen Pfaff
615 Bayswater Ave.
Burlingame, CA 94010
650-348-7961

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Response to Letter I257 (Jennifer and Juergen Pfff, March 14, 2010)

I257-1

Comment noted as to Proposition 1A. The Revised Draft Program EIR material addresses topics noted by the Superior Court judgment in the Town of Atherton case as requiring additional CEQA work. The court's judgment did not find that the treatment of alternatives in the 2008 Final Program EIR was unfair or biased. See Standard Responses 2 (tiered process), 3 (level of detail), and 8 (Authority's Business Plan).

Comment Letter I258 (Jack Pacheco, April 15, 2010)

I258

Kris Livingston

From: Jack Pacheco [jack@jpcreative.com]
Sent: Thursday, April 15, 2010 3:37 PM
To: HSR Comments
Subject: costs will skyrocket

Everyone who is honest with themselves knows that the train will have to go underground in San Mateo County. That's a project killer all by itself. Any other solution will increase the homeowner law suits ten fold if not more. Double the estimated completion date, you'll need the time. I258-1

Jack Pacheco
Burlingame

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Response to Letter I258 (Jack Pacheco, April 15, 2010)

I258-1

The comment expresses a belief that the HST would need to go underground in San Mateo County or it will be killed by lawsuits. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website.

Comment Letter I259 (Ying Pan, April 26, 2010)

I259

Kris Livingston

From: Ying Pan [ying_pan@yahoo.com]
Sent: Monday, April 26, 2010 11:12 AM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment

I am opposed to any high-speed rail project, whatever the route. If we had any money for transportation upgrades (which we don't), it should be used for local transportation, which is a mismanaged mess! It's time for leaders to lead - we don't need to proceed with wasteful spending on projects we can't afford. The battle for who's more stupid is a neck-and-neck race between the voters and you bureaucrats. I259-1

Ying Pan
Burlingame Resident

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Response to Letter I259 (Ying Pan, April 29, 2010)

I259-1

Comment acknowledged.

Comment Letter I260 (Edna L. Steele, April 25, 2010)

I260

Kris Livingston

From: ednasteele@comcast.net
Sent: Sunday, April 25, 2010 8:40 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Prograqm EIR Material Comments

I am writing to submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR. I am a resident of Burlingame. Here are my comments:

I am worried about the noise and vibrations of the trains. I am dismayed that it will divide Burlingame. Aethestically, it will mar the properties in a wide area of Burlingame, and elevated tracks are especially offensive. It will make getting from one part of Burlingame to another inconvenient and the destruction of trees and property is irreversible and sad. I260-1

My strong preference is to stop high speed trains in San Jose and have people get unto a Caltrain bullet train to reach San Francisco. This is efficient use of the land already in use and eliminates the waste of duplicating a system and destroying a beautiful environment. Let's make improvements and not destroy our environment and City. I260-2

Edna L. Steele
18 El Quanito Way
Burlingame, CA

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Response to Letter I260 (Edna L. Steele, April 25, 2010)

I260-1

The comment expresses concerns about noise and vibration, community division, and the destruction of trees. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives.

Additional site-specific analysis of noise and vibration, community division, and the trees/landscaping impacts will be conducted for the project-level EIR/EISs.

I260-2

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

Comment Letter I261 (Pete and Kathy Scopazzi, April 19, 2010)

I261

Kris Livingston

From: Pete Scopazzi [p.scopazzi@att.net]
Sent: Sunday, April 18, 2010 10:11 AM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

April 19 2010

We live at 1113 Summer Ave, Burlingame CA. 94010. Our house is aporx. 300 feet from the CalTrain tracks. We are very concerned about the HSR coming through Burlingame and disrupting our lives and the lives of many other residents. Our main concerns. I261-1
The value of our house. Our house is valued in the $900k range. If the HSR comes through so close to our house it will decrease the value of our house. We are also concerned about noise polution during construction and after construction from the train noise. We are concerned about the environmental impact it will have on our community. Taking down trees and many other things. We are concerned about the look, the asthetics of the HSR coming through our town. There are too many unanswered questions. We don't know if HSR will have to take our house or if the HSR will make is so the HSR will be right at our front door. Our own opinion is that the HSR is a big waste of money and time. We believe if the people of California were properly educated before the 2008 vote it would not have passed. The cost, the taxes, and dividing the beautiful Peninsula in two with an ugly HSR coming through that is not needed. Flying to L.A. will be cheaper and faster than taking a HSR. I261-2 I261-3 I261-4 I261-5 I261-6 I261-7 I261-8

To reiterate, our main concern is that of being home owners so close to the proposed HSR and not knowing if our house will lose value, if HSR and the governement will impose eminate domain to our property. The noise polution and the major disruption of our lives. I261-9
Other concerns are those of schools being so close to the HSR. The students will have to listen to construction for years as they sit in class, then once finished they will have to listen to so many trains going by al the time. I261-10
This is a waste of tax payers money. Do something better and more productive with our taxes like make the schools better, pay the teachers more. Don't put in a HSR train that will only lose money and that nobody will ride. There are too many unanswered questions that need to be addressed before you even begin to start such a huge project that we believe should not even be started in the first place. I261-11

Sincerely Yours,

Pete & Kathy Scopazzi

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Response to Letter I261 (Pete and Kathy Scopazzi, April 19, 2010)

I261-1

This comment is introductory in nature. See specific responses below.

I261-2

See Standard Response 6 regarding property values.

I261-3

More detailed information and analysis of construction noise impacts and mitigation will be included in project-level EIR/EISs. See Standard Responses 3, 5, and 6.

I261-4

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees. With the trees remaining, they would remain the dominant visual feature, making the visual impact of replacing the existing at-grade railway with HST and Caltrain on a retained embankment a low visual impact.

I261-5

We acknowledge that the level of detail in the program EIR is general. Detailed engineering and design that will occur at the second-tier, project EIR level will provide some of the answers to the questions identified in the comment. See Standard Responses 2 and 3.

I261-6

Reviewing the address in your comment letter, the distance between the east side of California Drive (nearest to the Caltrain tracks) and the businesses on the east side of the tracks is sufficient for the alignment depicted in the program EIR.

I261-7

Comment acknowledged.

I261-8

This is not a comment on the 2010 Revised Draft Program EIR Material. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. The purpose of the project was not one of those topics. See Chapter 1, Purpose and Need and Objectives, in the 2008 Final Program EIR.

I261-9

The comment expresses concerns about property values, acquisition of property through eminent domain, and noise impacts. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis of property acquisition and noise impacts will be conducted for the project-level EIR/EISs. See Standard Response 6 regarding project impacts on residential property values.

I261-10

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I261-11

Comments acknowledged. Please see Standard Response 8 for information on the Business Plan regarding funding. Over 45 years in many countries around the world, HST has repeatedly proven its ability to cover its operating costs and return a profit.

Comment Letter I262 (Helen Stevens, April 26, 2010)

I262

Kris Livingston

From: COUNCIL-Baylock, Cathy [cbaylock@burlingame.org]
Sent: Monday, April 26, 2010 2:22 PM
To: Helen Stevens; GRP-Council
Cc: PW/ENG-Murtuza, Syed
Subject: RE: hsr

Dear Mrs. Stevens,
Thank you for your letter. I am sending it on to our city council and Public Works Director for inclusion in the official record.

Cathy Baylock
Mayor

-----Original Message-----
From: Helen Stevens [mailto:hstevens@smfc.k12.ca.us]
Sent: Mon 4/26/2010 1:30 PM
To: COUNCIL-Baylock, Cathy; COUNCIL-Brownrigg, Michael
Subject: FW: hsr

Here is a letter I e-mailed for comments on hsr~

Thank you for all you are doing to get this project which won't divide our beautiful city~ I262-1

From: mary svens [mailto:hshsms@yahoo.com]
Sent: Sunday, April 25, 2010 2:32 PM
To: Helen Stevens
Subject: hsr

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Response to Letter I262 (Helen Stevens, April 26, 2010)

I262-1

Comment acknowledged. See also Response to Comment 1017-4.

Comment Letter I263 (Linda Taylor, April 12, 2010)

I263

1133 Douglas Avenue
Burlingame CA, 94010

April 12, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live near downtown Burlingame at the following address: 1133 Douglas Avenue

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I263-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Increased noise and vibration I263-2
- Ugly views of concrete and overhead wires at the end of our street I263-3
- Cutting away of tall trees and other vegetation that currently hides the Caltrain rails. I263-4
- Currently I walk to the recreation center, but will be afraid to continue this practice if I have to go over or through tunnels, especially in the evenings. I263-5

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I263-6

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires. I263-7

Yours truly,

Linda Taylor

Linda Taylor

Response to Letter I263 (Linda Taylor, April 12, 2010)

I263-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I263-2

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I263-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The Final Program EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the Final Program EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to views along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I263-4

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I263-5

See Response to Comment I056-2.

I263-6

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I263-7

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I264 (Mary-Helen and Kevin McMahon, April 24, 2010)

I264

Kris Livingston

From: Mary-Helen McMahon [mcmahon3@sbcglobal.net]
Sent: Monday, April 26, 2010 12:58 PM
To: HSR Comments
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment
Attachments: EIR Comments 4.26.10.doc

Mr. Leavitt: Our comment letter is attached. Thank you for your attention.

Mary-Helen & Kevin McMahon
Burlingame

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April 24, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Ste 1425
Sacramento, CA 95814

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

We have deep concerns about California High Speed Rail (HSR) on both a state and local level. Our comments on the 2010 Revised Program Level Environmental Impact Report (EIR) Bay Area to Central Valley (which encompasses the 2008 EIR for this area) address our concerns primarily about the San Francisco to San Jose segment and Burlingame. Our comments will show that the Draft EIR is inaccurate and incomplete, requiring further studies and peer-reviewed analyses to back up your conclusions.

We are 28 year residents of the San Francisco Bay Area and have owned a home in Burlingame for 23 years. We live at 215 Clarendon Rd, .29 miles from the Caltrain station at Burlingame Avenue, .28 miles from Hwy 101, and 2.75 miles from San Francisco Airport (SFO.) I264-1

Overall HSR Impact—Significant for Burlingame

The impact to Burlingame of HSR is significant. All Burlingame residents, businesses, schools and hospital are already living with an unfair burden of transportation noise from: Caltrain, Highways 101 & 280 and SFO. (Highway and Airport noise will be discussed later in this letter.)

We are living with noise and visual impacts of Caltrain's two tracks in our neighborhood and city. We are also living with the impact of at-grade crossing traffic when a train runs through. The HSR proposed changes will be significant, especially if tracks are elevated, with many being harmful.

Adding two HSR tracks (and possibly temporary tracks,) running trains much more frequently (possibly every 2-5 minutes,) adding high electrical poles and wires are enormous changes to our current situation, adding noise, vibration, dust, hazardous waste issues, electromagnetic field issues, as well as visual blight if the structure is elevated.

While an elevated structure would eliminate our current at-grade traffic impact when trains run through, the constant noise, vibration, dust etc of HSTs mean the negatives I264-2

Bay Area EIR Comments 4/26/2010 Page 1 of 10
McMahon

Comment Letter I264 - Continued

outweigh this single positive. HSR along the Caltrain corridor, particularly in an elevated structure, will harm the quality of our lives: in our neighborhood, in how we enjoy our downtown, and in our city as a whole. Negative impacts will be felt during construction and forever afterwards. I264-2 cont.

Property Impacts—EIR definition
Where in the EIR is the term 'Property Impacts' clearly defined? Does the definition include property takes; or property values of 'leftover' properties which are adjacent but not taken; or impacts on value of property within reach of sound, vibration, visual, access, construction, etc.; or impacts of those categories on the inhabitants of the properties? Without knowing the precise definition of 'Property Impacts', rating the impact is meaningless. I264-3

Request: **Readdress the 'Property Impacts' section, including the ratings, with more precision and accuracy. Include a description of the anticipated radius of impacts; the number of feet used should be the greatest value of the various impacts. (See below.)**

Burlingame Property Impacts
Looking at Burlingame specifically, why is Authority using only 50' either side or ROW to determine property impacts?

> To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development. (Draft EIR, Chapter 2: Project Description, p2-4) I264-4

Request **: Expand this to 500' or a greater distance, depending on the impact in question. Noise, for example, needs to be studied for *all of Burlingame*, including residences .71 miles from the tracks. We request Authority study the appropriate distance using science-based tools and the topography of Burlingame for each property impact: noise, visual, dust, vibration, EMTs, etc., based on the existing issues in Burlingame, described below.**

NOISE
Residents, businesses, schools, hospitals already bear a disproportionate noise burden form state and local transportation, with sound coming from Caltrain, Highways 101 and 280 and San Francisco Airport. These transportation noises already diminish quality of life throughout Burlingame, and not just near the particular transportation mode, because of our geography and weather patterns. I264-5

Focusing on adding HSR to the Caltrain Corridor, *sound travels well beyond even 500' from Caltrain tracks in Burlingame now:*

- The shape of Burlingame's hills and canyons means noise travels from the existing Caltrain tracks, which are at grade, to all areas in Burlingame.

- Current Caltrain noise (primarily horns, but including brakes) travels to all areas in Burlingame, including the hills. As an example, residents of 1435 Columbus,1.3 miles from the tracks, hear the current horns and heard the noise of Caltrain's reconstruction of the Burlingame Ave grade crossing a few years ago.
- In the flat areas of Burlingame nearer the tracks, residents hear the Caltrain wheels, brakes and horns. If Caltrain/HSR tracks are elevated, *noise will increase throughout* Burlingame in part because of HST frequency and in part because of noise pitch.
- Further confirmation of how noise travels in Burlingame is the SFO Airport noise. Idling engines, engines at take-off and landing, and flying over town, are all heard throughout Burlingame, regardless of the distance of homes from the airport. I264-5 cont.
- Burlingame residents near the 101 Freeway along Rollins Rd/Amphlett and in the neighborhoods from Rollins up to at least the Caltrain corridor (including Burlingame High School) hear the current freeway traffic despite, or maybe because of, the sound wall. When the weather is overcast, freeway sounds are amplified in the neighborhoods and at the school.
- Residents near the 280 route have similar freeway noise to those near 101.
- Noise will travel at least as far during construction and operation of HSR/Caltrain.

Request: **Please expand your impact area to the entire town of Burlingame for noise, include a study of how wind patterns and weather affect noise travel. Please record your data accurately and have it independently peer reviewed.**

Noise Impacts of Adding HSR
Now that we have shown why you need to study noise impacts in the entire town of Burlingame and not just in the areas close to the ROW, you need to have accurate baseline data and verifiable noise level projections to evaluate noise impacts of adding HSR.

Request: Determine noise baselines as follows:

- Current decibel level of Caltrain
- Sound levels at neighborhoods throughout Burlingame using samples at various locations N, S, E, W near freeway, near tracks, hills etc., at various times of day and in various weathers, to determine what we are all living with currently. These baselines include noise from Caltrain, SFO and 101/280. I264-6

Request: Analyze and describe the noise levels and frequency mile-by-mile along our segment, using:

- accurate ridership numbers
- the proposed train schedule
- the anticipated dB levels for steel on steel wheels at 125 mph (93 dBA)
- the existing proposed elevated structures as diagrammed in the 2008 EIR, paying particular attention to areas where the tracks are proposed to be elevated.

Comment Letter I264 - Continued

Request: Using this analysis, answer the following:

1. What will the noise be from construction?
2. What will the noise impacts be (nightly?) for track maintenance?
3. What will the noise impacts be during train operation? (As one example, will the players on the Burlingame High School field (adjacent to the tracks) be able to hear referee whistles?)
4. If there are to be antennae on any of the rail cars (for WIFI, for example) please study the noise emitted from them. Consider these noise levels when assessing the impacts. Page 4 of http://www.acouconsult.ch/documents/3_Seville2003_DB_Audrey_Leclere.pdf discusses the problems with roof antennas.
5. What are the health effects from repeated, sudden loud noises? How do sudden, repeated, loud noises affect people with heart conditions or suffering from stress, among other medical conditions? We are particularly concerned about residents and patients at Peninsula Hospital.
6. Research shows that distraction when learning or concentrating occurs at 40 dBA. This is a significant impact and affects those who reside or work within the impact area (which may be large in Burlingame.) It will particularly affect our Burlingame schools including Burlingame High, Washington Elementary, Burlingame Montessori, Palcare and Village Park Preschool (all of which are within 475 feet of the tracks) **This must be noted in the EIR. The inventory of schools and other sensitive activities in the existing EIR is inaccurate and incomplete.**
7. Are your noise studies following FRA and ADA guidelines? Are noise levels being studied at different elevations?

I264-6 cont.

Noise Mitigation

> **2008 EIR Volume 1 Chapter 3, Section 3.4, Page 3.4-22:** "In most cases the application of appropriately dimensioned noise barriers next to the tracks could reduce potential noise impacts from FRA's severe noise impact category to moderate, and to the no impact category in some locations."

1. What case is Burlingame and the mid-Peninsula?
2. How will it be mitigated, given the width of the corridor (especially the narrowness of the area from Howard south through downtown San Mateo,) the absence of trees in some sections, the height of the homes, and, potentially the height of elevated tracks? Describe potential mitigation and back up with verifiable data.
3. If sound barriers are to be used, explain the types and heights of noise barriers for grade level, aerial and elevated structures.
4. What are the noise impacts of sound walls and other vertical structures on existing streets which run adjacent to the tracks? Specifically, study the noise impacts in Burlingame along Carolan, California, and the neighborhoods within 6 blocks at least n/s of the ROW. Please study the impact further into the neighborhoods if scientific analysis shows the effects reach further. Will the new structure increase traffic noise by creating a 'bounce' affect?
5. If sound barriers are used, what will the cumulative effect be, including any bounce effects, from existing noise polluters, especially SFO fly-overs combined with Hwy 101 sound barrier bounce.

I264-7

6. How many dBs can existing sound wall technology mitigate? Please read the following from Soundfighter.com

"In general, the rules of thumb for sound barriers are easy to remember and fairly accurate: Up to 10 dB of sound reduction is fairly straightforward to obtain. A range of 15-17 dB is practical to obtain. But more than 20 dB of reduction is difficult to obtain, and more than 25 dB is impossible to obtain."
http://www.soundfighter.com/pdf/Absorptive_versus_Reflective_Noise_Barriers.pdf

Request: Clearly describe (using a table if necessary):

- the current noise levels (these are known and have been published by the CHSRA elsewhere)
- the anticipated levels at grade or elevated
- the mitigated levels at grade or elevated in Burlingame and in our segment as a whole.
- how many decibels one can reasonably expect to have mitigated given current sound wall technologies.

These facts are necessary in the Program Level EIR-- not to be deferred to the Project Level--if we are to understand and evaluate the noise impacts on the proposed routes, which impact the quality of our lives in Burlingame and in our segment.

I264-7 cont.

Noise Mitigation—Cost Implications

"The cost of constructing a noise barrier on one side of a rail line is estimated at approximately $1 million per mi ($625,000 per km) for a concrete wall of 12 ft (4 m) in height. (Page 3.4-23.) Conservatively, a unit cost of $1.5 million per mi ($937,500 per km) was applied to portions of Bay Area HST Alignment Alternatives with high potential noise impact ratings."

Request: Please consider these costs when evaluating the cost of tunneling. Furthermore, a conservative cost would be closer to $3 million if both sides of the rail line get noise barriers.

EIR Noise Rating of Medium for our segment is wrong:

> **2008 EIR Volume 1, Section 3.4, Page 3.4-13** Although the HST service in the San Francisco to San Jose (Caltrain) corridor would be going through densely populated communities, the alignment alternatives in this corridor were rated as having a medium level of potential noise impacts because the HST would be traveling at reduced speeds and the communities would benefit from grade separation improvements for existing services and electrification of the railroad.

I264-8

Request: Given the following, please explain why this segment is not rated high for noise:

- how far sound travels in Burlingame as shown above (similar geography in many towns in our segment including Belomont.)
- the tracks may be elevated and sound will travel even further
- trains will run at speeds of 125 mph
- your documents show an anticipated dBA level on the Caltrain Corridor from HSTs will be approximately 93 dB.

Comment Letter I264 - Continued

VIBRATION
You have rated Burlingame "High" for vibration:

Request:
1. Describe all impacts of vibration (during construction and once HSR is operational) on health, structures, environment
2. Study and describe the cumulative effect of vibration on these issues, overlaid with existing transportation vibration in Burlingame. (Oour home already vibrates when planes fly overhead.)
3. Describe mitigation you are offering for damage to people and structures.

I264-9

EMISSIONS
HSTs are a theoretically greener transportation than current autos and airplanes (we wonder about future autos and planes.) It is not clear from the Draft EIR that you have analyzed what the *net carbon emission decrease* will be when you include construction emissions, and how long it will take for the greener train to offset the construction emissions.

I264-10

Request:
1. Evaluate the carbon emissions of the project during construction for each segment.
2. Evaluate the expected carbon footprint of HSR in the State once operational
3. Calculate the length of time HSR must run to offset construction emissions.

TRAFFIC, TRANSIT, CIRCULATION AND PARKING

Request: Please answer the following for our segment
1. Using updated & independently validated ridership projections, what routes will passengers take to reach the stations, and what affect will it have on local transportation patterns? Parking?
2. Most HST riders will need to drive to HSR stations and rent cars at stations to get to their ultimate destinations. How many parking structures will have to be built? What is the cost in dollars and to the environment?
3. Is there an increase in Caltrain's ridership as a result of HSR? If so, what are the affects of those passengers' commutes on local streets and existing Caltrain parking at HSR and non-HSR stations alike?

I264-11

VISUAL

We believe the visual impact of HSR if elevated should be rated "High" in Burlingame. The EIR defines "high visual impacts" as those where features of the alignment were obvious and began to dominate the landscape and detract from the existing landscape characteristics or scenic qualities. "Medium visual impacts" are features which are readily discernable but did not dominate the landscape or detract from existing dominant features.

I264-12

In Burlingame, an elevated structure will be a dominant feature of the landscape and will block existing views. As an example, from Burlingame Ave south of Burlingame Station we can now see the historic station and the beautiful Burlingame Hills. This is just one of many views that will disappear if the tracks are elevated.

Caltrain EIR suggests that the visual impact for OCS poles and wires is greater where there are fewer trees to shield the view. The stretch of corridor south from the Burlingame Ave station falls into this category.

Elevated tracks will also introduce new sources of light pollution. This is a problem along much of the Burlingame tracks especially if HSR removes the historic Eucalyptus Grove.

I264-12 cont.

Request:
1. **Evaluate and describe all new sources of light that will be introduced by HSR at all elevations**. These will have impact after 5 pm in the winter and after 9pm in the summer. As one example, the light from train windows on an elevated structure in stretches where there are no trees will mean passing trains will light up residential homes. Second-story bedrooms facing the corridor will be particularly impacted, wherever this situation will exist in our segment.
2. **Re-rate Burlingame and our segment "High" for visual impact**.

IMPACT TO CALTRAIN
Draft EIR Chapter 6: Network and Alternatives Comparison, Page 6-14, Table 6-7:

Request: Describe:
1. How HSts affect Caltrain's operations.
2. How HSR will affect local Caltrain commuter service.
3. How Caltrain will be able to continue its well-utilized express service with limited stops.

I264-13

RIDERSHIP & REVENUE
Draft EIR Chapter 6, Page 7-17: "Ridership and Revenue: The HST ridership and revenue forecasts done by MTC in partnership with Authority concluded that both the Pacheco Pass and Altamont Pass network alternatives have high ridership and revenue potential."

These models are based on incorrect data; neither set of data (correct set or used set) were peer reviewed. **This EIR is invalid if it relies on data that is known to be obsolete, incomplete, false, inaccurate or flawed.**

I264-14

Request: **Please redo these forecasts using peer-reviewed models.**

Comment Letter I264 - Continued

ELECTROMAGNETIC IMPACTS

Request: Please explain in plain English the health effects of Electromagnetic Fields and Electromagnetic Interference in your proposed HSR system. This information needs to be compared to what is safe from a health standpoint.

1. What will be emitted near the OCS poles and wires?
2. What is the dissipation rate? At what distance is it safe?
3. What is the likely interference with cell phones, TV & radio signals, home appliances, medical and other instrumentation at businesses, schools, medical facilities, etc? We are particularly worried about Peninsula Hospital, our Burlingame schools (listed earlier) and residents/businesses near the ROW
4. What are the potential interference problems associated with the proposed electrical system, and what are the proposed mitigations? Be specific.

I264-15

HAZARDOUS MATERIALS AND WASTES

The Draft EIR does not adequately address the captioned issues.

Request: Evaluate and report on the following:

1. The affect of microdust on people, children, vegetation including backyard edible gardens, the health of trees, and pets.
2. How wind patterns affect the movement and how far dust will spread.
3. Arsenic was located at Burlingame High School and removed at substantial cost. Please do a soil-sample study of the adjacent area along the Caltrain corridor for the entire segment. This is a concern during construction and especially for shoofly tracks if any.
4. The implications on the high-speed rail track usage, maintenance, and construction.
5. The affects of repeated vibrations on loosening hazardous materials in the ground.
6. CEQA Guidelines state: "§ 21092.6. APPLICATION OF GOVT. C. § 65962.5; DUTIES OF LEAD AGENCY; NOTICE BY ENVIRONMENTAL PROTECTION AGENCY OF FAILURE TO SPECIFY (a) The lead agency shall consult the lists compiled pursuant to Section 65962.5 of the Government Code to determine whether the project and any alternatives are located on a site which is included on any list." Government Code Section 65962.5 requires the Dept of Toxic Substances Control to compile a list of hazardous waste facilities and underground storage tanks, among other things.
   Request: Please document these lists within the EIR (or point to where the existing lists are within the EIR documentation) and fulfill the CEQA Guidelines of determining whether the project or any alternatives are located on a site which is included on any list.

I264-16

CUMULATIVE IMPACTS

While we have focused on the many individual impacts to our community, we are also concerned about the cumulative HSR impacts of noise, vibration, visual blight, etc, overlaid on the transportation noise burden we already suffer in Burlingame.

I264-17

Request: Please provide a table which describes the cumulative impacts of the individual effects for the entire city of Burlingame, including a map which shows the cumulative effects in red-green-yellow like your other impact maps.

COMUUNITY COHESION

Caltrain currently has two tracks through Burlingame at grade level. We have a beautiful historic station at Burlingame Ave. Now residents and businesses on either side of the track have easy access to each other. Our downtown restaurants and shops, athletic & recreation facilities, High School and Washington Elementary are accessible to all. While there are at-grade crossing traffic issues when Caltrain runs through, this is only when trains run and there is no visible divide.

HSR will add at least two tracks through Burlingame (possibly more for temporary tracks.) If the 4 tracks are elevated, the width of the structure will be like having an elevated freeway (similar in scale to the Millbrae overpass) through the middle of Burlingame.

This represents a "High" community cohesion impact, despite your EIR conclusions to the contrary.

I264-18

SUMMARY

The Draft EIR is inaccurate and incomplete. Adding HSR to the Caltrain Corridor creates significant impacts to our environment and quality of life in Burlingame and our segment. Additional noise, vibration, dust, hazardous material release, electromagnetic fields, traffic/parking issues etc., require considerably more study (with peer review of assumptions and results) prior to the final EIR.

Even using the incomplete information in the Draft EIR and Burlingame's current situation, including how noise travels, it is clear that elevating the HSR/Caltrain tracks is not an option for Burlingame. Negative impacts will be shown to be considerably larger once you conduct the requested studies. Mitigation is likely to be more costly than you anticipate and less effective than you hope.

I264-19

Comment Letter I264 - Continued

Request: **If HSR is to be built on the Caltrain Corridor, put HSR and Caltrain tracks underground. We prefer a cut and cover tunnel to minimize our significant negative impacts and believe the cost delta from an elevated structure will be reduced once the cost and effectiveness of mitigations are taken into account.** I264-19 cont.

Sincerely,

Mary-Helen & Kevin McMahon
215 Clarendon Rd
Burlingame, CA 94010
Email:Mcmahon3@sbcglobal.net
Phone 650.375.1964

CC:

Cathy Baylock, Mayor, City of Burlingame

State Assemblymember Jerry Hill

State Senator Leland Yee

State Senator Alan Lowenthal, 27th district, Member, Budget subcommittee on Resources, Environmental Protection, Energy and Transportation, Chair, Committee on Transportation and Housing

State Senator Joe Simitian, 11th District, Member, Budget subcommittee on Resources, Environmental Protection, Energy and Transportation, Member, Committee on Transportation and Housing,

Congressmember Jackie Speier

U.S. Senator Diane Feinstein

Governor Arnold Schwarzenegger

Response to Letter I264 (Mary-Helen and Kevin McMahon, April 24, 2010)

I264-1

The comment expresses concerns about the cumulative impacts on Burlingame of multiple forms of transportation, including HST, existing rail, existing airport, and existing traffic, especially related to noise, vibration, visual, dust, hazardous waste, and EMF impacts. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis of noise, vibration, visual, dust, hazardous waste, and EMF impacts will be conducted for the project-level EIR/EISs.

I264-2

This comment expresses concerns about the impact of an elevated alignment, specifically related to noise, vibration, and dust, and the effects on the quality of life. See the Response to Comment I264-1. See Standard Response 6 regarding the requirements of CEQA and quality of life impacts.

I264-3

Section 3.7.1 of the 2008 Final Program EIR/EIS and Section 2.2 of the Revised Program EIR Materials define property impacts as potential acquisition, displacement and relocation of existing uses, or demolition of properties. Because this is a program-level document, the analysis considered the potential for property impacts on a broad scale. Project-specific effects on property will be evaluated at the project-level.

I264-4

Chapter 2.2, Revised Land Use Analysis: San Jose to Gilroy, in the Revised Draft Program EIR Material and Chapter 3.7 of the May 2008 Final Program EIR discus the analysis of land use impacts. To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development. The study area for land use compatibility, communities and neighborhoods, and environmental justice is 0.25-mile on either side of the centerline of the rail and highway corridors included in the alignment alternatives and the same distance around station location options and other potential HST-related facilities. This is the extent of area where the alignment alternative might result in changes to land use; the type, density, or patterns of development; or socioeconomic conditions. For the property impacts analysis, the study area is narrower as noted above o better represent the properties most likely to be affected by the improvements in the alignment alternatives. As noted in Chapter 3 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, biological resources and wetlands, cultural resources, visual, and parks and recreation.

I264-5

See Standard Response 3. More detailed information and analysis of noise and vibration impacts and mitigation will be included in project-level EIR/EISs. This analysis will also include cumulative impacts from existing and proposed noise sources. For the project-level noise analysis, engineering will be available at enough detail to allow modeling of noise impacts, to the distance where such impacts would occur.

I264-6

See Standard Response 3. More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will also include cumulative impacts from

existing noise sources (such as Caltrain, roadways, and airports) and proposed noise sources. Modeling will consider existing and proposed topography and climatic conditions. It will use the data from the project design (train frequency, speeds, physical features, maintenance schedules). Sensitive receivers, such as residences, schools, parks, and similar facilities, will be addressed.

I264-7

See Standard Response 3.

More detailed information and analysis of noise mitigation will be included in project-level EIR/EISs.

I264-8

See the Response to Comment I264-7 regarding noise mitigation. The cost of mitigating noise impacts will be considered in the project-level analyses. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives, including tunnel, will be carried into project level alternatives screening if a Peninsula alignment moves forward.

The medium noise impact rating is based on: (1) grade separations which would eliminate the need for bells at crossings and for the Caltrain trains to sound warning horns as they approach each grade crossing; and (2) lower operating speeds resulting in noise levels similar to the existing Caltrain operations. See also Standard Responses 3 and 5.

I264-9

See Chapter 3.4, Noise and Vibration, in the 2008 Final Program EIR regarding vibration impacts and mitigation strategies identified at the program level. More detailed mitigation measures for vibration impacts would be developed at the project level when more detailed information about HST alignment and location are known. See also Standard Responses 3 and 5.

I264-10

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3.6 of the 2008 Final Program EIR. It is noted that construction impacts and potential mitigation measures would be addressed in subsequent project-level EIR/EIS analyses. More detailed analysis of potential operational and construction air quality impacts on sensitive receptors, will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement as well as construction. Once alignments are established, a full construction analysis would be conducted. This analysis will quantify emissions from construction vehicles, excavation, worker trips, and other related construction activities of constructing the HST systeme (rail, station, maintenance facilities, substations, transmission lines, etc.), including traffic detours. Specific mitigation measures, if required, would be identified and a construction monitoring program, if required, would be established. It should also be noted that Chapter 3.5, Energy, identifies that the energy savings resulting from operation of the HST would repay the construction energy consumption in about 4 years.

I264-11

The ridership forecasts used in the 2008 Final Program EIR are adequate for the environmental analysis for which they have been used. Chapter 3.1 provides a programmatic analysis of traffic, transit, circulatiion and parking. This was not an area identified by teh Superior Court in the Town of Atherton case for further work to comply with CEQA. More detailed discussions of these issues for the selected network alterantive will occur in project-level environmental documents.

I264-12

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The

simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees. With the trees remaining, they would remain the dominant visual feature, making the visual impact of replacing the existing at-grade railway with HST and Caltrain on a retained embankment a low visual impact.

The project-level EIR/EIS will analyze the effects of different light sources.

I264-13

See Standard Response 10.

I264-14

The ridership and revenue forecasting model was the subject of peer review at three separate stages. We dissagree that the model or the data used were flawed. The ridership and revenue modeling and resulting forecasts provide an appropriate tool for the environmental analysis for which it has been used. See Standard Response 4.

I264-15

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Electromagnetic fields (EMF) was not one of those topics. Please see Chapter 3.6 of the May 2008 Final Program EIR. The analysis identified that the HST project (and it's electrical supply and facilities) would have minimal electromagnetic interference (EMI)/EMF exposures at levels for which there are no documented health risks are anticipated and that EMI/EMF concerns are less than significant at the programmatic level under CEQA and not significant under NEPA. Furthermore, the Authority in the CEQA findings and the FRA in the ROD for the 2005 Statewide Program EIR/EIS adopted design practices and mitigation strategies to address potential EMI/EMF issues for the HST system to be applied and refined at the project-level in the future. It is anticipated that the use of the design practices and mitigation strategies will reduce exposure to EMFs and reduce the potential for EMI with biomedical devices to the lowest practical level.

Standard design practices for overhead catenary power supply system substations, transmission lines, and vehicles of the approved HST system include the use of appropriate materials, spacing, and, if necessary, shielding to avoid potential EMF/EMI impacts and to reduce the EMFs and EMI to a practical minimum. More detailed information and analysis on potential EMI/EMF impacts will be included in project-level environmental documents.

I264-16

See Response to Comment L003-92. More detailed information and analysis on air quality impacts and potential hazardous materials/waste impacts and mitigation measures including those related to dust particulates, arsenic and naturally occurring asbestos will be included in project-level environmental documents. As part of a future Environmental Site Assessment during the project-level environmental phase, a database search would be perfomred using the most recent NPL, SPL, and SWLF databases and the Cortese Database in Gov. Code 65962.5. The database search would also identify sites in other federal, state, and local hazardous materials/waste databases in accordance with the ASTM guidelines for preparing an environmental site assessment (E1527-00) and would also include a review of the United States Geological Survey Mineral Resource Data System for the presence of mining facilities that may have hazardous materials/wastes issues.

I264-17

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Cumulative impacts was not one of those topics. Cumulative impacts were considered in Chapter 3.17 of the May 2008 Final Program EIR. A list of detailed projects

and plans used in the analysis are listed and discussed in Appendix 3.17-A. A definition of cumulative impacts per CEQA and NEPA is included in Chapter 3.17. Sufficient detail is provided for this program-level analysis, and further analysis will be included in the project-level environmental analyses, when more detailed engineering, design, and location information will be available for the HST system and when future projects can be considered in more detail.

I264-18

See Response to Comment 1017-4.

I264-19

We disagree with the comment. We believe the 2010 Revised Final Program EIR Material complies with the judgment in the Town of Atherton case and with CEQA. We acknowledge the suggestion of the cut and cover tunnel option to minimize impacts on the Caltrain Corridor. We also acknowledge the comment suggesting that an aerial alternative would require costly mitigation. Profile variations on the Caltrain Corridor and other alignments that may be part of the eventually selected alternative will be considered as part of project-level environmental review.

Comment Letter I265 (David McKean, April 16, 2010)

I265

Kris Livingston

From: david mckean [d.mckean@sbcglobal.net]
Sent: Friday, April 16, 2010 1:05 AM
To: HSR Comments
Subject: high speed rail

Dear Gerry Hill,

An elevated rail system in my town, Burlingame, has the potential of dividing the community into two non-functional halves. The High School and the main park, separated from the rest of the town by a set of tracks on a berm or on stilts or any other imaginable elevated solution would be very damaging to the entire community. However, it seems that an underground alternative will be too expensive. If the project goes ahead as it appears to be heading, this city and others along the line from San francisco to San Jose will be seriously damaged. Two tracks on grade have caused many problems over the years. But four tracks with no stations to serve these towns offer many problems and no benefits. I265-1

Yours, Sincerely,
David McKean

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Response to Letter I265 (David McKean, April 16, 2010)

I265-1

See Response to Comment 1017-4.

Comment Letter I266 (Brian McGinn, April 25, 2010)

I266

Kris Livingston

From: Brian McGinn [btmcginn@yahoo.com]
Sent: Sunday, April 25, 2010 10:22 PM
To: HSR Comments; assemblymember.hill@assembly.ca.gov; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; senator.simitial@sen.ca.gov; cbaylock@burlingame.org; tnagel@burlingame.org; akeighran@burlingame.org; mbrownrigg@burlingame.org; jdeal@burlingame.org
Subject: CHSR EIR Comments
Attachments: CHSR_EIR_Coments_BrianMcGinn.doc

Date: 4-25-2010

Dan Leavitt [Sent by Email: comments@hsr.ca.gov (or) by FAX: 916-322-0827] California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area. I am [describe expertise, including background, degrees, and experience; attach resume or other documentation, as appropriate].

Based on my expertise, I have the following comments to make on the Draft EIR:

[Discuss financial, technical, or other flaws and problems as mentioned, or as not mentioned, in the Draft EIR]

I am attaching photographs which illustrate the problems I describe above (if that is relevant and you can do that).

I266-1

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above, and that the California Environmental Quality Act (CEQA) also requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, such as

[Describe alternatives or mitigations that would address the identified flaws and problems]

I request you to revise the current Draft EIR to address my concerns, and that you then recirculate a Revised Draft EIR for further review and comment by the public.

Thank you for taking my comments and concerns into account, as CEQA requires.

Yours truly,

Brian McGinn
1112 Palm dr.
Burlingame Ca. 94010

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Response to Letter I266 (Brian McGinn, April 25, 2010)

I266-1

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I267 (Pat Giorni, April 25, 2010)

I267

Kris Livingston

From: pat giorni [hogorni@yahoo.com]
Sent: Sunday, April 25, 2010 2:15 PM
To: HSR Comments
Cc: cathy baylock; john lee
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment
Attachments: HSR EIR COMMENT.doc

The following comment has been added as an attachment for easy reproduction:

April 25, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA95814

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Dear Mr. Leavitt;

Thank you for the opportunity to comment on the California High Speed Rail Authority's March 2010 *Bay Area to Central Valley High-Speed Train Revised Draft Program EIR Material.* The comments I am submitting make the assumption that the entire EIR document has been de-certified based on (1) Judge Michael P Kinney's judgment rendered on August 26, 2009, that

1. The project approval for the Bay Area to Central Valley High-Speed Train Project failed to comply with the requirements of CEQA and the CEQA Guidelines;
2. The Final EIR/EIS for said project failed to comply with the requirements od CEQA and the CEQA Guidelines;
3. The environmental findings issued by Respondent in support of its approval of said Project failed to comply with the requirements of CEQA and the CEQA Guidelines. I267-1

and (2)from the CHSRA web page: "To comply with the court judgment, the Authority rescinded its certification of the Bay Area to Central Valley Final Program EIR, its approval of the Pacheco Pass Network Alternative serving San Francisco via San Jose, and related documents. The Authority is now circulating this Revised Draft Program EIR Material as part of its compliance with the court judgment. Pursuant to CEQA Guidelines section 15088.5, subdivision (f)(2), the Authority requests that reviewers limit the scope of their comments to the revised materials contained in this document. The Authority is obligated to respond only to those comments received during the circulation period that relate to content of this Revised Draft Program EIR Material (underlining mine).

However, since there has been no decision forthcoming from the Attorney General as to limitations the Authority might place on comment it appears reasonable that the Authority must include and address all comment made to all content during this recirculation period because the May, 2008 document is now **entirely de-certified and revised.**

The Revised EIR does not address the lack of PUBLIC AND AGENCY INVOLVEMENT outlined in Chapter 10 of the Final Bay Area to Central Valley High-Speed Train (HST) Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and adopted in July, 2008 in CHSRA Resolution No. 08-01, whereby of the 8 public hearings scheduled between August 23, 2007 and September 26, 2007, not a single one I267-2

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was held in any Peninsula city other than San Francisco and San Jose. Likewise no scoping sessions or public meetings were held anywhere on the Peninsula between San Jose and San Francisco for the Revised Draft Program EIR.

From the July, 2008 Final EIR: 10.1.1 A:
"A mailing list database was developed and used to provide information and announcements concerning the preparation of the Program EIR/EIS to the public. The database was based on an existing Authority contact list and had more than 3,175 entries of federal, state, and local agency representatives; elected officials; property owners; interested persons; and interested organizations. The mailing list was updated for this environmental process by adding public meeting participants and others who asked to be added. Over the course of the project, the list grew to over 3,600 names." I267-2 cont.
This Bay Area outreach was far short of the current 20,000 contact addresses that the Peninsula Rail Program has garnered in just a few short months achieved solely because grassroots citizens' organizations in just 2 counties as well as a number of lawsuits have finally engaged the general public who never realized when they cast their ballots for HSR that the Caltrain Corridor had already been designated as the preferred alignment. They did not know that after the PCJPB had offered up the Caltrain Corridor further consideration of placing the HSR alignment along the US 101 or US 280 highway corridors was discarded. Please view an example of voter ignorance of preferred alignment determination in November 2008 at the following link, time 29:20:
http://burlingameca.granicus.com/MediaPlayer.php?view_id=2&clip_id=80

Therefore, if there is now to be effective public participation of affected communities on the Peninsula then the Revised EIR must completely embrace all comment to mitigate the shortcomings of the de-certified July, 2008 Final EIR.

The decision between choice of Altamont v. Pacheco must be re-opened and re-examined. If the Caltrain Corridor alignment was removed as an alternative, would Pacheco still be the better choice? If so, HSR alignment might then be contiguous with either of the two Peninsula N-S freeways. Since both these highways do not travel through populated neighborhoods there would be little to no disruption of established residential and commercial districts, with little to no private property needed for the project. It is far better if CHSRA and Caltrans negotiate land and engineering issues along a major transportation corridor where environmental impacts were mitigated years ago to allow the building of those freeways. From Diridon Station HSR could be constructed along Ca 87 to tie into US 101. It could easily connect to San Francisco from US 101 at a point between Candlestick Point and Sierra Point into the existing Caltrain Corridor on the Brisbane/ San Francisco border. I267-3

There should be no HST stops between San Jose and San Francisco. San Jose is an inter-modal train station already served by Caltrain, Ace and Capitol Corridor. If HSR is mandated to travel from Los Angeles to San Francisco seamlessly, then those passengers wishing to access SFO could transfer to Caltrain to access the airport connection at Millbrae. Those wishing to travel to Minetta Airport can make bus connections from either Diridon or Santa Clara Caltrain stations. If they wish to access the Silicon Valley cities, they can also use Caltrain. There is no fiscally responsible reason to build a redundant rail system when there exists one already in place. With no stops between San Jose and San Francisco the need to new build stations is eliminated if HSR is contiguous with either of the freeways. I267-4

Noise will be greatly increased if grade separations are aerial tramway constructions or berms located at least 20 feet above grade to allow uninterrupted vehicular traffic flow.. As was demonstrated last year when Caltrain raised its air horns from 4 feet above the tracks to the top of its locomotives per an FRA directive, the horn noise carried further and was louder despite the fact that it remained at the same decibel level. After above-grade separations were built in Belmont and San Carlos in the 1990's it was found that the rail noise traveled further and was reverberated by the nearby hills. What is the decibel level of the wind that will be created as trains traveling up to 125 mph displace tons of air? How will that newly created wind act to disperse dust, I267-5

2

Comment Letter I267 - Continued

debris and tree pollens during construction and after project completion to areas where property owners, schoolchildren, and the elderly in retirement facilities are already identified with asthma issues? How will construction noise be mitigated for the years that it will take to construct this project? How will vibration damage to properties adjacent to the rail right of way caused by pile-drivers needed to construct aerial tram-ways be mitigated? I267-5 cont.

Transit Oriented Development projects have been and continue to be initiated along the Caltrain Corridor. With increased noise and dust problems will the tenants of these of these buildings be forced to keep windows and doors shut? Double paned windows only reduce noise and vibration if closed. In a region where we are blessed with a "Climate Best by Government Test" will those living and working near the right of way be forced to install air conditioning, essentially closeting themselves in sealed buildings? The HST is touted as a sustainable, energy reducing project. But what is the overall statewide and regional carbon reduction if power plants must produce more energy to power air conditioners? And what will people do on "Spare the Air" days when asked to cut back on power usage, or when they suffer a brownout? I267-6

CHSRA and Caltrain have lately argued that our Peninsula cities are already divided by the railroad; that necessary grade separation will not further separate our neighborhoods. In the past 100 years residential and commercial development along the right of way was planned to have as little environmental impact upon our communities as possible. Motorized traffic patterns and pedestrian crossings were established to maintain fluidity and facile accessibility to either side of the tracks. With grade separation it is imperative that all crossings remain open, without placing the design burden and construction cost upon the cities. Closing any existing crossings will significantly change motor traffic patterns, increasing the level of service through adjacent neighborhoods and bringing reduced air quality, noise pollution and new traffic and pedestrian-related safety concerns. In the construction of grade separations the Authority must also take into consideration the Complete Streets Act of 2007 to insure that all design takes into account all users of the affected intersections as well as insuring that it does not unwittingly open itself to future litigation and liability under the ruling of Bonano v. Contra Costa County, section 835.4, "therefore, the reasonableness of a public entity's creation or maintenance of a dangerous condition of its property must be balanced against the costs and benefits of alternative means of providing the public service, not against the alternative of discontinuing the public service." I267-7

If the Authority cannot significantly reduce or completely mitigate the adverse environmental impacts of noise, vibration, air quality pollution, construction and alteration of motorized and foot-traffic patterns without imposing fiscal strangulation of the communities along the Caltrain Corridor then it must look elsewhere for "preferred alignment". I267-8

Thank you for your consideration.

Yours truly,

Pat Giorni
1445 Balboa Avenue
Burlingame, Ca 94010

cc:
Cathy Baylock, Mayor, City of Burlingame
John Lee, Mayor, City of San Mateo,
Assemblyman Jerry Hill
Senator Leland Yee
Senator Joe Simitian
Congresswoman Jackie Speier

3

Response to Letter I267 (Pat Giorni, April 25, 2010)

I267-1

Comment acknowledged. The Authority has followed provisions in the CEQA Guidelines related to responding to comments where the lead agency has recirculated only a portion of an EIR. Nevertheless, the Authority has provided a good-faith, reasoned response, to all of the significant environmental issues raised in the comments received during the comment period for the 2010 Revised Draft Program EIR Material.

I267-2

The Authority disagrees. Substantial outreach through the preparation of the program documents was conducted. The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Outreach was not one of those topics. Please see Chapter 10, Public and Agency Involvement, in the 2008 Final Program EIR. The Authority conducted scoping activities for the Bay Area to Central Valley HST Draft Program EIR/EIS including meetings in San Jose, San Francisco and four other cities. The Authority held a total of eight public hearings, including in San Jose and San Francisco to present the Draft Program EIR/EIS and to receive public comments between August 23, 2007 and September 26, 2007. The Authority has endeavored to provide the broadest possible notice of the 2010 Revised Draft Program EIR Material. Notification was provided in 8 newspapers including the San Francisco Examiner and San Jose Mercury News. A Notice of Availability and Notice of a Public Meeting postcard was further distributed to over 50,000 individuals identified as part of on-going project-level engineering and environmental studies. The Revised Draft Program EIR Material and a Notice of Availability and of a Public Meetings was also made available to 16 libraries for public viewing. Two public meetings were held on April 7, 2010 in San Jose on the Revised Draft Program EIR. If the Authority proceeds with a network alternative that involves Burlingame at the project level, the Authority will continue its efforts at public outreach in the area.

I267-3

See Standard Response 10 regarding route alternatives.

I267-4

See Response to Comment I102-2.

I267-5

See Standard Response 3. More detailed information and analysis of noise, vibration, and air quality impacts and mitigation will be included in project-level EIR/EISs. This analysis will include both construction and operational impacts and mitigation.
The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices.

I267-6

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality, noise, and energy were not one of those topics. Refer to Chapters 3.3 and 3.4 of the 2008 Final Program EIR. More detailed analysis of potential operational, maintenance, and construction air quality and noise impacts, including dust and vibration, will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement as well as construction.

The additional 794-MW load that would be placed on statewide electricity generating resources by the HST system would not be significant as discussed in Chapter 3.5 of the 2008 Final Program EIR.

I267-7

Comment noted. The HST is designed to have fully grade-separated tracks for safety reasons. The effects of new grade-separated crossings on highway/roadway Level of Service , vehicular trip patterns and changes in vehicular accessibility would be evaluated at the project-level traffic impact analysis study and documented in a Traffic, Transit, Circulation and Parking Report.

I267-8

See Standard Response 10 regarding route alternatives.

Comment Letter I268 (Minesh Shah, April 26, 2010)

I268

Kris Livingston

From: HighSpeedRail@Burlingame.org
Sent: Monday, April 26, 2010 12:03 AM
To: PW/ENG-Gomery, Jane; PW/ENG-Morimoto, Art; HSR Comments; prp@caltrain.com
Subject: FW: Addition to email list

From: Minesh Shah[SMTP:MINESHKIRANSHAH@HOTMAIL.COM]
Sent: Monday, April 26, 2010 12:02:43 AM
To: HighSpeedRail@Burlingame.org
Subject: Addition to email list
Auto forwarded by a Rule

Dear Sir or Madam:
Can you please include me to any mailings (physical mail or e-mail) about the High Speed Rail initiative? I268-1
My information is below:

Minesh Shah
1423 Laguna Ave.
Burlingame, CA 94010
Email -- mineshkiranshah@hotmail.com

I would appreciate your help.

Regards,
Minesh Shah

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. Get busy.

1

Response to Letter I268 (Minesh Shah, April 26, 2010)

I268-1

Comment acknowledged.

Comment Letter I269 (Kerri Belluomini, April 23, 2010)

I269

Kerri Belluomini

Kris Livingston

From: Kerri Belluomini [belluomini.kerri@gene.com]
Sent: Friday, April 23, 2010 1:41 PM
To: HSR Comments
Cc: belluomini.kerri@gene.com
Subject: High Spead Rail

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Burlingame, at the following address 1324 Edgehill Drive.
The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I269-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- High-speed trains make noise - lots of noise. It's been statistically proven, children living and attending schools near noisy highways, **railroads**, and airports have lower reading scores. Noise exposure has also been known to induce tinnitus, hypertension, vasoconstriction and other cardiovascular impacts. Beyond these effects, elevated noise levels can create stress, increase accident rates, and stimulate aggression and other anti-social behaviors. I269-2
- Noise pollution is public safety hazard as well. The noise is very dangerous as it will distract pedestrian and drivers, creating more traffic accidents.
- Vibration due to the many trains and their weight will result in structural damage to my home's foundation, stucco and windows.

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I269-3

I request you to revise the Draft EIR you have prepared, to address my concerns and that you then re-circulate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

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Response to Letter I269 (Kerri Belluomini, April 23, 2010)

I269-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

I269-2

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I269-3

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I270 (Beth M. Brown and Kent R. Gaisford, April 2, 2010)

I270

Beth M. Brown
Kent R. Gaisford
415 Howard Avenue
Burlingame, California 94010

April 2, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and High Speed Rail Authority:

We would like to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

We live in the City of Burlingame at the address above. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. We can assure you that we are "neighborhood experts" with respect to the real impacts of the project you propose -- impacts that have not been properly investigated and mitigated as the law requires. I270-1

Here, specifically, are the impacts that we personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- Our home is six blocks from the tracks; the noise and disruption will be constant and disturb the peaceful quality of our neighborhood. In addition, it will be nearly impossible to work in our home office with the incessant noise.
- Burlingame is a historic and picturesque little city. Its essential character and aesthetic charm will be ruined by construction of a high speed rail station. I270-2
- Burlingame is known as the City of Trees, with many ancient eucalyptus trees planted by founding fathers adjacent to the proposed station location. High speed rail construction and ongoing impact will decimate the nearby ecosystem. I270-3
- High speed trains will pose a serious danger to pedestrians who bring heavy foot traffic to Burlingame's downtown area and seriously jeopardize the safety of 1,000 high school students who use the thoroughfare daily. The school is a few yards away from the existing tracks. I270-4

We believe the law requires the Authority to do a much better investigation and documentation of the impacts we have described above – and not only in our neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I270-5

We request that you revise the Draft EIR you have prepared to address our concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking our comments and concerns into account, as the California Environmental Quality Act requires. I270-6

Sincerely,

Beth M. Brown Kent R. Gaisford

Response to Letter I270 (Beth M. Brown and Kent R. Gaisford, April 2, 2010)

I270-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

"The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The EIR identified mitigation strategies to address noise and vibration impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected may reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I270-2

See Response to Comment I241-5.

I270-3

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I270-4

The Authority disagrees with the comment that an alternative route or project modification is required to avoid public safety dangers. Chapter 1 of the May 2008 Final Program EIR addresses safety for major modes of transportation. The evidence shows that the fully grade separated HST systems in Europe and Japan have the lowest fatality rates (0 fatalities) of all modes. The HST project under consideration in the Bay Area to Central Valley Program EIR includes grade separations that will eliminate existing at-grade crossings of rail and local traffic. The HST project is therefore anticipated to improve safety for pedestrians, automobiles, commuter rail, and freight rail compared to existing conditions.

I270-5

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

I270-6

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I271 (Andrew Wallace, April 25, 2010)

I271

Kris Livingston

From: Andrew Wallace [awallace3000@gmail.com]
Sent: Sunday, April 25, 2010 11:15 PM
To: HSR Comments
Cc: assemblymember.hill@assembly.ca.gov; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; senator.simitial@sen.ca.gov; cbaylock@burlingame.org; tnagel@burlingame.org; akeighran@burlingame.org; mbrownrigg@burlingame.org; jdeal@burlingame.org; Mark.Pulido@sen.ca.gov
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Date: April 25, 2010

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA 95814

Email: comments@hsr.ca.gov

Dear Mr. Leavitt:

I am writing to officially submit my comments on April 25, 2010 to the High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident on the Peninsula between San Francisco to San Jose, specifically Burlingame. Your report has not addressed the very real environmental issues that concern residents such as myself, and thousands of others who reside up and down the proposed corridor. I271-1

First, I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at my address which is 816 Howard Avenue, approximately two blocks from the tracks. The noise is a factor that has caused much pain in my household, including sleepless nights, and we are advised by structural engineers that the frequent vibrations from moving trains will have long term effects on the very foundations of our housing structures.

Secondly, HSR will split Burlingame into two distinct sections. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of our town. Further it would divide the Burlingame High School and Washington Elementary School from the residents on the other side of the tracks and divide the east and west side residences. Beside the schools, there is the city's most important children's park (Washington Park), the city recreational center, the city Baseball field and the highly used football field and athletic track directly adjacent to the noisy high speed rail. They will be highly degraded to the point of non-functionality if you build an elevated structure. In order to save important commonly used community resources that contribute enormously to the life of our children I want HSR to underground the tracks. Please describe how you decided that there will be NO impact on community cohesion for this address. I271-2

Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Burlingame is distinctive for its beauty and charming residential nature. This is the reason people are willing to sacrifice so much economically to reside here. We recently completed a remodel of our house which was painful and expensive. There is little doubt that an elevated structure will represent a blight to the eyes and will lead to a loss of property values in the hundreds of thousands of dollars. We are professional people in our household but are by no means wealthy. Such a loss of value will set us back immensely at a time when we are beginning to make plans for future retirement. If we must move it would no longer be possible to sell without incurring losses that

1

would cut into our future savings. Have you not thought through this possibility for people living close to the tracks? Please explain how you concluded that the visual impact of HSR on our community will be "low." I271-2 cont.

Thirdly, I don't want trees cut down along the Caltrain right-of-way between Burlingame Avenue and Broadway. Burlingame is famous for being the city of trees. This is a distinctive feature of our community. I see no way for the train to be built, especially if elevated, if you don't cut down many trees along California Drive. Once again, this will represent a huge degradation to the visual aspect of our town. I271-3

Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on my family and I just two short blocks from the track. This is no small matter in light of studies showing these field have long term damage on the human body. Please describe the effects and how you will mitigate them. I271-4

Finally, with High Speed Rail so close to Burlingame High School and Washington Elementary school the noise created will cause serious harm to the students' learning environment. It will also creat highly unsave environment to thousands of children who are attending and who will attend these two schools in the coming decades. I271-5

To avoid the problems indicated, you MUST consider alternative routes to the present Caltrain corridor or the track must be underground so that it will not have such devastating impacts on my community. I am in support of High Speed Rail. But it must be done right. If it cannot be done right than we should not even do it. I271-6

Very truly yours,

Andrew Wallace

816 Howard Ave.

Burlingame

CA 94010

cc: City Council of Burlingame,

Assemblyman Jerry Hill

Senator Leland Yee

Senator Joe Simitian

State Senator Alan Lowenthal

Congresswoman Jackie Speier

U.S. Senator Barbara Boxer, FAX: 202-224-0454

U.S. Senator Diane Feinstein, (415) 393-0710

Mark Pulido, District Director, Long Beach, Mark.Pulido@sen.ca.gov

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Response to Letter I271 (Andrew Wallace, April 25, 2010)

I271-1

See Response to Comment I002-2 regarding noise and vibration.

I271-2

See Response to Comment 1017-4.

I271-3

"The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

The ability to add the two tracks to the existing Caltrain alignment and design a grade separation that would not visually dominate the existing Burlingame station lead to the visual impact ranking in the 2008 Final Program EIR. From downtown, the station would remain the dominant feature at the foot of Burlingame Avenue. The eucalyptus would remain the dominant visual item along California Drive and Carolan Avenue.

I271-4

See Response to Comment I028-10.

I271-5

See Standard Response 5.

I271-6

The commenter states that the HST should be put in a tunnel to avoid problems. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3 regarding level of detail.

Comment Letter I272 (James Wald, April 9, 2010)

04/09/10 09:05 FAX 650 475 3101 STEMCELLS, Inc. 001

I272

James Wald
207 Anita Rd, Burlingame, CA 94010

April 09, 2010

Dan Leavitt FAX: 916-322-0827]
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in **Burlingame**, at the following address:**207 Anita Rd**.

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my family, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I272-1

Here, specifically, are the impacts that I personally know will occur, unless an alternative route is chosen, or unless the project is modified in significant ways:

- The noise and vibration that a massive overpass supporting speeding trains at all hours of the day and night will be emotionally stressful to Burlingame residents within 5 blocks of the tracks, physiological damaging to our hearing, create an eyesore for anyone enjoying Washington Park; wildlife such as birds, squirrels, possums, raccoons, etc will be impacted by this behemoth.
- The heritage trees along California Dr. will be destroyed, thereby taking away habitat for birds and small mammals. Also, the trees currently provide a beautiful "living wall" between Caltrain and Burlingame High School and California Dr. I272-2
- The view of our historic Burlingame Train Station looking east to west will be ruined. No one wants to look at an ugly concrete cradle dividing their city. It will, in effect, create a barrier to our downtown. This will result in a "wrong side of the tracks" area where none exists today. I272-3
- The HSR impact will be a magnate for graffiti, create shadows which in turn will be a magnate for crime. This blight will result in depreciating property values, destroy our local downtown economy, and provide no significant benefit to Burlingame. I272-4

We are a small city filled with historic architecture, small businesses, and all the charm that makes Burlingame a destination for bay area residents. Your project, as currently envisioned on the Draft Program Level Environmental Impact Report (EIR), will irreparably harm our city. I272-5

Page | 1

04/09/10 09:05 FAX 650 475 3101 STEMCELLS, Inc. 002

Starting Stopping/ the terminal in San Jose will alleviate the harm this massive project will cause and will also avoid costly litigation as well as shave billions of dollars off the cost of HSR. With the support of the governor, the state legislature could vote this into law. I272-6

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I272-7

I request you to revise the Draft EIR you have prepared, to address my concerns, and that you then recirculate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Yours truly,

James Wald

Page | 2

Response to Letter I272 (James Wald, April 9, 2010)

I272-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision.

Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail.

"The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The EIR identified mitigation strategies to address noise and vibration impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected may reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system. See also Standard Response 3.

I272-2

The 2008 Final Program EIR identified that the HST project would result in significant and unavoidable impacts to the physical environment. The EIR identified mitigation strategies to address these impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts to trees and vegetation along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

I272-3

"The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered the visual impact in Burlingame and produced a photosimulation that was presented in the document. The simulation, based on program-level design, considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

The ability to add the two tracks to the existing Caltrain alignment and design a grade separation that would not visually dominate the existing Burlingame station lead to the visual impact ranking in the 2008 Final Program EIR. From downtown, the station would remain the dominant feature at the foot of Burlingame Avenue. The eucalyptus would remain the dominant visual item along California Drive and Carolan Avenue.

I272-4

The detailed maintenance of the HST project's structures will be discussed in the Project EIR, currently underway. Procedures for maintaing the HST's infrastructure will be detailed in the Project EIR. Potential deterrents to graffiti could include introducing vines to the concrete surfaces of columns and walls, dense landscaping to

obscure columns and walls, and maintenance agreements to ensure the timely removal of any potential graffiti.

The utilization of the area under elevated structures can be analyzed at the Project level. Potentially, local jurisdictions could be consulted to see what uses they want permitted and to determine the responsibility and liability for those uses. As stated in your comment, a wide variety of uses are common under elevated structures. Examples from existing elevated corridors include linear parks, like the Ohlone Trail in the East Bay, or parking, in commercial areas where it is desired. There are examples of businesses locating under elevated railway structures. Borough Market, in London, is a very successful marketplace like the Ferry Building in San Francisco, which is under a steel railway junction. A four-track railway crosses through Berlin on brick arches. Many poplar restaurants are located under the tracks. This thoughtful utilization of space under railway structures is repeated throughout the world.

I272-5

See Response to Comment I241-5.

I272-6

The commenter states that the HST should consider terminate in San Jose. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

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

I272-7

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I273 (Silicon Valley Law Group, April 25, 2010)

I273

SILICON VALLEY LAW GROUP
A LAW CORPORATION

25 METRO DRIVE, 8TH FLOOR
SAN JOSE, CALIFORNIA 95110

TELEPHONE: (408) 573-5700
FACSIMILE: (408) 573-5701
WWW.SVLG.COM

FACSIMILE COVER SHEET

DATE: April 26, 2010

TO: California High Speed Rail Authority FAX NUMBER: 916-322-0827

ATTN: Mr. Dan Leavitt

FROM: John w. Easterbrook

RE: Bay Area to Central Valley Revised Draft Program EIR Material Comment

CLIENT/MATTER:

Number of pages including Facsimile Cover Sheet: 3

COMMENTS: Please refer to the attached letter dated 4/25/10

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Revised April 05, 2010

John W. Easterbrook
409 Dwight Rd.
Burlingame, CA 94010

April 25, 2010

(Via email: **comments@hsr.ca.gov and Fax (916) 322-0827)**

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comment

Mr. Dan Leavitt
California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA95814

Dear Mr. Leavitt:

I am writing to submit my comments with respect to the High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident of Burlingame, California, on the the San Francisco Peninsula between San Francisco and San Jose.

I am very concerned about noise and vibrations caused by a high speed rail. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dba), the noise and vibrations will increase significantly in the section east of the railroad tracks where many homes and the local high school are located. I live at 409 Dwight Road in Burlingame and already hear the train. I273-1

Please analyze and describe how noise levels will increase in the local area and, in particular, along Dwight, Lexington and Bloomfield roads in Burlingame.

Additionally, high speed rail will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe more tracks if passing sidings are needed. If tracks are elevated, it will cause a major change from the current ground level tracks and would be like putting an elevated freeway through the center of Burlingame. Further, it would divide the high school and recreation facilities from the residents on the west side of the tracks, divide our downtown from east side residents, and divide east and west side residences. I273-2

Because of these impacts, I believe it is essential that alternative routes be carefully evaluated. I do not believe sufficient analysis of alternate routes has been done. For example, careful analysis should be done with respect to high speed rail using an Oakland (rather than a San Francisco) termination, as I expect it is intended to be used by persons located throughout the area. Also, analysis should be thoroughly presented concerning I273-3

1

Comment Letter I273 - Continued

impacts of the possible use of the Highway 101 or 280 corridors, which already exist and are used for high speed auto traffic. I273-3 cont.

Although Caltrain already runs through our neighborhood, the proposed changes will be significant and harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Please explain how you concluded that the visual impact of HSR on our community will be "low." I273-4

I have children who attend the following schools: Burlingame High School. My daughter attends a program operated by the San Mateo Union High School District for disabled children at Burlingame High School. The class is in session from 9 a.m. – 2:00 p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment. I273-5

Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

My daughter is disabled. Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities. I273-6

Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on east of the tracks. I273-7

Please describe the analysis conducted, the effects, and how you will mitigate them.

Very truly yours,

2

Response to Letter I273 (Silicon Valley Law Group, April 2, 2010)

I273-1

See Response to Comment I002-2 regarding noise and vibration.

I273-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I273-3

See Standard Response 10 regarding route alternatives.

I273-4

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I273-5

Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I273-6

See Response to Comment I249-10 regarding ADA.

I273-7

See Response to Comment I028-10.

Comment Letter I274 (Ellyn Freed, April 22, 2010)

I274

Kris Livingston

From: Ellyn Freed [ellynfreed@yahoo.com]
Sent: Thursday, April 22, 2010 4:10 PM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

April 22, 2010

VIA EMAIL

Dan Leavitt
CaliforniaHigh-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
comments@hsr.ca.gov

Re: Comments on Bay Area to Central Valley Revised Draft Program EIR

I have lived in Burlingame, California with my family for 24 years and my sons (presently living and working in San Francisco) are graduates of the Burlingame public schools, Burlingame High School and the California university and state university systems. My husband and I were actively involved in the schools, scouting and youth sports. Although our involvement began as a way to provide quality education and programming for our children, it quickly evolved into service to our community and all the people who are a part of that community. I submit the following Comments to the Program Environmental Impact Report (the "Program EIR") as a resident of a community that will be severely and negatively impacted by a project that has not been adequately studied, as someone concerned about the impact of the high speed train (the "HST") on all neighborhoods along the San Francisco Peninsula (the "Peninsula") and as resident of the financially-strapped State of California. I274-1

The California High Speed Rail Authority (the "Authority") has Pre-Determined the HST Route Without Having Adequately Analyzed the HST's Impacts on Burlingame, California.

The Authority has pre-determined that the HST will be routed through the Pacheco Pass over to San Jose and up the Peninsula along the Caltrain corridor. In having pre-determined the Caltrain corridor route, the Authority relies on false assumptions and misinterpreted concerns. If the Authority's assumptions are wrong and the public's comments to the proposed project misconstrued, then the conclusion the Authority reaches is wrong (except in the event of some fluke accident). By examining the Authority's recently released Preliminary AlternativesAnalysis Report for the San Francisco to San Jose Section, datedApril 2010 (the "AA"), comments Carrie Pourvahidi,the Authority's interim director, made at the California Senate Budget hearings on April 15, 2010 and comments made by Bob Doty, head of the Peninsula Rail Program, on April 19, 2010 at the AA workshop held at the Burlingame City Council Chambers, one can easily conclude that the Authority has made a decision without adequate consideration. I274-2

In the AA, the Authority states:

"The Caltrain Corridor route of the San Francisco to San Jose Section was analyzed, evaluated and selected in the 2005 Final Program EIR/EIS for the Proposed California High-Speed Train System (referred to hereafter as the Statewide Program EIR/EIS) and again in the 2008 Bay Area to Central Valley HST Final Program EIR/EIS (referred to hereafter as the Bay Area to Central Valley Program EIR/EIS)." AA §1.2, page 1-1. The AA then lists alternative routes considered and rejected, including I-280, US 101, a Caltrain corridor exclusive guideway, East Bay routes and Bay Area terminal stations. AA §1.5, page 1-2.

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The Authority was selecting a route based on its identified objectives. And one of those objectives was the provision of reliable high-speed electric powered train service from San Francisco to San Jose that delivers predictable and consistent travel times. AA § 2.1.1, page 2-1. However, the HST does not serve the Peninsula, particularly communities like Burlingame where the HST does not stop. It does not provide service to the Peninsula, particularly Burlingame, nor is it obligated to provide service to or serve the Peninsula. In fact, the Authority is required to provide a train from San Francisco to Los Angeles, not from San Francisco to San Jose. How can we measure the impact of this project on Burlingame if predictable and consistent travel time will not benefit Burlingame because Burlingame will not be served by the HST? The Authority created the objective and then concludes the project will fulfill the objective despite the fact that the objective is irrelevant to Burlingame and similar cities along the Peninsula.

Another example of the Authority's having made up its mind, is the comment Carrie Pourvahidi made at the Senate Budge Hearing, Subcommittee No. 2, on April 15, 2010 when asked about proceeding using the current ridership study while commissioning the University of California at Berkeley to review that study. Ms. Pourvahidi stated: "We're confident in our model, there are elements that might need improvement but the model itself is a good model it just may have to have some elements that need to be improved." The ridership study directly impacts Burlingame because the Authority intends to split our community with an aerial structure and if the ridership study concluded that the Caltrain corridor route was not financially feasible because of low ridership estimates, Burlingame would remain whole. I274-2 cont.

Bob Doty of the Peninsula Rail Program provided a third example of the Authority's having made up its mind to run the HST along the Caltrain corridor. In discussing why the Trans Bay Terminal station alternative was not discarded, Mr. Doty told Burlingame citizens at their April 19, 2010 meeting with Authority representatives that one reason to keep the Trans Bay Terminal station option was because so much work had been done to date on that option. If you follow that logic to its conclusion, using the Caltrain right-of-way from San Jose to San Francisco is a foregone conclusion.

A final example of the Authority's having made up its mind is its conclusion in the AA that it would not carry a raised berm option forward because Burlingame residents have stated that the raised berm divides the community. AA Table 4.6, page 4-31. The Authority did not understand that the citizens of Burlingame believe an elevated structure divides their community – whether berm or concrete bridge. The Authority intentionally confuses the argument because it wants an elevated structure and for some other reason (perhaps the costs of hauling in clean dirt to build a raised berm) it does not want a berm. The Authority's professing that it has listened to the citizens of Burlingame and acted by rejecting the berm is insincere at best and perhaps dishonest.

To summarize, even though there is no final Program Level EIR, the Authority has chosen the route, based on false assumptions and misunderstandings.

Undesirable Impacts on the Citizens of and the City of Burlingame, California

Burlingamedeveloped into a city as a result of the 1906 earthquake and fire that forced thousands to flee San Francisco. It has fewer than 30,000 residents and about 11,000 households, with homes, businesses and schools on both sides of the railroad track. It has a charming downtown within walkable distance of the high school though they are on the opposite sides of the track. The high school is on the same side of the tracks as the City Park, the baseball stadium and the recreation center, all of which are used by the residents on both sides of the tracks. There are million dollar homes on either side of the track, which tracks are shaded by a line of Eucalyptus trees. Yet, the Authority rationalizes building what is essentially an elevated freeway through our community. I274-3

2

Comment Letter I274 - Continued

In addition, the Authority has ignored the noise impacts of the trains – elevated and passing every five minutes – on the students at Burlingame High School (1 Mangini Way) , the students at Washington School (801Howard Avenue), the Palcare Day Care Center (945 California Drive), the patients at Peninsula Hospital (1501 Trousdale Avenue) -- all within one-half mile of the track. It has also ignored the noise impacts of the frequent, elevated trains on the residents of Burlingame, including the noise impacts on my home at 815 Fairfield Road. I can clearly hear the trains now and I am more than one-half mile from the present at-grade track. I274-4

I ask the authority to evaluate the noise impacts of an elevated four-track system on 815 Fairfield Road and all other property within one mile of the proposed project through Burlingame.

Missed Opportunities for Valuable Development on the Peninsula

All communities along the San Jose to San Francisco section should be treated fairly, meaning that they should be heard and the impacts on their specific neighborhoods analyzed and mitigated. The corridor is densely populated from San Jose to slightly north of Millbrae with homes and businesses on both sides of the track. In some areas, however, Caltrain's presence further divides the community because there is no ability to go from one side of the track to the other. Prime examples of this are the Delaware Street corridor in San Mateo south of 9th Avenue to Highway 92 and then from the south side of Highway 92 to 25th Avenue. Another example is Redwood City south of California State Route 84 to Marsh Road. In other areas of the Peninsula, like Burlingame between Broadway and Howard, it is fairly easy to get from one side of the tracks to the other. I274-5

The Authority must mitigate the negative impacts on each of the communities it touches. An underground HST in any of these communities would allow for transit-oriented development around the Caltrain stations, protect Burlingame and other cities from division and open up walled off areas of San Mateo and Redwood City. Undergrounding the train would also allow for parks and recreation areas and further development of housing which would be consistent with Burlingame's general plan.

To meet the project's primary intent, the Authority identified various criteria against which it evaluated the various alternatives. The Land Use Evaluation Measures are stated to be:
Use
Development potential for Transit-Oriented Development (TOD) within walking distance of Station
Identify existing and proposed land uses within 1/2-mile of station locations. Identify if there are TOD districts, TOD overlay zones, mixed use designations, or if local jurisdictions have identified station areas for redevelopment or economic development
Regional and local planning documents and land use analysis and input from local planning agencies.

Consistency with other planning efforts and adopted plans
Qualitative - general analysis of applicable planning and policy documents
Land Use Analysis. Baseline Conditions Study

AATable 2-2, page 2-2.

However, the Authority then ignores these land use evaluations measures. Burlingame has a new Downtown Specific Plan and undergrounding the HST would further the purposes of that plan, bringing the downtown, the high school and the recreation center all within the same central area. The Authority's ignoring this is just another example of a pre-determined mind. I274-6

3

The HST will not stop in our neighborhoods. It offers no benefit to us as a mode of transportation. It is simply a division without utility unless it creates benefit by stabilizing, not destroying, our communities. I274-6 cont.

Financial Feasibility

Unless the money is there to make construction of the HST feasible, the Authority cannot proceed. The Authority's current business plan estimates that it will cost 42.6 billion dollars to build the system from Los Angeles to San Francisco. It has $9.95 billion dollars in California bonds (with restrictions on how the money can be spent) and slightly over $2 billion in Federal stimulus money. However, the language of Proposition 1A and AB 3034 require the Authority to have all the money to finish a section before it begins building it. Even assuming that the $42.6 billion figure holds fast (which is doubtful since the engineering is at 3%), the Authority doesn't have $42.6 billion. If it used all its money to build a HST from San Francisco to San Jose, we would be left with a useless, elevated freeway structure, 100 feet wide, from San Jose to north of Millbrae. I274-7

The Authority's $42.6 billion figure does not include eminent domain costs. At least 17 miles of the 48 mile section between San Jose and San Francisco is not wide enough to accommodate a four-track system. In fact, the right-of-way in highly developed downtown San Mateo is only 52 feet wide. If the Authority condemned all of downtown San Mateo (which has recently been revitalized with the addition of a 12 screen movie theater), the cost of the San Francisco to San Jose Section of the HST would increase astronomically. How can the Authority argue feasibility without taking into consideration total cost?

The Authority recognizes that in order to develop an appropriate and logical cost estimate, all of the 10 subsections of the San Francisco to San Jose Section need to be "stitched" together into a set of cohesive alignment alternatives covering the entire length of the corridor. AA page 4-3. However, the Authority has released a Program EIR, selecting a route impacting densely-populated communities, while ignoring a known, albeit not presently quantifiable, cost.

Conclusion

I believe the law requires the Authority to do a more thorough investigation and documentation of the impacts I have described above, and that the California Environmental Quality Act (CEQA) also requires the Authority to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. The Authority must first honestly identify its objectives and the benefits and detriment the HST brings to the communities it passes through. Without honest identification of these things, the Authority's analysis will always be inadequate. The Authority should redesign the project to include measures to achieve the legal requirements such as considering whether it is feasible to complete this project, considering whether the Altamont Pass / Highway 101 Alternative is not a better route, and considering whether the Authority need to underground the HST if it does pass through densely populated neighborhoods. I274-8

I request the Authority revise the current Draft EIR to address my concerns, and that it then re-circulate a Revised Draft EIR for further review and comment by the public.

Sincerely,

Ellyn Freed
815 Fairfield Road
Burlingame, CA 94010
ellynfreed@yahoo.com

cc: Cathy Baylock, Mayor, City of Burlingame

4

Comment Letter I274 - Continued

Burlingame City Hall
501 Primrose Road
Burlingame, California 94010
Fax: 650.342.8386

Assemblyman Jerry Hill, 19th District
1528 S. El Camino Real,
Suite 302
San Mateo, CA 94402
Fax: 650.341.4676

Senator Leland Yee, District 8
400 S. El Camino Real, Suite 630
San Mateo, CA 94402
Fax: 650.340.1661

Senator Joe Simitian, 11th District
160 Town & Country Village, Palo Alto, CA 94301
Fax: 650.688.6370

Congresswoman Jackie Speier, 12th Congressional District 400 S. El Camino Real, Suite 750 San Mateo, CA 94402
Fax: 650.375.8270

5

Response to Letter I274 (Ellyn Freed, April 22, 2010)

I274-1

The comment expresses a belief that the impacts of the HST have not been adequately addressed. The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See also Standard Response 2 regarding the tiering process allowed under CEQA.

I274-2

We do not agree that the Authority has pre-determined the network alternative or that it has done so without adequately identifying impacts. CEQA requires a lead agency preparing an EIR make a decision after it has completed the EIR process and certified an EIR for compliance with CEQA. This is the process the Authority is following here. In response to the Town of Atherton final judgment, the Authority rescinded its prior resolution certifying the 2008 Final Program EIR and approving the Pacheco Pass Network Alternative serving San Francisco via San Jose. The Authority has recirculated portions of the Program EIR that required corrective work to comply with the judgment and with CEQA. The Authority is expected to make a new decision regarding the adequacy of the Program EIR and a new decision on the project at an upcoming noticed meeting of the Authority board. A second-tier, project-level EIR would examine impacts in Burlingame in more detail if all or part of the San Francisco to San Jose Corridor is selected as part of the network alternative to connect the Bay Area with the Central Valley. We disagree that the examples cited in the comment result in a predetermination of the network alternative. The Authority is aware of its obligation under CEQA to fairly consider the entire record before it prior to making a new decision and to exercise its independent judgment.

I274-3

See Response to Comment I199-14.

I274-4

See Standard Response 3. More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include impacts at sensitive receivers, such as residences, schools, and parks.

I274-5

See Response to Comment I199-14.

I274-6

Both the 2008 Final Program EIR/EIS and the Revised Draft Program EIR addressed existing and future land use compatibility based on information from general plans and other regional and local transportation planning documents. These documents were examined to assess an alignment alternative's and station location option's potential consistency with the goals and objectives defined therein. Because this is a program-level document, the analysis evaluated land use compatibility on a broad scale. Project-specific effects on land use, planning and development will be evaluated at the project-level. General Plan references as cited in the 2008 Final Program EIR/EIS were current for the period that studies were conducted for the Program EIR/EIS. The project-specific land use analysis will reference current land use and planning documents.

I274-7

Costs are clearly documented in Chapter 4 of the 2008 Final Program EIR.

I274-8

It was determined in the court case of Atherton et al that the Authority did present a reasonable range of alternatives and examination and analysis of those alternatives.

Comment Letter I275 (Annette Doherty, April 15, 2010)

I275

California HSR Authority, C/O Dan Leavitt or Robert Doty
925 L Street, Suite 1425
Sacramento, CA 95814
Attn: Revised Draft EIR Bay Area/Peninsula
April 15, 2010

Dear Sirs,

I am writing to strongly oppose HSR project in the Peninsula corridor. I was raised in Burlingame. I have lived in many other communities and countries and I have chosen to return to Burlingame because of what it offers my family; a true family community, with tree-lined streets, familiar family owned shops and, quiet and serene lifestyle A HSR would be life altering and devastating to my community. I respectfully and vehemently oppose construction of this project based on my review of the revised EIR for the following reasons: I275-1

The EIR states that the impact of the project description is limited to 50'. This is grossly unrealistic. A HSR train, speeding by at 40, 50 or 100 mph reasonably would have a negative impact on residences within hundreds of feet. The noise level from steel wheels creates an environmental hazard and stressor to people and animals nearby, the negative environmental impact from vibration would travel greater than 50 feet. The micro dust spread by HSR and the wind would create a health hazard. This is not to mention the unspeakable visual significance that a 40' wall or barrier would present. HSR is not for Burlingame or the Peninsula. I275-2

The EIR states that the residential impact would not be high, this is untrue. The impact on the residential community would be devastatingly high. For one, the EIR states there would be an overall improvement in local traffic conditions. Since there are only 4 grade-separated crossings between San Francisco and San Jose, the improvement in traffic conditions for Burlingame residents would be negligible. In addition, the potential for property impact is HIGH. Community cohesiveness would be destroyed with a HSR running through our small city. A division of "east and west" Burlingame, in a community of only 28,000 people would be intolerable. A wall is only built to "keep out" whether it be sounds or people. That is exactly what a HSR 40' wall or barrier would try to do- it will attempt to diminish, not demolish sound hazard, but it will divide our community and threaten businesses and revenues on the opposite side of the tracks. Our property values would plummet and thus so would the property taxes generated for our schools and our community. Please consider alternate routes, east of the 101 /Monterey or the Altamont Pass or Pacheco Pass. HSR does not belong in Burlingame. I275-3 I275-4

Furthermore, what makes Burlingame the kind of community that it is today are the surrounding parks, schools, shops and neighborhoods. The EIR indicates that "it may be necessary to acquire additional strips of property dependent on design of corridor..." these addition stripes of property are our homes, our friends homes and the businesses that we patronize. This is the very makeup of who we are here. We are the neighborhoods and shops, seizing our homes and businesses is seizing and tearing down what we have spent 100 years building. It is simply not the right thing to do. I275-5

The EIR also lists the grove of Eucalyptus trees that provide a wind -break, greenery- Burlingame is a TREE CITY, recognized by the Arbor Foundation- to be destroyed. Those trees are over 100 years old and protected. That presents an additional negative high impact on Burlingame from the HSR project. I275-6 I275-6 cont.

Please also recognize the HIGH noise and HIGH visual disturbances form night freight trains operating in residential neighborhoods. The EIR seems to negate these impacts. I275-7

I am also very concerned that the EIR does little to address the environmental impact that the HSR would have on Burlingame High School Students in addition to the residents of Burlingame. Research shows that learning is adversely affected and there is a relationship from sudden loud noises and heart attacks- I have done personal research as I am in the health care field and I am married to a firefighter. Data puts firefighters at increased risk form heart attacks from the tones (sudden loud noises) waking them for a dispatch. My husband comes home to sleep. I do not want HSR horns or alerts affecting my family's sleep or stress levels, nor do I want those negative health affects causing premature death or morbidity of my neighbors. The EIR does not provide adequate study of these factors. With regard to the High school, BHS is located a few hundred feet from the proposed site of HSR. We choose to live in Burlingame because of the community and because of the excellent education our children receive. High school is stressful enough without the additional disruption from HSR trains grinding through our city with steel wheels, kicking up micro dust contaminated with arsenic and emitting EMT of which the adverse health effects are still unknown- please note that more and more studies are being done and in Europe greater testing is being studied to understand the negative potential this has on human beings in close proximity. HSR does not belong in our community. I275-8 I275-9

The total carbon footprint of construction, operations and maintenance is also of concern to me. Clearly, greater emphasis, research development and money is being placed on more hybrid and clean technology for autos- the question exists if this incredibly expensive project is worth the money and at what environmental cost? At what life altering costs to the residents on the Peninsula? I275-10

The EIR does not provide an adequate study on expected ridership. I275-11

In conclusion and for the above-mentioned reasons, I urgently protest the high speed rail project proposed in Burlingame and on the peninsula. It is detrimental to our city with respect to the grossly understated negative environmental impact it presents. It would present a HIGH negative impact on noise, it would destroy community cohesiveness, it would be devastating to the visual presentation of our city and it would forever annihilate what we love about Burlingame. Alternate routes exist such as the Altamont Pass if in fact HSR is still considered a need or want. I275-12
Thank you.

Sincerely,

Annette Doherty

APR-16-2010 FRI 01:31 AM DOHERTY FAX NO. 16508976277 P. 01/02

APR-16-2010 FRI 01:32 AM DOHERTY FAX NO. 16508976277 P. 02/02

Response to Letter I275 (Annette Doherty, April 15, 2010)

I275-1

The comment states an opposition to the HST project in the Peninsula corridor, believing that the impacts would be life-alternating and devastating. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis will be conducted for the project-level EIR/EISs

I275-2

Chapter 2.2, Revised Land Use Analysis: San Jose to Gilroy, in the Revised Draft Program EIR Material and Chapter 3.7 of the May 2008 Final Program EIR discus the analysis of land use impacts. To determine potential property impacts, the land uses within 50 ft of either side of the existing corridor or within 50 ft of both sides of the centerline for new HST alignments were characterized by type and density of development. The study area for land use compatibility, communities and neighborhoods, and environmental justice is 0.25-mile on either side of the centerline of the rail and highway corridors included in the alignment alternatives and the same distance around station location options and other potential HST-related facilities. This is the extent of area where the alignment alternative might result in changes to land use; the type, density, or patterns of development; or socioeconomic conditions. For the property impacts analysis, the study area is narrower as noted above o better represent the properties most likely to be affected by the improvements in the alignment alternatives. As noted in Chapter 3 of the May 2008 Final Program EIR, varying study area widths were used for noise/vibration, biological resources and wetlands, cultural resources, visual, and parks and recreation.

I275-3

As shown in the program-level traffic impact analysis study, although HST will increase auto traffic near proposed HST station locations, it will attract some long-distance trips from inter-city freeways thereby leading to an overall improvement in traffic conditions in the region. All impacts due to the project, including residential and potential traffic impacts will be analyzed in detail in the project-level traffic impact analysis study.

I275-4

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. See also Standard Response 6 regarding potential project impacts on property values.

I275-5

See Response to Comment I136-7.

I275-6

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the

right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

I275-7

Comment acknowledged. The cummulative impact of existing train operations and HST operations would be evaluated for noise and vibration at the project level when more detail regarding HST location and design would be available. Visual impacts are addressed in Section 3.9, Aesthetics and Visual Resources, in the 2008 Final Program EIR. See also Standard Responses 3 and 5.

I275-8

More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include impacts at sensitive receivers, such as residences, schools, and parks. The HST system will need to be completely grade separated on the peninsula corridor, eliminating both the train horn noise and the bell noise from the grade-crossing protection devices. See Standard Responses 3 and 5.

I275-9

See Response to Comment I028-11.

I275-10

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Air quality and global climate change was not one of those topics. Refer to Chapter 3.3.6 of the 2008 Final Program EIR. It is noted that construction impacts and potential mitigation measures would be addressed in subsequent project-level EIR/EIS analyses. More detailed analysis of potential operational and construction air quality impacts on sensitive receptors, will be provided during project-level environmental review, when more detailed information will be available concerning system design and placement as well as construction. Once alignments are established, a full construction analysis would be conducted. This analysis will quantify emissions from construction vehicles, excavation, worker trips, and other related construction activities of constructing the HST systeme (rail, station, maintenance facilities, substations, transmission lines, etc.), including traffic detours. Specific mitigation measures, if required, would be identified and a construction monitoring program, if required, would be established.

I275-11

We disagree with the comment. The May 2008 Final Program EIR discusses the ridership forecasts used in the analysis in Chapter 2. See Standard Response 4.

I275-12

The Authority disagrees with the commenter's statements. See Standard Response 10 regarding route alternatives.

Comment Letter I276 (Thomas A. Feeney, April 21, 2010)

I276

Kris Livingston

From: pacificgrp@aol.com
Sent: Wednesday, April 21, 2010 11:10 AM
To: HSR Comments
Subject: Comments on Bay Area to Central Valley Revised Draft Program EIR

April 21, 2010

Dan Leavitt
California High-Speed Rail Authority comments@hsr.ca.gov
925 L Street, Suite 1425
Sacramento, CA 95814

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major impacts to me and to many of the residents of Burlingame and other communities on the Peninsula. I276-1

Specifically, the areas where the Draft EIR does not provide adequate data and analysis regarding these impacts are:

Chapter 5-Costs

1. The Costs do not account the negative impacts (noise, vibration, aesthetics, etc) on property values for the properties located adjacent to or near to the tracks (except in the case of a tunnel). These costs should be accounted for and are likely to be incurred by CHSRA due to political and legal pressure to compensate property owners for these losses. I276-2

2. The costs do not account for the reduction in cost that would occur with a tunnel due to development of the air rights above the tracks.

Both of these effects on the cost estimates are so significant that they could dramatically affect the relative merits of the Network Alternatives.

Because these effects result from all alternatives except a tunnel, it is not possible to select a Network Alternative without knowing if the HST will be above ground or below ground, particularly in areas of existing residential and commercial development. I276-3

I request you to revise the Draft EIR you have prepared to address these issues and that you then recirculate a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account.

Sincerely yours,
Thomas A. Feeney

1

1045 Cadillac Way
Burlingame, CA 94010

2

Response to Letter I276 (Thomas A. Feeney, April 21, 2010)

I276-1

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

I276-2

See Response to Comment I011-13.

I276-3

The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Accordingly, a change in the alternative selected would reduce or eliminate impacts along a particular alignment but would not eliminate altogether the impacts of constructing and/or implementing the HST system.

Comment Letter I277 (Sue Kaufman, April 27, 2010)

I277

Kris Livingston

From: Sue Kaufman [sjskaufman@yahoo.com]
Sent: Tuesday, April 27, 2010 6:33 AM
To: HSR Comments; smurtuza@burlingame.org; cbaylock@burlingame.org
Subject: San Francisco to San Jose Section Preliminary Alternatives Analysis Report Comments

To Whom It May Concern,

I am a life long resident in Burlingame who is concerned about the High Speed Rail project.

The noise and vibrations that these trains will create for residents is upsetting. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase significantly and cause problems for residents and business owners alike. I277-1

In addition, the High Speed Rail will divide Burlingame. It will add at least 2 tracks for a total of 4 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. It would also divide the high school from the residents on the other side of the tracks and divide the east and west side residences. Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Can the tracks be underground instead? I277-2

Reviewing the proposed plans made me very sad. Burlingame is not ready for this kind of change that would significantly change it's cozy downtown feel and beautiful landscaping. Please consider building the tracks underground to preserve our beautiful city for current residents and the generations to come. I277-3

Sue Kaufman

1

Response to Letter I277 (Sue Kaufman, April 27, 2010)

I277-1

See Response to Comment I002-2 regarding noise and vibration. Also see Standard Response 5.

I277-2

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I277-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

Comment Letter I278 (Jeff Kafka, April 22, 2010)

I278

Kris Livingston

From: PW/ENG-Gomery, Jane [jgomery@burlingame.org]
Sent: Friday, April 23, 2010 8:31 AM
To: WOWKITE@SBCGLOBAL.NET
Cc: prp@caltrain.com; HSR Comments; GarveyCGS@yahoo.com
Subject: RE: norcal surf shop/high speed rail - City of Burlingame

Dear Mr. Kafka,
We have forwarded your comments to the High Speed Rail Authority and Peninsula Rail Program who are managing the High Speed Rail project. Please feel free to contact them directly at :
Comments@Hsr.Ca.Gov (comments@hsr.ca.gov); Prp@Caltrain.Com (prp@caltrain.com)
Or Mike Garvey at GarveyCGS@yahoo.com (650) 596-9047.

Thank you for your interest in High Speed Rail.
Jane Gomery
Program Manager | City of Burlingame |
650. 558.7240 | 650.685.9310 |
jgomery@burlingame.org

From: jeff kafka[SMTP:WOWKITE@SBCGLOBAL.NET]
Sent: Thursday, April 22, 2010 9:17:21 PM
To: HighSpeedRail@Burlingame.org
Subject: norcal surf shop/high speed rail
Auto forwarded by a Rule

To whom it may concern,
I was not able to attend the meeting the other night due to some family issues. I did have a few questions about how this will effect my Business and property at 1101 douglas av burlingame 94010 It would be great if some one could give me a quick call to take about it.
I wont take up much of you time.
concerns are: I278-1
property value
compensation while project is being built if it affects business
noise once it is built
thanks for the reply in advanced,
jeff

Spreading the stoke of the sport everyday,
Jeff Kafka
Nor-Cal (650)348-9283
WOWkite (650)218-6023

1

Response to Letter I278 (Jeff Kafka, April 22, 2010)

I278-1

See Standard Response 6 regarding property values.

Comment Letter I279 (Lois Hallen, April 10, 2010)

April 10, 2010 I279
Lois Hallen
1104 Killarney Lane
Burlingame, CA 94010

Rail Authority
1425 L Street, Suite 1425
Sacramento, CA 95814

Subject: High Speed Rail through Burlingame

I live in Burlingame. The high-speed rail coming through Burlingame will destroy this town unless it is put underground. I279-1

Why?

1) Burlingame is about 2 miles wide from the Bay to the crest of the hill. Behind the crest of the hill is open space. If you take a 100 foot corridor out of the middle of Burlingame you are taking a big chunk of what we have available. Everyone in Burlingame would be affected. I279-2
2) Our tax base in Burlingame is tourism, car sales and an industrial park that is just east of the railroad and about 1 mile long by 1/2 miles wide.
The above-level high-speed rail could easily wipe out about 1/4 of our tax base.
   a. The visitors in our hotels along the bay come to eat in our quaint downtown district. Our quaint downtown district would no longer be quaint. The visitors would no longer come. I279-3
   b. Our car industry is currently sitting astride the railroad tracks. Most of this industry would be wiped out.
   c. Our industrial park would have a 50 foot slice taken out along its one mile length. This would reduce the possible size of the businesses along that stretch and drive many of those businesses away.
3) Building an above-level high-speed rail through Burlingame is about like building it through downtown Hollywood, downtown Palm Springs, or downtown San Diego's water front. It would destroy them. Why would you want to do that?
4) The latest concept in town building is a town you can walk in with services and businesses close by, a town small enough so that everyone in it is affected by everything that is going on. We already have that. We are an example of what the town of the future should look like. Why would you want to destroy that? I279-4

Why would you take away something that is beautiful, admired and an example of what the future should look like and destroy it?

Please don't destroy us.

Sincerely

Lois Hallen

Response to Letter I279 (Lois Hallen, April 10, 2010)

I279-1

The Authority disagrees with your statement. See Standard Response 10 regarding vertical profile alternatives.

I279-2

Comment acknowledged. The existing railroad right-of-way through Burlingame is a minimum of 100 feet wide with many portions much wider. The 2008 Final Program EIR found this width to be more than sufficient for expansion to accommodate Caltrain and HST.

I279-3

See Standard Response 6 regarding property values.

I279-4

See Response to Comment I218-1.

Comment Letter I280 (Susan Catner-Paine, April 26, 2010)

I280

Kris Livingston

From: susan castner-paine [castnerpaine@yahoo.com]
Sent: Monday, April 26, 2010 6:06 PM
To: HSR Comments
Subject: Comments draft program EIR

Susan Castner-Paine

728 Concord Way

Burlingame, CA 94010

April 26, 2010

Mr. Dan Leavitt

California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA 95814

Re: Bay Area to Central Valley Revised Draft Program EIR Comments

Dear Mr. Leavitt:

I am writing to officially submit my comments on the CHSRA March 4, 2010 Revised Draft Program Level EIR. I280-1

My family has lived in the same house in Burlingame for 33 years. Our home is two blocks from the current Caltrain right-of-way, and for 33 years, we have considered Caltrain not only a valuable mode of transportation, but a good neighbor.

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We are very concerned about the proposed use of the Caltrain peninsula right-or-way for the high speed rail project. The peninsula right-of-way runs through the very heart of virtually every city on the peninsula.

In Burlingame, the city grew around the historic station, built over 110 years ago. One quarter of Burlingame's residents live on the east side of the right-of-way, and the east side is home to Burlingame's only high school, as well as Washington Park (considered by many to share with San Mateo Central Park the title of the peninsula's most beautiful park), the city tennis courts, the Burlingame Aquatic Center and the Burlingame Recreation Center. Burlingame Avenue and Broad retail centers on the west side terminate at the tracks and stations. For almost 90 years, residents have crossed the tracks to access their downtown. For many, like our family only two blocks from downtown, this is a wonderful walk through the park and across the tracks. I280-1 cont.

Because Burlingame has six rail crossings, only two alternatives are being considered: raised viaduct or below grade. We oppose any raised track solution because it would divide our city with a physical barrier that could not be ignored. Because we have a station at Burlingame Avenue, the rail platform in that area would be considerably over 100 feet wide, on heavy stanchions and crowned with catenary wires draped down from substantial poles. The crossing under the platform would be a dark and forbidding introduction to the amenities and neighborhoods on the other side. I280-2

Additionally, the construction phase of an elevated system would cause enormous disruption to an already chaotic traffic situation at Burlingame Avenue, where over a thousand students cross the tracks every morning, and Broadway, where the tracks are one block from California Highway 101 (Bayshore). The land required for operating tracks, shoefly tracks and a construction easement would require the elimination of the historic Franchard eucalyptus grove, the encroachment into Burlingame's other major north-south artery, Carolan Drive, and the disruption of an arsenic area that is currently capped in front of Burlingame High School. I280-3

Underground, on the other hand, would actually create a more closely knit Burlingame, with an expanded access in both directions. The historic Burlingame Square that surrounded the Burlingame station one hundred years ago would again become a reality. Pedestrians could comfortably and safely pass from the downtown to the amenities on the east side.

We are also very concerned about the amount of noise from both wheel-on-track and the catenary wires. It is very difficult to pin down the high speed rail projections on frequency of trains, but if we assume the minimum of running every five minutes in each direction, we are considering a constant assault, interrupted only by the added noise of the Caltrain traisn. I280-4

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Comment Letter I280 - Continued

There is no way that this visual blight and the overlay of noise will not adversely affect the quality of life for all residents of Burlingame, and for those on the east side of the tracks, diminish the value of our homes. High Speed Rail would accomplish what 100 years of development could not: a "wrong side of the tracks." I280-5

It is our earnest request that the High Speed Rail Authority consider only a below grade High Speed Rail system through Burlingame.

Thank you for your consideration.

Respectfully,

Susan Castner-Paine

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Response to Letter I280 (Susan Castner-Paine, April 26, 2010)

I280-1

See Standard Response 10.

I280-2

The comment expresses concerns about potential impacts to Burlingame from an elevated alignment. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis of impacts will be conducted for the project-level EIR/EISs.

I280-3

Discussion of specific construction methods and impacts at the level raised in your comment are beyond the scope of a Program-level EIR. For further information, see Standard Response 10 regarding vertical profile alternatives.

I280-4

See Standard Response 3.

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

I280-5

This comment expresses concerns about the impact of an elevated alignment, specifically related to noise and visual blight, and the effects on the quality of life. See the Response to Comment I280-2. In addition, see Standard Response 6 regarding the requirements of CEQA and quality of life impacts.

Comment Letter I281 (Jan Cooke, April 12, 2010)

I281

Kris Livingston

From: Jan Cooke [jancooke25@gmail.com]
Sent: Monday, April 12, 2010 10:08 PM
To: HSR Comments
Subject: San Francisco to San Jose Section Preliminary Alternatives Analysis Report Comments

Hello Mr. Doty:
Thank you for taking into consideration all of the comments on the Rail project. I have attended many of the sessions and want to give input for the Burlingame portion. As a resident and a recipient of the HSR, I propose the below ground solution for Burlingame. In the spirit of context sensitive solutions, below ground will protect the charm and vitality of Burlingame and will not torture its residents with noise, visual pollution, and dust. I am a STRONG SUPPORTER of below grade. I281-1

If there is more that I can do or say to get this alternative truly considered, please let me know. Beyond providing emails such as these and attending meetings, I feel that my voice is not heard,.

Thank you

Jan Cooke
Burlingame Resident

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Response to Letter I281 (Jan Cooke, April 12, 2010)

I281-1

See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I282 (Andrea F. Gailunas and James B. Aggen, April 25, 2010)

I282

Kris Livingston

From: Andrea Gailunas [andrea.gailunas@gmail.com]
Sent: Sunday, April 25, 2010 8:05 PM
To: HSR Comments
Subject: Burlingame High Speed Rail

Dear Sir or Madam,

I am strongly opposed to the proposal of placing the high speed rail above ground in Burlingame, directly across the street from my house at 1311 California Drive. This would clearly have a significantly negative effect on our home value. In fact, the mere proposal has already reduced the value of the house, as we could not even sell the house at this point without disclosing this. Furthermore, I have heard that the policy of eminent domain may come into effect. Is this true? If so, how does this work? Would we be compensated for the appraised value before the high speed rail was planned (i.e. during the past year), or at the time the government decides it wants our house? Of course the value will be decreasing more and more as the project moves forward. How do you determine which houses will be removed? I282-1

I understood that the plan was to build the high speed rail underground in this area, so this comes as a surprise. Is the underground option off the table? I282-2

I would very much appreciate a clarification on these points.

Thank you for your time, and I hope you can put my mind at ease.

Andrea F. Gailunas
James B. Aggen
1311 California Drive
Burlingame, CA 94010

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Response to Letter I282 (Andrea F. Gailunas and James B. Aggen, April 25, 2010)

I282-1

The comment expresses concern about impacts to property values and the potential for property acquisitions through eminent domain. See Standard Response 6 regarding project impacts on residential property values. The Authority has sought to utilize existing transportation corridors to the greatest extent feasible to minimize environmental impacts and to minimize the need for private property acquisition. In some instances, however, it will be necessary to acquire private property to construct the HST system. Eminent domain is the inherent power of the government to acquire private property for public use. The owners of such private property shall not be deprived of their property without just compensation as provided in the Fifth and Fourteenth Amendments to the United States Constitution and Article I of the California Constitution. Any property acquisition and relocation will be required to comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively. Also see Standard Response 7 regarding eminent domain.

I282-2

See Standard Response 10 regarding vertical profile alternatives.

Comment Letter I283 (Michael and Karlene Harvey, April 8, 2010)

I283

Kris Livingston

From: mikenkar@comcast.net
Sent: Thursday, April 08, 2010 10:05 AM
To: HSR Comments
Subject: No HSR down the Peninsula Corridor

Please do not run the HSR down the Peninsula cities corridor . . . businesses, homes, natural wildlife habitats, & parks will be destroyed. It will lower our home values and will devastate and divide our town(s). Besides, incorrect info and the number of ridership was missleading when the voters voted this in. The state cannot afford this billion dollar project and it will only end up being like BART, a dilapidated means of transportation, costing riders more and more and not being the economical mode of transportation touted. I283-1 I283-2 I283-3

Stop this project now!!!

Michael & Karlene Harvey
920 Linden Avenue
Burlingame, CA 94010

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Response to Letter I283 (Michael and Karlene Harvey, April 8, 2010)

I283-1

The comment expresses concerns about impacts to Peninsula cities, including to businesses, homes, natural habitats, parks, communities, and property values. Comment acknowledged. The 2008 Final Program EIR identified that the HST project would result in significant impacts to the physical environment. The 21 network alternatives studied in the EIR each involve adverse environmental impacts, along with substantial project benefits. The EIR identified mitigation strategies to address the adverse impacts to the greatest extent feasible. In addition, the EIR discloses that regardless of alternative selected, significant adverse environmental impacts are anticipated, though the scale and location of these impacts may differ between alternatives. Additional site-specific analysis of impacts will be conducted for the project-level EIR/EISs.

See Standard Response 6 regarding project impacts on residential property values.

I283-2

Comment acknowledged. See Standard Response 4.

I283-3

While the majority of the BART's infrastructure is nearing 40 years old, it is well maintained, well utilized and forms the backbone of the Bay Area's transit network.

Comment Letter I284 (Sara Dawkins, April 9, 2010)

I284

110 Clarendon Road
Burlingame, CA 94010

April 9, 2010

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

RE: Comments on Bay Area to Central Valley Revised Draft Program EIR

Dear Mr. Leavitt and the High Speed Rail Authority:

This letter is to comment on the Draft Program Level Environmental Impact Report (EIR) prepared on the Authority's proposed routing of the system in the San Francisco Bay Area.

I live in Burlingame near Washington Park – ground zero for the high speed rail project. The Authority's proposed project design and the routing of the proposed High Speed Train along the Caltrain alignment would cause major and extremely significant impacts to me, my neighborhood, and to the natural environment. I can assure you that I am a "neighborhood expert" with respect to the real impacts of the project you propose, which impacts have not been properly investigated and mitigated as the law requires. I284-1

Burlingame is such a beautiful community with so much history. I grew up here and after college, returned because there really is no better place to settle down. I fully intended on making Burlingame my permanent place of residency as it is the ideal place to raise a family. However, now with HSR, my plans may change. I do not want to establish my family in a community with high speed trains running though the very spot we go to get our morning coffee and pastries. I do not want the cement wall blocking the beautiful train station and tree lined streets we walk along for weekend outings. We do not want to deal with the noise, the construction or the forever-lasting negative effects this rail will have. This project will ruin Burlingame for me, my family and the rest of the community that I love so dearly.

I know the HSR has its benefits. I understand the positive impacts it will have on travel but there **needs** to be an alternative to it running through the most populated and most treasured blocks of the peninsula. This project has become such a mess and I am completely disappointed and outraged at the plans that are surfacing or in many cases, ceasing to surface. I284-2

I believe the law requires the Authority to do a much better investigation and documentation of the impacts I have described above – and not only in my neighborhood, but in all similar neighborhoods along the alignment you are proposing. Further, the law requires you to identify ways to eliminate or to mitigate these impacts to the greatest degree feasible. You should redesign the project to include measures to achieve that legal requirement, or choose a different alignment or project alternative that will have that effect. I284-3

I request you to revise the Draft EIR you have prepared to address my concerns and that you then re-circulate such a Revised Draft EIR for further review and comment by the public. Thank you for taking my comments and concerns into account, as the California Environmental Quality Act requires.

Sara Dawkins

Response to Letter I284 (Sara Dawkins, April 9, 2010)

I284-1

Comment acknowledged. The May 2008 Final Program EIR identified impacts along the Caltrain corridor and identified mitigation strategies to address the impacts. The current Revised Draft Program EIR Material discloses a higher level of land use impacts than previously anticipated. The Authority will consider adopting mitigation strategies to address significant impacts on the natural environment, communities, and neighborhoods when it makes a new decision. Comment about being a neighborhood or local expert is acknowledged.

The Authority disagrees that impacts and mitigation measures were not properly investigated. The current Revised Draft Program EIR Material is part of a first-tier, programmatic environmental review process examining the impacts of 21 network alternatives at a broad level of detail. See also Standard Response 3.

I284-2

See Standard Response 10 regarding route alternatives.

I284-3

The Authority disagrees. The current Revised Draft Program EIR Material is part of the Authority's first-tier, programmatic CEQA compliance. The level of detail in the impacts analysis is tailored to the level of detail of the decision under consideration.

The May 2008 Final Program EIR identified general mitigation strategies to avoid or minimize significant environmental impacts. Mitigation strategies are general methods of avoiding and minimizing impacts that can be refined and tailored to project specific circumstances at the next tier of environmental review. The Authority will consider adopting these strategies when it makes a new program-level decision.

The Authority has revised and recirculated certain portions of the May 2008 Final Program EIR as the 2010 Revised Draft Program EIR Material. The purpose of the recirculated material is to comply with the final judgment of the Town of Atherton litigation. The Authority does not believe that additional revision and recirculation is necessary to fully comply with the court judgment and CEQA.

Comment Letter I285 (Lynn Hawthorne, March 16, 2010)

I285

Kris Livingston

From: Lynn Hawthorne [lhawthorne@driverslicenseguide.com]
Sent: Tuesday, March 16, 2010 10:06 AM
To: HSR Comments
Cc: 'Shane Spiegelman'; 'Trina Cabreros'; aliamus@comcast.net; winn_111@yahoo.com
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Hello,

Thank you for opening the 45-day public comment time for High Speed Rail.

I am absolutely, totally and completely against above-ground high speed rail coming through my home town of Burlingame. I think you will absolutely ruin the small-town feel of a very close knit community. I will do anything I can to prevent you from doing this. I have already called my congresswoman and both senators and plan on continuing the pressure. I285-1

Best regards,
Lynn Hawthorne
924 Oak Grove Avenue
Burlingame, CA 94010

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Response to Letter I285 (Lynn Hawthorne, March 16, 2010)

I285-1

Comment acknowledged. See also Standard Response 6.

Comment Letter I286 (Aline Bier, April 19, 2010)

I286

Kris Livingston

From: PW/ENG-Gomery, Jane [jgomery@burlingame.org]
Sent: Monday, April 19, 2010 8:15 AM
To: ALINB@ASTOUND.NET
Cc: HSR Comments; prp@caltrain.com; PW/ENG-Morimoto, Art
Subject: RE: High Speed Rail

Dear Ms. Bier,
We have forwarded your questions and comments to the High Speed Rail web groups at:
comments@hsr.ca.gov and Prp@caltrain.com.
Thank you for your interest.
Jane Gomery
Program Manager | City of Burlingame |
(650. 558.7240 | 7 650.685.9310 |
* jgomery@burlingame.org

From: Aline Bier[SMTP:ALINB@ASTOUND.NET]
Sent: Saturday, April 17, 2010 6:41:34 PM
To: HighSpeedRail@Burlingame.org
Auto forwarded by a Rule

If BART can run under SF Bay, why can't highspeedrail run under the existing tracks? Too expensive? Really? Who's counting? I286-1

How about quality of life along the route? Does rail have to compromise life in Burlingame? I286-2

I don't want to go to LA in two hours...but I may want to return in two hours....

Yes, rail is a better solution than taking a plane..less fuel needed, it's safer, railroad terminals can be within cities, ie, closer to where people want to go. I286-3

Please don't ram THIS plan down our throats. HighSpeedRail is a good idea, but please plan to preserve existing quality of life along the route.
Aline Bier, Burlingame I286-4

New email address!!!

alinb@astound.net

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Response to Letter I286 (Aline Bier, April 19, 2010)

I286-1

See Standard Response 10 regarding vertical profile alternatives.

I286-2

See Standard Response 6 regarding the requirements of CEQA and quality of life impacts.

I286-3

Commenter states no desire to go to Los Angeles in two hours. Comment noted.

I286-4

Comment expresses concern about quality of life issues. See Response to Comment I286-2.

Comment Letter I287 (Michael Berger, April 16, 2010)

I287

Kris Livingston

From: PW/ENG-Gomery, Jane [jgomery@burlingame.org]
Sent: Friday, April 16, 2010 10:44 AM
To: MIKE_BERGER@ME.COM; prp@caltrain.com; HSR Comments
Subject: RE: No Tunnel for Burlingame - Question from citizen - please respond.

Dear Michael,
We have forwarded your questions and comments to the High Speed Rail web groups at: comments@hsr.ca.gov and Prp@caltrain.com.
Thank you for your interest.
Jane Gomery
Program Manager | City of Burlingame |
☎ 650. 558.7240 | 650.685.9310 |
jgomery@burlingame.org

From: HighSpeedRail@Burlingame.org
Sent: Friday, April 16, 2010 9:04 AM
To: IT-Jackson, Sid; PW/ENG-Gomery, Jane; PW/ENG-Morimoto, Art; Comments @ Hsr. Ca. Gov (comments@hsr.ca.gov); Prp @ Caltrain. Com (prp@caltrain.com)
Subject: FW: You Guessed It! No Tunnel for Burlingame - Please attend this important meeting

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From: Michael Berger[SMTP:MIKE_BERGER@ME.COM]
Sent: Friday, April 16, 2010 7:57:57 AM
To: HighSpeedRail@Burlingame.org
Subject: Re: You Guessed It! No Tunnel for Burlingame - Please attend this important meeting
Auto forwarded by a Rule

Didn't the alternatives analysis still have a tunnel as an option? No decision has been made yet, correct? I287-1

On Apr 16, 2010, at 8:58 AM, DontRailRoadUs <dontrailroadus@yahoo.com> wrote:

A chance to hear what is planned for Burlingame
and comment directly to the High Speed Rail Authority

High Speed Rail Alternatives Analysis Meeting
Monday, April 19th, 6-7 p.m.
City Hall – 501 Primrose Road

Dear Burlingame Resident,

You are invited to learn about the potential alternatives for the High Speed Rail Project and provide input regarding your concerns. Your input will be very valuable in identifying and minimizing potential project impacts in our community.

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The meeting starts at 6 p.m. at City Hall followed by a City Council meeting at 7 p.m. Public comments will also be taken during the Council meeting.

If you are unable to attend, view the Council meeting live at www.burlingame.org.
Send your comments to highspeedrail@burlingame.org.

Best Regards,
***Don't Railroad Us!* A group of citizens concerned about High Speed Rail done right**

Visit our website at: www.dontrailroadus.com

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

Margaret Mead
US anthropologist & popularizer of anthropology (1901 - 1978)

2

Response to Letter I287 (Michael Berger, April 16, 2010)

I287-1

Comment noted. The precise alignment and profile options for the HST system in the Caltrain Corridor will be further evaluated and refined as part of the preliminary engineering and project-level environmental review and will include aerial, trench and/or tunnel concepts. Available right-of-way, impacts on adjacent communities, safety, and costs will be among the key factors considered as part of this review.

Comment Letter I288 (Michael Barber, April 23, 2010)

I288

Kris Livingston

From: Michael Barber [michaeldonaldbarber@gmail.com]
Sent: Friday, April 23, 2010 8:11 PM
To: HSR Comments
Subject: SUPPORT a well thought out HSR plan throughout the Peninsula, including Burlingame

Date: April 23, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame. I288-1

I SUPPORT a well designed and engineered HSR system through Burlingame. My biggest concern is that the long term planning for this program was poorly thought out. I hope the final plans ensure safe grade separations without major negative visual impact to the communities on the Peninsula. I would also prefer the route to go through the Altamont Pass, NOT Pacheco Pass.

Very truly yours,

Michael Barber
1316 Palm Drive
Burlingame, California 94010

--
Michael Barber, CPA
michaeldonaldbarber@gmail.com
650.483.5087 (mobile)

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Response to Letter I288 (Michael Barber, April 23, 2010)

I288-1

Comment acknowledged. Please see Standard Response 10 regarding alternatives.

Comment Letter I289 (Jane Beyer, April 26, 2010)

I289

Kris Livingston

From: William Beyer [beyerj@sbcglobal.net]
Sent: Monday, April 26, 2010 11:06 AM
To: HSR Comments
Subject: hsr

In the city of Burlingame, there is a nucleus that brings citizens of our town together and makes it a true "small town". Nestled together are our historic Cal Train station, Burlingame High School, Parks and Rec and of course our vibrant downtown area. Kids from the "west side" ride their bikes to BHS football games and kids from the "east side" meet their friends downtown for a gelato. I289-1

HSR will effectively cut this town in half with very few crossings. I289-2
And the noise? We already sit in the landing zone for SFO!

I mistakenly voted for this prop naively believing it was the first step in eliminating our state's dependency on cars and making California Greener. This HSR will be cutting a noisy, concrete swath through the middle of one of the most populated pieces of California. That is not how I picture a "greener California". I289-3
Caltrain is in place and used by thousands on the peninsula every day. If the HSR has to be built because duped voters like me passed it, stop it before it destroys these beautiful peninsula communities and let Caltrain do the rest.
Respectively,
Jane Beyer

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Response to Letter I289 (Jane Beyer, April 26, 2010)

I289-1

See Response to Comment 1017-4.

I289-2

See Standard Response 3. More detailed information and analysis of noise impacts and mitigation will be included in project-level EIR/EISs. This analysis will include cumulative impacts from existing and proposed noise sources.

I289-3

Comment acknowledged expressing regret in voting for Proposition 1A and wanting the HST terminated, presumably in San Jose, with Caltrain providing the connection to San Francisco and other portions of the Peninsula. The Authority notes that the Draft and Final Program EIRs did evaluate alternatives that would terminate in San Jose and not travel up the Peninsula on the Caltrain Corridor. These alternatives included Altamont Pass Network Alternative with Oakland and San Jose Termini; Altamont Pass with San Jose Terminus; Altamont Pass with San Jose, Oakland and San Francisco via Transbay Tube; Pacheco Pass with Oakland San Jose Termini; Pacheco Pass with San Jose Terminus; Pacheco Pass with San Jose, Oakland, and San Francisco via Transbay Tube; Pacheco Pass with Altamont Pass (local service) with Oakland and San Jose Termini; and Pacheco Pass with Altamont pass (local service) with San Jose Terminus.

Comment Letter I290 (Adine Varah, April 25, 2010)

I290

Kris Livingston

From: Adine Varah [adine@varah.com]
Sent: Sunday, April 25, 2010 8:41 PM
To: HSR Comments
Cc: DontRailRoadUs; cbaylock@burlingame.org
Subject: Bay Area to Central Valley Revised Draft Program EIR Material Comments - Comment for High Speed Rail Authority RE: Burlingame, California

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA 95814

Email: comments@hsr.ca.gov

Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments - (BURLINGAME)

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame. *As noted below, **without careful, creative urban planning, the HSR could transform a "City of Trees" into a City of tracks, big walls, and overpasses.* I290-1

Although I understand the need for greater public transportation and the other benefits that High Speed Rail might bring to California, I have serious concerns about the environmental, aesthetic, and safety impact that the current proposal will have.

* If the project proceeds, I respectfully urge you to seriously consider creative design solutions like the underground proposal presented for Palo Alto which is more likely to create a visual and environmental win-win for all. * I290-2

* PLEASE SEE THIS WEBSITE FOR AIA AWARDS – VISION FOR PALO ALTO.*

http://aia-awards.com/AIACC/gallery/projDisplay.php?RECORD_KEY%28ProjectInfo%29=id&id(ProjectInfo)=477&CatID=6
<http://aia-awards.com/AIACC/gallery/projDisplay.php?RECORD_KEY%28ProjectInfo%29=id&id%28ProjectInfo%29=477&CatID=6>
<http://aia-awards.com/AIACC/gallery/projDisplay.php?RECORD_KEY%28ProjectInfo%29=id&id%28ProjectInfo%29=477&CatID=6>
<http://aia-awards.com/AIACC/gallery/projDisplay.php?RECORD_KEY%28ProjectInfo%29=id&id%28ProjectInfo%29=477&CatID=6>

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The Palo Alto proposal listed above creates open spaces and bridges communities. Burlingame deserves the same type of positive, creative, design solution. So do all the Peninsula communities. I290-3

Here are my concerns about the HSR as it relates to Burlingame:

_X_ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at the following addresses/location and for the following reasons:

*In the Burlingame Village neighborhood (which spans between California (right along the tracks – including Eastmoor, Westmoor, Meadow, Killarney, Clovelly, Dufferin, Meadow, Oxford, and Cambridge, just to name a few,) and El Camino, the residents are literally sandwiched against the tracks in an narrow wedge between El Camino. Any more increase in frequency or noise of the trains would have a serious and potentially harmful impact on the quality of life of the neighborhood.
The vibrations can also be extremely disruptive.* I290-4

* *
Please analyze and describe how noise levels will increase at these addresses.

_X_ HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks. I290-5

While the goal of the High Speed Rail is to help connect communities and serve the environment, those are precisely the features the HSR would jeopardize in Burlingame if it were to be above ground. An elevated, above ground HSR in Burlingame would destroy the historical jewel of the community (the historical train stations and scenic downtown areas) and irrevocably split the town in two.

_X _Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address. I290-6

*Aerial tracks, like freeway overpasses, would create an eyesore in place of what is currently a picturesque community. *

_X_ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks: I290-7

The frequency of trains will create noise, vibration, pollution and other risks in addition to the current safety risks of the tracks.

Please explain how you concluded that the visual impact of HSR on our community will be "low."

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Comment Letter I290 - Continued

_X_ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at the following address: I290-8

California and Rosedale. There simply isn't enough room to cut into the neighborhood West of California. I290-9

* *

_X_ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks.

Crossing Burlingame from one side of Caltrain tracks to another, is already limited to certain areas. I am concerned about further restrictions in crossing Burlingame. I290-10

/_X_/ I don't want trees cut down along the Caltrain right-of-way in Burlingame.

– –

*Burlingame (the "City of Trees"), which just celebrated its 100th anniversary, is known for its beautiful trees, including Eucalyptus trees – especially those along California Drive (near the tracks) and El
Camino.* I290-11

*The High Speed Rail, unless moved underground, risks creating visual blight, and undermining the existing beauty of the community. *

* *

Without careful, creative urban planning, the HSR could transform a "City of Trees" into a City of tracks. I290-12

We need to try to retain the vibrant pedestrian-friendly community here.

* *

_X_ Children in local schools should be considered.

The local elementary schools Lincoln, McKinley, Washington, are in session from 8:30 a.m. – 3:00 p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect these schools and their students and learning environment.

_X _Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I290-13

_X_ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

_X_ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address)

*California**, Rosedale, Eastmoor/Westmoor, and Meadow Lane.* I290-14

Please describe the effects and how you will mitigate them.

3

– –

– –

To avoid the problems indicated, HSR officials should consider alternative routes to the present Caltrain corridor and methods of construction (or underground options like that presented for Palo Alto) that will not have significant environmental impacts on the community. I290-15

Thank you for your time.

Very truly yours,

A. Varah

4

Response to Letter I290 (Adine Varah, April 25, 2010)

I290-1

See Response to Comment I290-12.

I290-2

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I290-3

Comment acknowledged.

I290-4

See Response to Comment I002-2 regarding noise and vibration.

I290-5

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I290-6

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I290-7

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

See Standard Response 3. More detailed information and analysis of visual, noise, vibration, air quality, hazards, and safety impacts and mitigation will be included in project-level EIR/EISs.

I290-8

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I290-9

Comment acknowledged. The existing railroad right of way through Burlingame is a minimum of 100 feet wide with many portions much wider. The Program EIR found this width to be more than sufficient for expansion to accommodate Caltrain and HST.

I290-10

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I290-11

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the

presence of the impact, the level of significance, and mitigation can only be done at the project level.

I290-12

The visual assessment in Chapter 3.9 of the 2008 Final Program EIR considered that the distance measured between the tree canopy lining the right-of-way in Burlingame would be between 75 and 85 feet. This distance was compared to the width of the Caltrain right-of-way south of SR 84, Woodside Road, in Redwood City, where there are already four tracks for Caltrain. The total width of the right-of-way in that section would be about 77 feet, as measured from an aerial photo. This lead to the determination that four tracks could be accommodated without removal of the existing trees.

Moving the trains underground could open up more public views of visual blight which already exist in the area, such as abandoned commercial buildings, the unkempt side of commercial buildings, crowded parking lots, and the blank walls of residential development.

I290-13

See Standard Response 5. Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I290-14

See Response to Comment I028-10.

I290-15

See Standard Response 10 regarding route and vertical profile alternatives.

Comment Letter I291 (Michael Valadao, April 25, 2010)

I291

Kris Livingston

From: Michael Valadao [mikey4valy@yahoo.com]
Sent: Monday, April 26, 2010 2:53 PM
To: assemblymember.hill@assembly.ca.gov; cbaylock@burlingame.org; assemblymember.ruskin@assembly.ca.gov; senator.yee@sen.ca.gov; HSR Comments; senator.simitian@sen.ca.gov
Cc: dontrailroadus@yahoo.com
Subject: High Speed Rail
Attachments: HSR EIR Comments.doc

My letter is attached. Please read my underlined comments as I will be directly affected by this project.

Thank you,
Michael Valadao

1

Date: April 25, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

☒ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at the 1429 California Drive for the following reasons:

I291-1

I live just feet away from the existing tracks. My house already vibrates significantly with the current train system. My house is a maze of cracks due to the constant shaking. My house stands to have increased damage and more noise due to the new project. I also live in a FEMA Flood Zone and am concerned about the impact of the new construction of these tracks and usage. The land in my area, which is where tracks will be laid, are at high risks for liquefaction and am concerned the construction will disturb the land in front of my house. I also am very concerned of the noise. I've lived in Burlingame my whole life and just purchased my first house on California Drive. I'm definitely concerned about night work. Maintenance is usually performed at night at a large price to the immediate Residents. We have the enjoyment of hearing heavy equipment in the late night and early morning hours. Not to mention, if this new High Speed Rail is put in, it will decrease the value of my home and may have a problem selling it.
*Please analyze and describe how noise levels will increase at these addresses.

☒HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks. Its already impossible to cross the tracks to get on the freeway to go to work.

I291-2

✠Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

✠Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks:

I291-3

Comment Letter I291 - Continued

_____

_____

*Please explain how you concluded that the visual impact of HSR on our community will be "low."

✠My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at the following address: I291-3 cont.

1429 California Drive, Burlingame

HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. I291-4

_____

_____ I291-5

_____

✠I don't want trees cut down along the Caltrain right-of-way in Burlingame.

☐ I have children who attend the following schools:

_____

_____. ____ (number) students attend this school, which is in session from _____ a.m. - _____ p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address) _____

_____

_____

Please describe the effects and how you will mitigate them.

[Continued on next page]

To avoid the problems indicated, you should consider alternative routes to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. I291-6

Very truly yours,

MICHAEL VALADAO
1429 CALIFORNIA DRIVE
Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame
cbaylock@burlingame.org
Assemblyman Jerry Hill
19th District, 1528 S. El Camino Real, Suite 302, San Mateo, CA 94402, Tel: (650) 349-1900, Fax: (650) 341-4676
Senator Leland Yee
District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840
Senator Joe Simitian
11th District, 160 Town & Country Village, Palo Alto, CA 94301, Phone: (650) 688-6384, Fax: (650) 688-6370
Congresswoman Jackie Speier
12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

Response to Letter I291 (Michael Valadao, April 25, 2010)

I291-1

See Response to Comment I031-2 regarding noise and vibration. See also Standard Responses 3, 5 and 6.

I291-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I291-3

See Response to Comment I028-9.

I291-4

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I291-5

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I291-6

See Standard Response 10 regarding route alternatives.

Comment Letter I292 (Molly Larratt, April 25, 2010)

I292

Kris Livingston

From: rlarratt@aol.com
Sent: Monday, April 26, 2010 1:56 PM
To: HSR Comments; cbaylock@burlingame.org; Marc.Hershman@asm.ca.gov; Lieberman@sen.ca.gov; Senator.sinitian@sen.ca.gov; Margo.rosen@mail.house.gov; Mark.Pulido@sen.ca.gov
Subject: High Speed Rail Comments
Attachments: hsr letter.doc

~~To Whom it may concern~~,
Please read attached letter regarding the high speed rail. It is essential that you hear what the residents have to say.
Gratefully,
Molly Larratt

1

Date: April 25, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

X I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase significantly and cause problems at the following addresses/location and for the following reasons: I292-1

819 Laurel Avenue

1400 Oak Grove Avenue

Burlingame High School

Please analyze and describe how noise levels will increase at these addresses.

Comment Letter I292 - Continued

X HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe more tracks if passing sidings are needed. If tracks are elevated, this is a big change from the current ground level tracks and would be like putting an elevated freeway through the center of Burlingame. Further it would divide the high school and recreation facilities from the residents on the west side of the tracks, divide our downtown from east side residents, and divide east and west side residences. To avoid this, I want HSR and Caltrain tracks underground. I292-2

X Elevated tracks with associated wires will be like putting a freeway where there used to be just 2 ground level train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

819 Laurel Avenue

_____

1400 Oak Grove Avenue

And

Burlingame High School

_____ I292-3

X Although Caltrain already runs through our neighborhood, the proposed changes will be significant and harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt my area's look and feel:

819 Laurel Avenue

1400 Oak Grove Avenue

And

Burlingame High School

_____

_____

_____

Please explain how you concluded that the visual impact of HSR on our community will be "low." I292-4

X My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property might be taken to run these temporary tracks. I am specifically worried about this division at the following address:

819 Laurel Avenue,

1400 Oak Grove Avenue

And

Burlingame High School

_____

_____

_____ I292-5

X HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks.

_____

819 Laurel Avenue,

1400 Oak Grove Avenue

And

Burlingame High School

_____

_____ I292-6

X I don't want trees, especially our historic Eucalyptus Grove, cut down along the Caltrain right-of-way in Burlingame. I292-7

X I have children who attend the following schools:

Burlingame High School

And

Our Lady of Angels School

_____ I292-8

Comment Letter I292 - Continued

_____. __2__ (number) students attend this school, which is in session from __8___ a.m. - __3:12____ p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

X Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

X Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

I292-8 cont.

X Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address)
_____ ___**819 Laurel Avenue**

And Burlingame High School

_____

_____

Please describe the effects and how you will mitigate them.

I292-9

[Continued on next page]

To avoid the problems indicated, you should:

☐ Put the high speed train in a tunnel.

☐ Put the high speed train in a covered trench.

I292-10

* **Route the high speed train next to highway 280, which would completely avoid the Caltrain corridor problems.**

* **Stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco.**

I292-10 cont.

Very truly yours,

____Molly Larratt_____

PRINT NAME

__819 Laurel Avenue_____

PRINT STREET ADDRESS

Burlingame, California94010

cc:

Cathy Baylock, Mayor, City of Burlingame

Mail: City Hall, 501 Primrose Road, Burlingame, California 94010-3997

cbaylock@burlingame.org

State Assemblymember Jerry Hill,

Mail: 19th District, 1528 S. El Camino Real,

Suite 302, San Mateo, CA94402

Fax: (650) 341-4676

Email Marc Hershmann, Field Representative in San Mateo, Marc.Hershman@asm.ca.gov

State Senator Leland Yee

Mail: District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402

Email to Dan Lieberman, District Representative for Millbrae and South, Dan. Lieberman@sen.ca.gov

State Senator Joe Simitian, 11th District, Member, Budget subcommittee on Resources, Environmental Protection, Energy and Transportation, Member, Committee on Transportation and Housing

Mail: 160 Town & Country Village, Palo Alto, CA94301

Fax: (650) 688-6370

Comment Letter I292 - Continued

Email:Senator.simitian@sen.ca.gov (emails are sent to transportation staffers in Palo Alto and Sacramento

Congresswoman Jackie Speier

Mail: 12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

E

mail: Margo Rosen, District Director for San Mateo office, margo.rosen@mail.house.gov

Governor Arnold Schwarzenegger

Mail: State Capitol Building, Sacramento, CA95814, Fax: 916-558-3160

U.S. Senator Barbara Boxer

Mail Att: Hilary Pearson, Field Representative for San Mateo County,1700 Montgomery Street, Ste 240, San Francisco, CA 94111

FAX: 202-224-0454 (reroutes to SF office)

U.S. Senator Diane Feinstein

Mail Att: Christine Epres. Field Representative, 1 Post Street, Ste 2450, San Francisco, CA94104
Fax to: (415) 393-0710

State Senator Alan Lowenthal, 27th district, Member, Budget subcommittee on Resources, Environmental Protection, Energy and Transportation, Chair, Committee on Transportation and Housing

Email to Mark Pulido, District Director, Long Beach Mark.Pulido@sen.ca.gov

Response to Letter I292 (Molly Larratt, April 25, 2010)

I292-1

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I292-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I292-3

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening.

I292-4

See Response to Comment I028-9.

I292-5

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid

construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I292-6

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I292-7

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I292-8

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise, air quality, and accessibility impacts during construction and operation of the HST to sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I292-9

See Response to Comment I028-10.

I292-10

See Standard Response 10 regarding alternatives.

Comment Letter I293 (Paul and Peggy Guaraldi, April 25, 2010)

I293

Kris Livingston

From: HighSpeedRail@Burlingame.org
Sent: Sunday, April 25, 2010 9:35 AM
To: PW/ENG-Gomery, Jane; PW/ENG-Morimoto, Art; HSR Comments; prp@caltrain.com
Subject: FW: my comments attached in a DOC file
Attachments: Program Level EIR comment sheet 2010 04 12 Burlingame (2).doc

---
From: Paul Guaraldi[SMTP:PAUL.GUARALDI@ORACLE.COM]
Sent: Sunday, April 25, 2010 9:33:16 AM
To: HighSpeedRail@Burlingame.org; Guaraldi,Paul
Subject: my comments attached in a DOC file
Auto forwarded by a Rule

I didn't see anywhere that you wanted me to download, save, update and then send back to you the DOC file but I'm assuming that's what you want us to do so here it is....

1

1

Date: April ___, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

☐ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at the following addresses/location and for the following reasons:

I have lived at 820 Linden Ave for 30 years enduring the planes, trains and automobiles. Yet, I have a lovely front porch that faces the trains but a football field away. If this lousy idea of a high speed rail passes through our town the noise and site will be so bad that I wouldn't be able to enjoy my front porch or yard any longer. I believe that this high speed rail will reduce the value of my home by at least 20% which in today's market is over $200,000 dollars. I can live with the current noise of Caltrain and I would love to see them change from diesel to electric trains which would reduce cost and noise. Since we're going to need to keep Caltrain for the local population let's just use Caltrain correctly! I293-1

_____
Please analyze and describe how noise levels will increase at these addresses.

I agree !!!HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks.

Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address. I293-2

_____

What? This will be a disaster. It will have a major impact!!!

I agree !!! Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks: I293-3

_____

Comment Letter I293 - Continued

2

_____

_____ I293-3 cont.

Please explain how you concluded that the visual impact of HSR on our community will be "low."

I agree !!! My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at the following address: I293-4

820 Liinden Ave near Oakgrove Ave.

_____

☐ **HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. Wow, how ugly it will be to walk to the downtown area. Not only that but Burlingame and Broadway avenues will have that huge monster as a central attraction. What the heck are people thinking?** I293-5

_____

I agree !!! I don't want trees cut down along the Caltrain right-of-way in Burlingame. I293-6

☐ I have children who attend the following schools:

_____

_____. _____ (number) students attend this school, which is in session from _____ a.m. - _____ p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address) _____

_____

_____

Please describe the effects and how you will mitigate them.

[Continued on next page]

3

To avoid the problems indicated, you should consider alternative routes to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. I293-7

Very truly yours,
Mr and Mrs Paul and Peggy Guaraldi

PRINT NAME
820 Linden Ave., Burlingame, Ca 94010
PRINT STREET ADDRESS
Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame
cbaylock@burlingame.org
Assemblyman Jerry Hill
19th District, 1528 S. El Camino Real, Suite 302, San Mateo, CA 94402, Tel: (650) 349-1900, Fax: (650) 341-4676
Senator Leland Yee
District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840
Senator Joe Simitian
11th District, 160 Town & Country Village, Palo Alto, CA 94301, Phone: (650) 688-6384, Fax: (650) 688-6370
Congresswoman Jackie Speier
12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

Response to Letter I293 (Paul and Peggy Guaraldi, April 25, 2010)

I293-1

See Response to Comment I031-2 regarding noise and vibration. See also Standard Responses 5 and 6.

I293-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I293-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I293-4

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I293-5

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction. Burlingame has developed around the Caltrain and former Southern Pacific railway line. It is a prominent feature of the built environment of Burlingame since the city's inception. The eucalyptus that line much of the railway create a visual line through the city. In other places, the railway travels at the backside of the city's auto dealerships, which also form an existing visual barrier. Views down streets that currently cross the railway will be affected by the HST project. The final design, to be undertaken at the project level, will determine the means by which streets will be grade separated from the HST and any visual impacts associated with it. To determine the visual impact in the Program EIR, the assumption was made that the grade sepaaration needed at the existing Burlingame Caltrain station would be a split grade separation, with the railway elevated partially and the roadway depressed partially. The station remains the prominent structure in the view from downtown.

I293-6

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I293-7

See Standard Response 10 regarding route alternatives.

Comment Letter I294 (Peter Garrison, April 25, 2010)

I294

Kris Livingston

From: pastorg1@aol.com
Sent: Sunday, April 25, 2010 7:02 PM
To: HSR Comments
Subject: HSR Burlingame

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA95814

Email: comments@hsr.ca.gov

Fax: (916) 322-0827

-

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

-

Dear Mr. Leavitt:

-

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

-

Here are my concerns:

-

☐ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase significantly and cause problems at the following addresses/location and for the following reasons:

Burlingame High School

Mills Peninsula Hospital

Eastside of Burlingame Residential

I294-1

-

-

-

-

Please analyze and describe how noise levels will increase at these addresses.

-

1

-

☐✠✠✠HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe more tracks if passing sidings are needed. If tracks are elevated, this is a big change from the current ground level tracks and would be like putting an elevated freeway through the center of Burlingame. Further it would divide the high school and recreation facilities from the residents on the west side of the tracks, divide our downtown from east side residents, and divide east and west side residences. To avoid this, I want HSR and Caltrain tracks underground.

-

☐✠✠✠Elevated tracks with associated wires will be like putting a freeway where there used to be just 2 ground level train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

I294-2

-

-

-

☐ Although Caltrain already runs through our neighborhood, the proposed changes will be significant and harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt my area's look and feel:

-

Stress from noise and vibration.

I294-3

-

-

Please explain how you concluded that the visual impact of HSR on our community will be "low."

I294-4

-

☐ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property might be taken to run these temporary tracks. I am specifically worried about this division at the following address:

I294-5

-

Factor in cost of loss in home-values in the cost of HSR

-

-

-

-

☐ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks.

2

Comment Letter I294 - Continued

☐ I don't want trees, especially our historic Eucalyptus Grove, cut down along the Caltrain right-of-way in Burlingame.

☐ I have children who attend the following schools:

_____ (number) students attend this school, which is in session from _____ a.m. - _____ p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

☒☒☒☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I294-6

☒☒☒☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities. I294-7

XXX☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address) _____ I294-8

Please describe the effects and how you will mitigate them.

[Continued on next page]

3

To avoid the problems indicated, you should:

☒☒☒☐ Put the high speed train in a tunnel.

☒☒☒☐ Put the high speed train in a covered trench

☒☒☒☐ Route the high speed train next to highway 101 or 280, which would completely avoid the Caltrain corridor problems. I294-9

☐ Stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco.

Very truly yours, The Rev. Peter Garrison

2905 Adeline Drive

PRINT NAME

PRINT STREET ADDRESS

Burlingame, California94010

4

Response to Letter I294 (Peter Garrison, April 25, 2010)

I294-1

See Response to Comment I031-2 regarding noise and vibration.

I294-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I294-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

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

I294-4

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I294-5

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction

detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

See Standard Response 6 in regards to property values.

I294-6

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I294-7

See Response to Comment I249-10 regarding ADA.

I294-8

See Response to Comment I028-10.

I294-9

See Standard Response 10 regarding alternatives.

Comment Letter I295 (James Pennuto and Claudia Steenberg, April 25, 2010)

I295

Kris Livingston

From: JAMES PENNUTO [jamescoa@earthlink.net]
Sent: Sunday, April 25, 2010 11:12 PM
To: HSR Comments
Cc: Hill; Ruskin; Yee; Simitial; Baylock; Nagel; Keighran; Brownrigg; Deal
Subject: High Speed Rail

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

☐ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems with toxic particulates being thrown off when breaks are applied as well as when metal meets metal. Being elevated, these particulates will be blown across our neighborhoods.
Please analyze and describe how noise levels will increase at these addresses. I295-1

☐ HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and d ivide the east and west side residences. To avoid this, I want HSR underground the tracks. I295-2

☐Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

☐ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Please explain how you concluded that the visual impact of HSR on our community will be "low." I295-3

☐ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at 1116 Summer Ave, Burlingame. This property and all the others along this proposed infringement will experience an adverse effect on property values and property taxes. I295-4

☐ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. I295-5

☐ I don't want oxygen-giving trees cut down along the Caltrain right-of-way in Burlingame. I295-6

☐ Children who attend schools along the corridor will be subject to all the deleterious effects that this raised transportation system will produce. I295-7

1

I request a specific analysis of how noise, vibrations, construction and train operations will affect these school and their students and learning environment. I295-7 cont.

☐ What assurance can you give us that any noise impacts on each classroom in these school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and will you hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

☐ What assurance can you give us that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities. I295-8

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people living along the corridor
Please describe the effects and how you will mitigate them. I295-9

To avoid the problems indicated, we want an alternative route to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. If you are determined to use the Caltrain corridor then the high speed train must travel underground. I295-10

Very truly yours,

JAMES PENNUTO AND CLAUDIA STEENBERG
1116 Summer Avenue
Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame
cbaylock@burlingame.org
Assemblyman Jerry Hill
19th District, 1528 S. El Camino Real, Suite 302, San Mateo, CA 94402, Tel: (650) 349-1900, Fax: (650) 341-4676
Senator Leland Yee
District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840
Senator Joe Simitian
11th District, 160 Town & Country Village, Palo Alto, CA 94301, Phone: (650) 688-6384, Fax: (650) 688-6370
Congresswoman Jackie Speier
12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

2

Response to Letter I295 (James Pennuto and Claudia Steenberg, April 25, 2010)

I295-1

See Response to Comment I031-2 regarding noise and vibration.

I295-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I295-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I295-4

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

See Standard Response 6 regarding property values.

I295-5

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I295-6

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I295-7

Site specific noise/vibration, construction, and train operational impacts on sensitive receptors such as schools, will be part of subsequent project-level environmental documents. The Authority will consider the comment as part of the project-level EIR/EIS processes. See also Standard Response 5.

I295-8

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I295-9

See Response to Comment I028-10.

I295-10

The commenter states that the HST should be put in a tunnel to avoid problems. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

Comment Letter I296 (Leslie Reisfeld, April 24, 2010)

I296

Kris Livingston

From: Leslie Reisfeld [bananaleslie@gmail.com]
Sent: Friday, April 23, 2010 8:02 PM
To: HSR Comments
Cc: cbaylock@burlingame.org; Marc.Hershman@asm.ca.gov; Dan.Lieberman@sen.ca.gov; Senator.simitian@sen.ca.gov; margo.rosen@mail.house.gov; Mark.Pulido@sen.ca.gov
Subject: BAY AREA TO CENTRAL VALLEY REVISED DRAFT PROGRAM - EIR MATERIAL COMMENT

Date: April 24, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA95814

Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns: I296-1

☐ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase significantly and cause problems for Burlingame and for my neighborhood (near Cal Train Station, Burlingame High School, Burlingame Avenue, tennis courts, Washington Park et al)

☐HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe more tracks if passing sidings are needed. If tracks are elevated, this is a big change from the current ground level tracks and would be like putting an elevated freeway through the center of Burlingame. Further it would divide the high school and recreation facilities from the residents on the west side of the tracks, divide our downtown from east side residents, and divide east and west side residences. **To avoid this "divide", if HSR is to be then I want HSR and Caltrain tracks underground.** I296-2

☐Elevated tracks with associated wires will be like putting a freeway where there used to be just 2 ground level train tracks. Please describe how you decided that there will be NO impact on community cohesion.

☐ Although Caltrain already runs through our neighborhood, the proposed changes will be significant and harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Please explain how you concluded that the visual impact of HSR on our community will be "low." I296-3

☐ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property might be taken to run these temporary tracks. I am specifically worried about this division for my fellow Burlingame residents. It will not impact me personally but it will have an impact on near neighbors. (My home is 724 Lexington Way) I296-4

☐ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. I296-5

☐ I don't want trees, especially our historic Eucalyptus Grove, cut down along the Caltrain right-of-way inBurlingame. I296-6

1

☐ I am concerned about children who attend Washington Elementary, McKinley School, many preschools nearby and Burlingame High School While my two children are grown now, I am deeply concerned about the kids in California and in my neighborhood. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I296-7

☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields and unknown issues of such added electric service. Please describe the effects and how you will mitigate them. I296-8

It surely seems to me that we voted on an idea that was ill conceived and not advantageous for our region, California, The Peninsula, San Mateo County, the city of Burlingame or my neighborhood. I am dismayed by this project and by the potential impact without a balance of benefit. While I initially voted YES for high speed rail, I feel I was uninformed and manipulated. This is an unnecessary project. ***Given that you must go forth with the EIR and try to work out issues to make this possible, then the project must be either re routed around the Peninsula or be placed underground.*** I296-9

To avoid the problems indicated, you should:
☐ Put the high speed train in a tunnel.
☐ Put the high speed train in a covered trench.
☐ Route the high speed train next to highway 101 or 280, which would completely avoid the Caltrain corridor problems.
☐ Stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco.

Very truly yours,

Leslie Reisfeld

Leslie and Robert Reisfeld
724 Lexington Way
Burlingame, CA 94010
home phone: 650-347-6490

cc:

Cathy Baylock, Mayor, City of Burlingame
State Assemblymember Jerry Hill,
Marc Hershmann, Field Representative in San Mateo
State Senator Leland Yee
Dan Lieberman, District Representative for Millbrae and South,
State Senator Joe Simitian,
Congresswoman Jackie Speier
Margo Rosen, District Director for San Mateo office

Governor Arnold Schwarzenegger

U.S. Senator Barbara Boxer

U.S. Senator Diane Feinstein

State Senator Alan Lowenthal,

2

Comment Letter I296 - Continued

Mark Pulido, District Director, Long Beach

3

Response to Letter I296 (Leslie Reisfeld, April 24, 2010)

I296-1

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I296-2

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade between San Francisco and San Jose. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

I296-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I296-4

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I296-5

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I296-6

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I296-7

See Response to Comment I292-8.

I296-8

See Response to Comment I028-10.

I296-9

See Standard Response 10 regarding route and vertical profile alternatives.

Comment Letter I297 (Margaret Warren Farney, April 22, 2010)

I297

1

Date: April 22 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

APR 26 2010

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

☒ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at the following addresses/location and for the following reasons: I297-1

All of downtown Burlingame (Burlingame Ave & Broadway) & surrounding residential areas will be affected by the noise from this many trains

Please analyze and describe how noise levels will increase at these addresses.

☒ HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks.

☒ Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address. I297-2

220 Clarendon Rd.
Burlingame, Ca.

☒ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt how make my area looks: I297-3

2

Please explain how you concluded that the visual impact of HSR on our community will be "low." I297-3 cont.

☒ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at the following address: I297-4

Burlingame High School
1 Mangini Way
Burlingame, Ca.

☐ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks.

☒ I don't want trees cut down along the Caltrain right-of-way in Burlingame. I297-5

☒ I have children who attend the following schools:

Burlingame High School
1 Mangini Way 1350 (number) students attend this school, which is in session from 8 a.m. - 3 p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment. I297-6

☒ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

☒ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

☒ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at (address) I297-7

Burlingame High School
1 Mangini Way

Please describe the effects and how you will mitigate them.

[Continued on next page]

Comment Letter I297 - Continued

3

To avoid the problems indicated, you should:
- ☐ Put the high speed train in a tunnel.
- ☒ Put the high speed train in a covered trench.
- ☒ Route the high speed train next to highway 101 or 280, which would completely avoid the Caltrain corridor problems.
- ☒ Stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco. I297-8

Very truly yours,

Margaret Warren Farney
PRINT NAME

220 Clarendon Rd.
PRINT STREET ADDRESS
Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame
cbaylock@burlingame.org
Assemblyman Jerry Hill
19th District, 1528 S. El Camino Real, Suite 302, San Mateo, CA 94402, Tel: (650) 349-1900, Fax: (650) 341-4676
Senator Leland Yee
District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840
Senator Joe Simitian
11th District, 160 Town & Country Village, Palo Alto, CA 94301, Phone: (650) 688-6384, Fax: (650) 688-6370
Congresswoman Jackie Speier
12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

Response to Letter I297 (Margaret Warren Farney, April 22, 2010)

I297-1

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I297-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I297-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I297-4

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I297-5

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I297-6

See Response to Comment I292-8.

I297-7

See Response to Comment I028-10.

I297-8

See Standard Response 10 regarding route alternatives.

Comment Letter I298 (Tim Kingsbury, April 25, 2010)

I298

Kris Livingston

From: Tim Kingsbury [kingtimot@yahoo.com]
Sent: Monday, April 26, 2010 12:11 PM
To: HSR Comments
Subject: Comments on HSR Environmental Impact Report
Attachments: Program Level EIR comment sheet 2010 04 12 Burlingame (2).doc

Please see attached.

Thank you.

1

1

Date: April 25, 2010

Dan Leavitt, California High Speed Rail Authority
925 "L" Street, Suite 1425
Sacramento, CA 95814
Email: comments@hsr.ca.gov
Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

☐ I am worried about noise and vibrations. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems at the following addresses/location and for the following reasons: I298-1

We live in the village park area which is ½ block from the where the Caltrain runs
Please analyze and describe how noise levels will increase at these addresses.

☐ HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame. Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks. I298-2

☐Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

1131 Eastmoor Rd., Burlingame 94010

☐ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. Please explain how you concluded that the visual impact of HSR on our community will be "low." I298-3

☐ My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property must be taken to run these temporary tracks. I am specifically worried about this division at the following address: I298-4

1131 Eastmoor Rd., Burlingame 94010

Comment Letter I298 - Continued

2

☐ I don't want trees cut down along the Caltrain right-of-way in Burlingame. I298-5

☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom.

☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities. I298-6

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people at 1131 Eastmoor Rd., Burlingame 94010 I298-7

☐ Our home is the single largest investment I expect to make in my lifetime. Having high speed trains run through the neighborhood above ground will crush the value of our home and all the homes in our neighborhood. I298-8

Please describe the effects and how you will mitigate them.

To avoid the problems indicated, you should consider alternative routes to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. I298-9

Very truly yours,

TIM KINGSBURY

1131 EASTMOOR RD.
Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame
cbaylock@burlingame.org
Assemblyman Jerry Hill
19th District, 1528 S. El Camino Real, Suite 302, San Mateo, CA 94402, Tel: (650) 349-1900, Fax: (650) 341-4676
Senator Leland Yee
District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840
Senator Joe Simitian
11th District, 160 Town & Country Village, Palo Alto, CA 94301, Phone: (650) 688-6384, Fax: (650) 688-6370
Congresswoman Jackie Speier
12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

Response to Letter I298 (Tim Kingsbury, April 25, 2010)

I298-1

See Response to Comment I031-2 regarding noise and vibration. Also see Standard Response 5.

I298-2

The commenter states that the HST should be put in a tunnel to avoid dividing neighborhoods and causing impacts. The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded it's July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. In addition, construction of grade separations where none previously existing would improve circulation between neighborhood areas.

I298-3

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.

I298-4

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I298-5

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I298-6

The Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Like the original Bay Area to Central Valley Program EIR, the recirculated material involves a programmatic level of detail. Site specific noise analysis, including a detailed evaluation of impacts to sensitive receptors such as schools, will be part of subsequent project-level EIR/EISs. The Authority will consider the comment as part of the project-level EIR/EIS processes. The Authority will consider the comment as part of the project-level EIR/EIS processes.

I298-7

See Response to Comment I028-10.

I298-8

See Standard Response 6 regarding property values.

I298-9

See Standard Response 10 regarding route alternatives.

Comment Letter I299 (Kristin Salzman, April 26, 2010)

I299

Kris Livingston

From: Kristin Salzman [ka.salzman@gmail.com]
Sent: Monday, April 26, 2010 1:11 PM
To: HSR Comments
Subject: : Bay Area to Central Valley Revised Draft Program EIR Material Comments
Attachments: HSR-EIR_comments.doc

Dear Mr. Leavitt,

Please see attached comments. I look forward to your careful review and response.

Sincerely, Kristin Salzman

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Date: April 26, 2010

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA95814

Email: comments@hsr.ca.gov

Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program Level EIR (EIR). I am a resident and/or business owner on the Peninsula between San Francisco to San Jose, specifically, Burlingame.

Here are my concerns:

X HSR will divide Burlingame. It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe more tracks if passing sidings are needed. If tracks are elevated, this is a big change from the current ground level tracks and would be like putting an elevated freeway through the center of Burlingame. Further it would divide the high school and recreation facilities from the residents on the west side of the tracks, divide our downtown from east side residents, and divide east and west side residences. To avoid this, I want HSR and Caltrain tracks underground. I299-1

X Elevated tracks with associated wires will be like putting a freeway where there used to be just 2 ground level train tracks. Please describe how you decided that there will be NO impact on community cohesion for this address.

211 Clarendon Rd. (home) and 1 Mangini Way (High School). Burlingame is a close nit community with a lot of pedestrian traffic, particularly at Burlingame Ave., the existing train station. Many children and students are present at this location where the High School, Main Parks and Recreation facility and main downtown street intersect.

X Although Caltrain already runs through our neighborhood, the proposed changes will be significant and harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will harm how our neighborhood looks and will dominate the landscape. Other ways this will hurt my area's look and feel: I299-2

Any solution other than comp[lete underground will greatly disrupt the quiet, residential neighborhood adjacent to the tracks, and the downtown area where many restaurants thrive with outdoor sidewalk dining also just across the street from the tracks.

Please explain how you concluded that the visual impact of HSR on our community will be "low."

x My neighborhood will be harmed by extra tracks needed to keep Caltrain running during construction of HSR. This will cause irreversible damage to neighboring homes and businesses whose property might be taken to run these temporary tracks I299-3

☒ HSR will harm how we get to school, businesses, and other destinations on the other side of the tracks. \ I299-4

I cross these tracks many times a day as our town is bi-sected by the tracks. Burlingame would be completely cut in half right through our residential and commercial center

Comment Letter I299 - Continued

X I don't want trees, especially our historic Eucalyptus Grove, cut down along the Caltrain right-of-way in Burlingame. Burlingame's motto is "The City of Trees", this would destroy our identity.. I299-5

X I have children who attend the following schools:

Burlingame High School. 1300+/- students attend this school, which is in session from _8:00 a.m. - _3:00 p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

X Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I299-6

X Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

X Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on people in Burlingame, and particularly the children attending school adjacent to the train tracks. I299-7

Please describe the effects and how you will mitigate them.

To avoid the problems indicated, you should:

1. Route the high speed train next to highway 101 or 280, which would completely avoid the Caltrain corridor problems. This is best solution.

2. Put the high speed train completely underground through Burlingame and other Peninsula town adversely affected, if this route is required. I299-8

☐ **Put the high speed train in a covered trench.**

☐ **Stop the high speed train in San Jose and have people get onto Caltrain bullet trains to reach San Francisco.**

Very truly yours,

Kristin Salzman

211 Clarendon Rd.

Burlingame, California 94010

Response to Letter I299 (Kristin Salzman, April 26, 2010)

I299-1

The Authority Board committed in July 2008 to investigate profile alternatives to avoid and minimize potential impacts, including trench, tunnel, aerial, and at-grade. Although the Authority has rescinded its July 2008 program decision, the commitment to examine profile alternatives has been carried forward into the project level alternatives screening. Greater detail about tunnel and trench options being considered in preliminary alternatives screening for project-level environmental documents can be found on the Authority's website. See also Standard Response 3.

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the San Francisco to San Jose corridor would be primarily within an existing active commuter and freight rail corridor and therefore would not constitute any new physical or psychological barriers that would divide, disrupt, or isolate neighborhoods, individuals, or community focal points in the corridor. This resulted in a finding of no community cohesion impacts at the program level. Construction of grade separations as part of the HST project, where none previously existed, would improve circulation and pedestrian access between neighborhood areas.

Impacts at specific locations will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and specific mitigation measures can only be done at the project level.

I299-2

Visual impacts of the HST system for the San Francisco to San Jose corridor were evaluated at the program level in Chapter 3.9 of the May 2008 Final Program EIR. As noted in the Final Program EIR, in most locations the addition of two tracks within the Caltrain right-of-way would result in a low impact while in some locations there would be a high visual impact such as where vegetation and landscaping would be removed, addition of pedestrian overcrossings, or where the HST alignment would pass over roadways. However, overall the visual impact was identified to be low. The March 2010 Revised Draft EIR Material identified that some limited right-of-way acquisition would be required along the Caltrain corridor between San Francisco and San Jose in some narrow areas. As part of the follow-on preliminary engineering and project-level EIR/EIS effort, design variations may be applied to reduce some of the impacts to properties and visual impacts.A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

I299-3

The 2010 Revised Draft Program EIR Material addresses those topics identified in the final judgment for the Town of Atherton litigation as requiring corrective work under CEQA. Construction impacts was not one of those topics. The 2008 Final Program EIR, Chapter 3.18, describes construction methods and typical impacts. Mitigation strategies were discussed under the various topics in Chapter 3 of the Final Program EIR.

Construction impacts for the HST project vary with location. A detailed impacts analysis of the addition of the HST service to the Caltrain corridor will be undertaken as part of project level engineering and environmental analyses. It is assumed in the Program EIR that Caltrain and HST would remain within the existing right-of-way at most locations, but some temporary construction detours for automobile traffic and shooflies (temporary detours for railway tracks) would be necessary. The specific design and subsequent impacts of temporary construction impacts cannot be assessed until at least 15% engineering design is complete and the full extent of impacts cannot be understood until 30% engineering design is complete during the project level analysis.

Potential impacts include street disruption for relocation of utilities, raising or lowering the grade of the street for a railway grade separation, temporary full or partial closure for grade separation construction or a railway shoofly, loss of on-street parking for the same reasons. Mitigations for these impacts are developed at the project level, once sufficient engineering work has been completed. Potential mitigations could include complex construction staging to minimize the size/scope of street detours/closures or railway shooflies, creation of temporary replacement parking, increased traffic control staff and devices to mitigate temporary lane reductions, educational programs to help motorists avoid construction areas, utilize temporary parking facilities, or activities to encourage patronage of affected commercial areas. Mitigations for noise during construction can include early construction of sound walls, temporary sound walls and restricted work hours. The Authority would work with local agencies prior to and during construction to minimize impacts on adjacent land uses.

I299-4

As noted in Chapter 3.7, Land Use, in the 2008 Final Program EIR, the project would construct grade separations where none previously existing thereby improving circulation between neighborhood areas and schools, businesses and other destinations. There is the potential for temporary circulation impacts to occur during construction. Specific locations and the scale of construction impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level. Also as noted in Chapter 3.7 of the Final Program EIR, mitigations strategies such as a traffic management plan would be prepared to reduce circulation and barrier effects during construction.

I299-5

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I299-6

See Response to Comment I292-8.

I299-7

See Response to Comment I028-10.

I299-8

See Standard Response 10 regarding alternatives.

Comment Letter I300 (Linda Hall, April 25, 2010)

I300

Kris Livingston

From: linda hall [dvmhall@yahoo.com]
Sent: Sunday, April 25, 2010 6:23 PM
To: HSR Comments
Subject: EIR

April 25, 2010

Dan Leavitt, California High Speed Rail Authority

925 "L" Street, Suite 1425

Sacramento, CA 95814

Email: comments@hsr.ca.gov

Fax: (916) 322-0827

Re: Bay Area to Central Valley Revised Draft Program EIR Material Comments

Dear Mr. Leavitt:

I am writing before April 26, 2010 to officially submit my comments to High Speed Rail Authorities (HSRA) March 4, 2010 Revised Draft Program EIR (EIR). I am a resident on the Peninsula between San Francisco to San Jose , specifically, Burlingame .

Here are my concerns: I300-1

☐ I am worried about noise and vibrations. I live on California Dr and have small children who play in our yard that will be negatively impacted by the noise. With the proposed train scheduled (200 trains a day), and the expected noise "decibel" levels for steel on steel wheels at 125 mph (93 dBA), the noise and vibrations will increase a lot and cause problems, particularly to my very young children. It will also negatively impact the value of my property.

☐ HSR will divide Burlingame . It will add at least 2 tracks to the existing 2 tracks used by Caltrain and maybe 4 more tracks if passing sidings are needed. This is a big change from the way it is now and would be like putting a freeway through the center of Burlingame . Further it would divide the high school from the residents on the other side of the tracks and divide the east and west side residences. To avoid this, I want HSR underground the tracks. I300-2

☐Aerial tracks will be like putting a freeway where there used to be just 2 train tracks. I will be watching these aerial tracks from my I300-3

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front yard! The trees that I love that are next to the tracks will be gone. The city of Burlingame that I moved to to start my family will have the look of an industrial city- which is what I moved away from orginally. I300-3 cont.

☐ Although Caltrain already runs through our neighborhood, the proposed changes will be a huge change that will be harmful. Adding the HSR tracks, plus the extra tracks Caltrain will need to keep running during construction, plus running trains every 5 minutes, plus adding high electrical poles and wires, will be harm how our neighborhood looks and will dominate the landscape. The amount of destruction of trees will be absolutely awful- what a radical aesthetic change- negative of course! I300-4

☐ I don't want trees cut down along the Caltrain right-of-way in Burlingame . That is what I see when I leave my house every day or when I sit and look out of my living room. I300-5

☐ I have children who attend McKinley Elemantary and Stepping Stone Preschool. which is in session from 8:30 a.m. - 3p.m. I request a specific analysis of how noise, vibrations, construction and train operations will affect this school and its students and learning environment.

☐ Please ensure that any noise impacts on each classroom in this school comply with American National Standards Institute S12.60 Classroom Acoustics Standard and hire an acoustical consultant and ensure that noise levels not exceed 35 dBA in an empty classroom. I300-6

☐ Please ensure that the noise, construction, pollution and other impacts of HSR do not violate the Americans with Disabilities Act (ADA) and ADA Accessibility Guidelines as applied to school students with hearing, respiratory and other disabilities.

☐ Powerful new electrical poles and wires will be needed to run the high speed trains. I am worried about the health effects of electromagnetic fields on those of us living on California Dr. I300-7

Please describe the effects and how you will mitigate them.

To avoid the problems indicated, you should consider alternative routes to the present Caltrain corridor and methods of construction that will not have such devastating impacts on my community. I300-8

Very truly yours,

Linda Hall,

1415 California Dr.

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Comment Letter I300 - Continued

Burlingame, California 94010

cc: Cathy Baylock, Mayor, City of Burlingame

cbaylock@burlingame.org

Assemblyman Jerry Hill

19th District, 1528 S. El Camino Real, Suite 302 , San Mateo , CA 94402 , Tel: (650) 349-1900, Fax: (650) 341-4676

Senator Leland Yee

District 8, 400 South El Camino Real, Suite 630, San Mateo, CA 94402, (650) 340-8840

Senator Joe Simitian

11th District, 160 Town & Country Village , Palo Alto , CA 94301 . Phone: (650) 688-6384, Fax: (650) 688-6370

Congresswoman Jackie Speier

12th Congressional District, 400 S. El Camino Real, Suite 750, San Mateo, CA 94402

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Response to Letter I300 (Linda Hall, April 25, 2010)

I300-1

See Response to Comment I031-2 regarding noise and vibration.

I300-2

See Response to Comment I296-2 regarding community cohesion and neighborhoods. See Response to Comment I296-2 regarding community cohesion and neighborhoods.

I300-3

Comment acknowledged. The Authority has received a number of comments expressing concern over the impacts of the HST being placed an elevated structure. The Authority will be evaluating multiple profile alternatives at the project level including at-grade and below grade alternatives (trench and tunnel) in addition to an aerial profile. It is assumed in the Program EIR that HST and Caltrain will remain within the existing right-of-way at most locations, meaning that trees ouside the right-of-way would not be removed, although some trimming would be required for vegetation intruding on the right-of-way.

I300-4

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor is currently underway as part of project level engineering and environmental analyses. Operational and construction impacts including those related to the addition of HST trains to the Caltrain corridor, Caltrain service, HST catenary system, and visual quality impacts will be addressed as part of project-level EIR/EIS.

I300-5

A detailed impacts analysis of the addition of the HST service to the Caltrain corridor in Burlingame is currently underway as part of project level engineering and environmental analyses. Removal of eucalyptus trees and other mature trees along the Caltrain corridor will be avoided to the extent possible. Operational and construction impacts including those related to the removal of eucalyptus trees along the Caltrain corridor will be addressed as part of project-level EIR/EIS. Specific locations and the scale of impacts will be further examined in detail at the project level because they are a product of the HST system design, and the detail necessary to identify the presence of the impact, the level of significance, and mitigation can only be done at the project level.

I300-6

See Response to Comment I292-8.

I300-7

See Response to Comment I028-10.

I300-8

See Standard Response 10 regarding route alternatives.