

## **17 Response to Comments from Public Meeting**

Submission 61 (Public Hearing, February 9, 2012)

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4 CALIFORNIA HIGH-SPEED RAIL AUTHORITY  
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6 PUBLIC HEARING ON  
7 PARTIALLY REVISED DRAFT PROGRAM  
8 ENVIRONMENTAL IMPACT REPORT  
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11 SAN JOSE CITY HALL  
12 200 East Santa Clara Street  
13 San Jose, California 95112  
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20 REPORTED BY: DEBORAH FUQUA, CSR #12948  
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1 APPEARANCES  
2 Mr. Roelof van Ark, Chief Executive Officer  
3 Mr. Thomas Richards, Vice Chairman  
4  
5 Mark McLoughlin, Deputy Director Environmental Planning  
6 David Freytag, Consultant ICF International  
7  
8 I N D E X  
9 Speaker Page Number  
10 TONY NGUYEN..... 11  
11 VIRGINIA SALDICH..... 15  
12 JIM STALLMAN..... 14  
13 CORWIN LAKIN..... 18  
14 STEVE Van PELT..... 21  
15 JERRY BROZELL..... 25  
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Submission 61 (Public Hearing, February 9, 2012) - Continued

1 Thursday, February 9, 2012 4:00 o'clock p.m.  
2 P R O C E E D I N G S  
3 Mr. van ARK: Good afternoon. My name is  
4 Roelof van Ark. I'm the chief executive officer of the  
5 California High Speed Rail Authority, and I would like  
6 to welcome you here to this public meeting on the Bay  
7 Area Partially Revised Draft Program EIR.  
8 Mr. Tom Richards will be chairing this meeting  
9 today.  
10 MR. RICHARDS: Good afternoon. I'm Tom Richards.  
11 I'm a member of the Board of the California High Speed  
12 Rail Authority. I would also like to welcome you and  
13 look forward to the public comment.  
14 Mark McLoughlin?  
15 MR. McLOUGHLIN: Good afternoon. I'm Mark  
16 McLoughlin. I'm the current deputy director of  
17 environmental planning for the Authority.  
18 The purpose of this meeting today is to take  
19 public comment on the Partially Revised Draft Program  
20 EIR, which is currently in its public review period.  
21 We'll proceed today by having a brief overview of the  
22 document followed by public comment.  
23 We have a court reporter here today to  
24 transcribe public comment. If you wish to speak,  
25 please fill out a speaker card. They are at the front

1 desk as you come in. We will endeavor to call the  
2 commenters in the order in which cards were received.  
3 However, we may take some comments out of order if we  
4 have elected officials present.  
5 Each speaker will have three minutes to make  
6 their comments. We ask that you identify yourself when  
7 you start to speak so that the court reporter can take  
8 down your name. We also ask that you speak slowly so  
9 the court reporter can accurately transcribe your  
10 comments.  
11 We also have a Spanish translator available,  
12 Mr. Edwin Rosario. I'm going to now ask him to go  
13 ahead and please read these opening brief remarks in  
14 Spanish and to indicate he's available to assist with  
15 public comments.  
16 (Mr. Rosario translates introductory remarks  
17 from the English language to the Spanish  
18 language)  
19 MR. McLOUGHLIN: Thank you, Mr. Rosario. I'd like  
20 to now introduce Mr. David Freytag, who will provide a  
21 brief overview of the Partially Revised Draft Program  
22 EIR.  
23 MR. FREYTAG: Good afternoon. My name is David  
24 Freytag. I'm here on behalf of the Authority, and I'm  
25 working as a consultant to the Authority.

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1           The California High Speed Rail Authority is  
 2 circulating the Bay Area to Central Valley Partially  
 3 Revised Draft Program EIR to address the November 2011  
 4 Court ruling from the Town of Atherton litigation  
 5 challenging the 2010 Bay Area to Central Valley Revised  
 6 Final Program EIR.

7           The Partially Revised Draft Program EIR  
 8 addresses five areas that the Court identified as  
 9 needing additional work to comply with CEQA.

10           These areas include:

11           One, a revised discussion of noise and  
 12 vibration effects of shifting the stretch of Monterey  
 13 Highway between San Jose and Gilroy and the potential  
 14 for moving freight rail activity closer to adjacent  
 15 land uses in some locations along the San Francisco  
 16 Peninsula and south of San Jose between Tamien and  
 17 Lick, potentially placing freight tracks closer to  
 18 adjacent land uses.

19           Two, a revised discussion of traffic and  
 20 circulation impacts on surrounding local streets  
 21 resulting from the lane reduction on the stretch of  
 22 Monterey Highway between San Jose and Gilroy and  
 23 resulting from lane closures on adjacent parallel  
 24 streets in some locations along the San Francisco  
 25 Peninsula. Additional analysis is also provided for

1 the potential loss of traffic lanes along the  
 2 Oakland-San Jose corridor in the city of Hayward.

3           Three, a revised construction impacts analysis  
 4 to clarify the construction impacts anticipated with  
 5 the adjustments to Monterey Highway and movement of  
 6 tracks in an active rail corridor.

7           Four, an assessment of new information and  
 8 changed conditions since the Authority's September 2nd,  
 9 2010 Revised Final Program EIR decisions.

10           And finally, a discussion of how the revised  
 11 and new information affects the prior staff  
 12 recommendations of the Pacheco Pass network alternative  
 13 serving San Francisco via San Jose as the preferred  
 14 alternative.

15           The analysis in the document leads to several  
 16 conclusions.

17           One, consistent with the 2008 Final Program  
 18 EIR, the project would result in significant noise and  
 19 vibration impacts. Noise and vibration impacts  
 20 associated with the shift of Monterey Highway would  
 21 result in a separate significant impact.

22           Two, the traffic impacts of potential lane  
 23 loss in the peninsula and the city of Hayward and on  
 24 Monterey Highway and surrounding roadways would result  
 25 in significant impacts.

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1           Three, construction impacts from adjustments  
2 to Monterey Highway and movement of the tracks in an  
3 active rail corridor would result in significant  
4 impact.

5           Four, traffic impacts at interim terminus  
6 stations under a phased high speed train implementation  
7 for the Altamont or Pacheco Pass network alternatives  
8 would be significant.

9           Five, impacts to connecting commuter rail  
10 service for high speed train riders boarding at interim  
11 terminus stations under a phased high speed train  
12 implementation for the Altamont or Pacheco Pass network  
13 alternatives would be significant.

14           And, finally, impacts from grade separations  
15 across all alignment and network alternatives would be  
16 significant.

17           The Authority is making the Partially Revised  
18 Draft Program EIR available to the public as part of  
19 the official 45-day CEQA public comment period. This  
20 occurs from January 6, 2012 through the close of  
21 business on February 21st, 2012.

22           The Authority filed a notice of completion per  
23 CEQA with the State Clearinghouse on January 5th,  
24 posted a notice of availability with nine county clerks  
25 on January 5th and verified that those were posted on

1 January 6th, posted the Partially Revised EIR, English  
2 and Spanish versions of the notice and library  
3 locations to the Authority Web site on January 5th.

4           The Authority distributed hard copies and over  
5 360 CDs of the Partially Revised EIR to federal and  
6 state agencies, elected officials, Native American  
7 groups and prior commenters.

8           The Authority published the notice of  
9 availability in 11 newspapers. The Authority made the  
10 Partially Revised Program Draft EIR available at 16  
11 libraries throughout the corridor. Notices were mailed  
12 to over 4,000 people, and an e-mail to over 20,000  
13 recipients was sent out with the notice of  
14 availability. And these 20,000 recipients were  
15 included in the project mailing list.

16           This public meeting is being held to receive  
17 comments of the Partially Revised Draft Program EIR.  
18 Comments can also be provided to the Authority by mail  
19 or e-mail or through the Authority's Web site.

20           There are comment cards provided at the  
21 sign-in desk, as Mark noted, here at the public  
22 meeting. And laptop computers are also set up in here  
23 downstairs if you want to make your comments in that  
24 fashion.

25           Your input is very important to us and will

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1 help us continue developing the California High Speed  
2 Train project. Your comments are very important and  
3 are being recorded. They will become part of the  
4 official record for the Bay Area to Central Valley  
5 Partially Revised Draft Program EIR.  
6           Comments will be included in a Partially  
7 Revised Final Program EIR. This document will be made  
8 publicly available and will be taken to the Authority  
9 Board along with the 2010 Revised Final Program EIR and  
10 the 2008 Final Program EIR in determining whether to  
11 certify the Partially Revised Final Program EIR,  
12 approve findings of fact, a statement of overriding  
13 consideration, and a mitigation, monitoring and  
14 reporting program and approve a network alternative,  
15 preferred alignments and preferred station locations  
16 for the further study in the project-level EIRs.  
17           Thank you.  
18           MR. RICHARDS: Thank you, David.  
19           We will now move to the public comment. As  
20 Mr. McLoughlin indicated earlier, each person who  
21 wishes to provide a comment will have three minutes.  
22 We will let you know when you have 30 seconds left.  
23           Also, we are here to listen to your comments  
24 today. We will not be responding to your comments  
25 during this public meeting. This is a formal

1 environmental process, and our job today is to listen  
2 and record your testimony.  
3           Is there anyone in the audience at this point  
4 who wishes to present public comment?  
5           (No response)  
6           MR. RICHARDS: Seeing none, we are going to recess  
7 for 15 minutes. And we will return at 25 minutes  
8 after. It's 10 minutes after 4:00 o'clock right now.  
9           Thank you.  
10           (Recess taken)  
11           MR. RICHARDS: Good afternoon, ladies and  
12 gentlemen. The public meeting for the Bay Area to  
13 Central Valley Partially Revised Draft EIR is back in  
14 session.  
15           The basic rules this afternoon again are that  
16 we are here to listen to your testimony and hear your  
17 comments. We are not here to respond. This is a  
18 formal environmental process. And our job today, as I  
19 just mentioned, is simply to listen and to record your  
20 testimony.  
21           Beyond that, the rules are that you have three  
22 minutes to speak. We will let you know when you have  
23 30 seconds left. And we will now call -- I hope I'm  
24 saying this right, Tony -- Tony Nguyen, N-G-U-Y-E-N.  
25           TONY NGUYEN: Sorry to throw such a fuss.

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1 MR. RICHARDS: Welcome. Thank you.

2 TONY NGUYEN: Hi, I'm Tony Nguyen. I live in  
3 District 2, and I live up on the corner of Monterey and  
4 Branham, literally on the train corridor. It's a  
5 five-minute walk away for me. And because of that, I  
6 got interested in the High-Speed Rail.

7 And over the past nine months or so, I've been  
8 showing up to these meetings and following along, so  
9 I'm not speaking out of the blue. Overall, I think  
10 that, if you can keep the noise down to what I hear  
11 right now, things should be fine. I've gotten used to  
12 the train that honks its horn every 12 minutes or so.

13 I live right underneath the air corridor,  
14 which is booming with planes until about 10:00 or 11:00  
15 o'clock at night. And as long as you keep to the  
16 curfews, keep to the current noise level, that should  
17 be fine.

18 I think you guys should use the opportunity  
19 beautify that corridor. Right now, that corridor is a  
20 dump. I mean, literally, there are people dumping  
21 stuff there. One side of the corridor, the lighting is  
22 really bad. There's no sidewalk. It's scary as heck  
23 to walk down the street. And I hope you use the  
24 opportunity make that a safer place, better for bikes  
25 and a better place overall.

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61-437

1 I think that the High Speed Rail should be  
2 done. I hear the detractors. And the biggest fear I  
3 hear from people is, "Why is it so expensive? A  
4 hundred billion dollars?"

5 From the folks that are for it, what I would  
6 like to hear is, hey, \$100 billion in contrast to what?  
7 I know that right now the price of gas and oil is about  
8 four or five bucks a gallon, and 10, 15 years from now,  
9 what will it be? I don't know.

10 And maybe the full carbon costs will be built  
11 into the plane ticket by that point in time. By the  
12 way, all those justifications should be thrown out here  
13 to the public so that it would be easier to vet the  
14 High Speed Rail project as a whole.

15 Those are my general comments.

16 I was really surprised about this meeting  
17 because I was hoping there'd be maps. I was hoping  
18 that you would actually go summarize that thick  
19 environmental report that came out. I'm not an expert,  
20 so it would have been nice having some discussion  
21 amongst the experts saying, "What is that? What's that  
22 mean?"

23 As a lay person, I was hoping to be educated.  
24 But lo and behold, I showed up 15 minutes late, and  
25 there's nothing here. So my first thought was, "This

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1 is bullshit."  
 2 So that's my general comments about the  
 3 meeting. I was hoping that there would be some  
 4 presentation material.

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5 I don't know what else to say. The project as  
 6 a whole, I'm for it. I hope it goes forward. And I  
 7 support you in that sense. But I think this meeting  
 8 itself could have had more substance to it.

9 Thank you very much.

10 MR. RICHARDS: Thank you, Mr. Nguyen.

11 Do we have anyone else here who would like to  
 12 make a public comment?

13 Thank you. Can we --

14 Thank you. Jim Stallman?

15 JIM STALLMAN: Yes.

16 MR. RICHARDS: Please go ahead.

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17 JIM STALLMAN: I'm Jim Stallman. I live in  
 18 Saratoga. And I submitted a comment to the first EIR  
 19 asking that further -- well, at least costs be  
 20 generated for the Altamont-straight-across-the-bay --  
 21 possibly picking up both airports -- alternative  
 22 routing be evaluated.

23 And this revised EIR, of course, didn't speak  
 24 to that. My comment was answered, of course, but  
 25 there's still no cost estimate.

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1 I think some people -- well, the first EIR  
 2 said going across at Don Edwards was prohibitive from  
 3 an environmental disruption standpoint.

4 I grew up when BART was created. And we  
 5 put -- we dug trenches and stuck tubes across the bay  
 6 before. BART probably needs a third one at this point  
 7 anyway. But, you know, you can do it. We went to the  
 8 moon 40 years ago too. And it's not -- you know, we  
 9 know we can go across the bay with a tube.

10 And San Francisco Airport's biggest potential  
 11 trip generator, especially if there's disruptions due  
 12 to -- you know, climate change might introduce more  
 13 fog, or we have a terrorist attack that shuts down the  
 14 airlines for three days. You know, part of the reason  
 15 the ferry system is fully funded is as emergency  
 16 fallback for when bridges collapse in an earthquake.

17 So here we have a potential to put High Speed  
 18 Rail conduit that would actually gain ridership by  
 19 serving airports even if there weren't catastrophes or  
 20 disruptions of other sorts. And I don't think it's  
 21 been given a due -- due study in terms of the cost in  
 22 going up against the other alternatives.

23 The only way that might segue to the Revised  
 24 EIR that's being presented here, I guess, would be if  
 25 the train did go across the bay further up, then it

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1 wouldn't be going up the peninsula in the lower end,  
 2 and you wouldn't have noise due to it. So maybe that's  
 3 the connection. That's my concern.

4 I don't think it was ever treated well in the  
 5 first EIR. And it could be a game changer to actually  
 6 get some genuine ridership for this train and make it  
 7 happen as opposed to trying to sell something that  
 8 people don't believe in because of how its routing --  
 9 how the routing has been decided upon.

10 Thank you.

11 MR. RICHARDS: Thank you, Mr. Stallman.

12 Ms. Virginia Saldich, please.

13 VIRGINIA SALDICH: I'm Virginia Saldich. I'm a  
 14 37-year resident of Palo Alto. And I've watched a lot  
 15 of changes over the years.

16 I've read the 117 pages of whatever it is, of  
 17 the Revised -- Partially Revised Draft. And several  
 18 things bother me.

19 First of all, you have to get to Page 60, I  
 20 think, before the word "human issues." I'm a little  
 21 tired about worrying about the animals. But humans  
 22 don't get worried about. The human ecology -- aren't  
 23 we part of the environment?

24 The 100-foot-area impact doesn't capture the  
 25 concept of what I call creeping light and the

61-443

61-443

1 percentage of the dense residential neighborhoods it  
 2 would affect.

3 First of all, if the residential neighborhood  
 4 is only 200 feet, 100 feet is 50 percent of that  
 5 neighborhood that you would be impacting. And an  
 6 earlier document -- I've been following this for about  
 7 two years.

8 In an earlier document, you included the area  
 9 from Alma east to Middlefield in Palo Alto as the area  
 10 of environmental impact. And I think that that is the  
 11 area that I've done an inventory of the housing that's  
 12 been built over the last several years -- six blocks  
 13 from Alma to Middlefield and about six or seven blocks  
 14 from Churchill to Oregon.

15 And when I moved to Palo Alto, the last couple  
 16 of blocks west to Alma were kind of marginal. And in  
 17 the last several, years there's been so much new  
 18 development. And I did an inventory of the houses just  
 19 on the east-west streets. And to my real amazement,  
 20 there were 141 either new homes or homes that had been  
 21 so significantly upgraded that they were considered to  
 22 have -- their build date was restarted.

23 And also somewhere in your document you say  
 24 that six miles is a short tunnel. Palo Alto from  
 25 border to border, from Menlo Park to Mountain View

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1 along Alma, is 4.3 miles. So a short tunnel would be  
2 possible for you so that you could change significant  
3 and unavoidable impact to -- a tunnel would make them  
4 avoidable.

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5 And creeping light is never acknowledged. The  
6 creeping light is never acknowledged. If your impact  
7 just, you know, eviscerates one block, then the next  
8 block is going to fall as a result of that. So I just  
9 think that, you know, you never would have had so much  
10 scrutiny if you hadn't been so brutal about the route  
11 you chose.

12 Thank you.

13 MR. RICHARDS: Thank you, Ms. Saldich.

14 Are there any other members in the public who  
15 would like to make a comment?

16 (No response)

17 MR. RICHARDS: Seeing none, we will go into  
18 recess, and we will reconvene again at 15 minutes  
19 before 5:00. That's about 12 minutes, thank you.

20 (Recess taken)

21 MR. RICHARDS: The public meeting for the Bay  
22 Area Central Valley Partially Revised Draft EIR is back  
23 in session. The rules again, just very quickly, is  
24 that this is a public hearing. Today we'll not be  
25 responding to your comments, rather we will be here to

1 listen and record your testimony. This is a formal  
2 environmental process.

3 You will have three minutes to speak. When  
4 there's 30 seconds left, you will be notified by the  
5 gentleman here on your left, who will put a message up  
6 to you that you'll be able to see on an orange card.

7 At this point, Mr. Corwin Lakin, please.

8 Welcome, sir.

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9 CORWIN LAKIN: Yes. I would like to make a  
10 statement in favor of the High Speed Rail from San  
11 Francisco to Los Angeles. And my comment is kind of  
12 let's just do it. And if there's more environmental  
13 problems, then let's get it over with and start this  
14 project as commissioned.

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15 And I would like to say that, if there are --  
16 there's objections because of the cost, then we should  
17 go ahead and do it anyway. And when we run out of  
18 funds, then just stop.

19 So that's my comment.

20 MR. RICHARDS: Thank you very much, Mr. Lakin.  
21 Thank you for coming down.

22 Are there any other members of the public who  
23 would like to make a public comment?

24 (No response)

25 MR. RICHARDS: Seeing none, we will recess this

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1 public meeting until 5:00 o'clock. Thank you.  
 2 (Recess taken)  
 3 MR. RICHARDS: Good afternoon. This is the public  
 4 meeting for the Bay Area to Central Valley Partially  
 5 Revised Draft EIR.  
 6 Are there any members of the public who would  
 7 like to make a comment?  
 8 (No response)  
 9 MR. RICHARDS: All right. Seeing none, we will  
 10 recess. And we will reconvene at 5:15. Thank you.  
 11 (Recess taken)  
 12 MR. RICHARDS: Good afternoon. This is the public  
 13 meeting on the Bay Area to Central Valley Partially  
 14 Revised Draft EIR.  
 15 Is there anyone in the audience who would like  
 16 to make a public comment?  
 17 (No response)  
 18 MR. RICHARDS: Seeing none, we will recess the  
 19 meeting until 5:30, thank you.  
 20 (Recess taken)  
 21 MR. RICHARDS: Good afternoon. This is the public  
 22 meeting for the Bay Area to Central Valley Partially  
 23 Revised Draft EIR. Is there anyone of the public who  
 24 would like to make a comment?  
 25 (No response)

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1 MR. RICHARDS: All right. Seeing none, we will  
 2 recess until 5:45. Thank you.  
 3 (Recess taken)  
 4 MR. RICHARDS: Good afternoon. This is a public  
 5 meeting for the Bay Area to Central Valley Partially  
 6 Revised Draft EIR. Each speaker this afternoon will  
 7 have three minutes to present their comment, and we'll  
 8 give you notice when you have 30 seconds left.  
 9 This is a formal environmental process, and  
 10 our job today is to listen and record your testimony.  
 11 We will not be responding to your comments. And we  
 12 appreciate you being here.  
 13 Mr. Steve Van Pelt?  
 14 Good afternoon, sir.  
 15 STEVE Van PELT: Thank you for the opportunity to  
 16 make my comments.  
 17 Basically, I want to say some things about the  
 18 alignment. I'm a real fan of high-speed rail, ridden  
 19 many of the different systems in Europe, including one  
 20 that could be viewed as a blended system, the TGV that  
 21 starts off in Paris at high speed and ends up at Milan,  
 22 crawling along at 20 miles an hour.  
 23 I am definitely in favor of the Pacheco right  
 24 of way. But frankly, only true express trains can  
 25 bypass San Jose. It's still not clear to me what's

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1 intended. And a lot of my comments, I'm afraid, are  
 2 probably only going to be answered later in the  
 3 project. But I want to get some of my concerns laid  
 4 out here.

5 I'm a little concerned about what the blended  
 6 system will be. It's really only out there on the  
 7 table that I recognized why it may be having such a  
 8 problem. There just is a voluminous amount of data out  
 9 there. And it's really incumbent upon the Authority, I  
 10 think, to be able to put forth information so that all  
 11 of us can really understand this.

12 My biggest concern is I'm a resident of  
 13 Menlo Park, right in the middle of the peninsula. I'm  
 14 afraid the blended system will just continue to  
 15 postpone the building of grade separations that have  
 16 been recognized as being needed for decades now. It's  
 17 getting to the point where it's almost criminal because  
 18 traffic is increasing; we're going to be having a lot  
 19 more accidents, et cetera -- that this will continue  
 20 creating the time tables that we have on CalTrain that  
 21 only a scheduler could love.

22 An actual example is, last Tuesday, I had to  
 23 take the car in for service. So my normal 20-minute  
 24 drive turned into a two-hour transit adventure using  
 25 CalTrain, VTA light rail and VTA bus. I'm not going to

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1 do that again. I'll find a different dealer.

2 These are things I'm really hoping you could  
 3 address. And that's not just looking at what  
 4 High-Speed Rail will do or what the tracks will do.  
 5 It's really looking at transportation as a whole here  
 6 in the Bay Area.

7 I'm really for a system, if it is going to be  
 8 blended, where we could have 10-minute-headway local  
 9 trains and 20-minute-headway express trains at peak  
 10 hours.

11 I'm an engineer. I think that means we have  
 12 to have at least four tracks everywhere, and we have to  
 13 have grade separations. Let me just leave it at that.

14 So I'm really hoping, going forward, that you  
 15 can do a job of really expressing to me how we can  
 16 solve those problems.

17 And I think the really compelling problem  
 18 right now for a lot of the neighbors next to tracks is  
 19 noise. And we really haven't started to address what  
 20 will be done about that, I realize, but there's really  
 21 no reason in my mind why the improved electric  
 22 technology of the new system won't in fact be quieter  
 23 than what we have now. Thank you.

24 MR. RICHARDS: Mr. Van Pelt, thank you very much  
 25 for your comments.

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1           Are there any other members of the public who  
2 would like to make a comment?  
3           (No response)  
4           MR. RICHARDS: Seeing none, we'll recess this  
5 public meeting until 6:00 o'clock. Thank you.  
6           (Recess taken)  
7           MR. RICHARDS: Good evening. This is the public  
8 meeting for the Bay Area to Central Valley Partially  
9 Revised Draft Program EIR.  
10           Is there anyone who would like to make a  
11 comment?  
12           (No response)  
13           MR. RICHARDS: Seeing none, we will recess until  
14 6:15. Thank you.  
15           (Recess taken)  
16           MR. RICHARDS: Good evening. This is the public  
17 meeting for the Bay Area to Central Valley Partially  
18 Revised Draft Program EIR. Is there anybody in the  
19 audience who would like to make public comment?  
20           (No response)  
21           MR. RICHARDS: Seeing none, we will recess and  
22 reconvene at 6:30. Thank you.  
23           (Recess taken)  
24           MR. RICHARDS: Good evening. This is the public  
25 meeting for the Bay Area to Central Valley Revised

1 Draft EIR. Is there anyone in the audience who would  
2 like to make a public comment?  
3           (No response)  
4           MR. RICHARDS: Seeing none, the meeting will be  
5 recessed until 6:45. Thank you.  
6           (Recess taken)  
7           MR. RICHARDS: Good evening. This is the public  
8 meeting for the Bay Area to Central Valley Partially  
9 Revised Draft EIR.  
10           Public testimony is solicited, and what you  
11 will have is three minutes to speak. And when you have  
12 30 seconds left, there's a gentleman on your left who  
13 will hold up an orange sheet which will indicate 30  
14 seconds.  
15           This is a formal environmental process, and  
16 our job this evening is to take or to record your  
17 testimony and to listen. We are not here to respond to  
18 your comments during the public meeting.  
19           And I'm Tom Richards.  
20           This is Mr. Roelof van Ark. He is the CEO of  
21 the California High-Speed Rail Authority.  
22           And Mr. Jerry Brozell, welcome, sir.  
23           JERRY BROZELL: Okay. I have a hearing aid on,  
24 and there's a big echo in here. So everything you said  
25 came through double and overlapped.

Submission 61 (Public Hearing, February 9, 2012) - Continued

61-453

1 MR. RICHARDS: Sorry.

2 JERRY BROZELL: But I don't know how much time I

3 have. Sometimes they have a clock.

4 MR. RICHARDS: Three minutes. And he'll let you

5 know when you have 30 seconds.

6 JERRY BROZELL: Oh, okay. I've come to some of

7 your meetings before in different locations and all

8 that. And I'm in favor of High-Speed Rail. And I've

9 told people it's on my bucket list. I hope to ride it

10 some day before I kick the bucket. And it seems to be

11 dragging on and on forever for one reason or another.

12 When I was in the Army 50 years ago, I rode

13 the Japanese Bullet. And I thought maybe 10, 15, 20

14 years we'll get something like that in the United

15 States. Well, here we are 50 years later, and we're

16 still kicking everything around.

17 I was in Shanghai two years before the

18 Olympics, and I rode the Maglev thing over there. And

19 I keep getting dumfounded on how we're falling so far

20 behind in the United States.

21 I've used trains all over the world, public

22 transportation everywhere. I have two trucks and a

23 motorcycle, so I incorporate all this together.

24 But I want the High-Speed Rail. And it's just

25 like -- I've taken the Amtrak train from San Jose to

61-454

61-454

1 Los Angeles. And I've asked people, "Well, how long do

2 you think it takes?"

3 How long do you think it takes?

4 UNIDENTIFIED SPEAKER: I have no idea.

5 JERRY BROZELL: No idea?

6 That's the part that irritates me. The

7 majority of people I ask have no idea. I asked a city

8 planner in Santa Clara earlier today.

9 She said, "Oh, maybe seven or eight hours."

10 Do you know how long it takes by train from

11 San Jose to Los Angeles? It's a beautiful ride. They

12 call it the Coast Starlight. You ride along the ocean.

13 You see the beach, the waves. It's beautiful. I like

14 it.

15 It takes 11 hours. In all of the discussion

16 of High-Speed Rail, I have never seen a reference

17 anyplace as to how long it currently takes the train to

18 go from San Jose to Los Angeles. And next to that, if

19 you put up your High-Speed Rail figures that you use on

20 your Web page and other places, "How long do you think

21 it will take High-Speed Rail to go from San Jose to Los

22 Angeles? Two hours and 10 minutes." But yet none of

23 the people working with High-Speed Rail use the little

24 bits of information like that to get the public at

25 least thinking, "Okay. It's an improvement." I would

Submission 61 (Public Hearing, February 9, 2012) - Continued

61-454

1 hope so.

2 I didn't keep track of my time, but that's

3 most of time my thoughts in reference to it.

4 Now, I get frustrated when I hear people talk

5 negatively about these things without any real

6 information to back up what they're saying, whether

7 it's in reference to sound or noise or something like

8 that. And I tell people, well, it's as quiet as a

9 Prius.

10 And then I say why don't people with the

11 High-Speed Rail say that?

12 And they say, "Well, we can't say that because

13 we don't have the statistics or the facts to back it

14 up."

15 But it is quieter. I live within 700 feet of

16 the right of way of the current CalTrain set-up. I'm

17 in favor of it, but you would think everybody would be

18 against it by everything that you read.

19 So keep up the good work; that's all I can

20 say.

21 MR. RICHARDS: Thank you Mr. Brozell. Is there

22 anyone else in the audience who would like to make a

23 public comment?

24 (No response)

25 MR. RICHARDS: Seeing none, we're going to recess.

1 And we will reconvene at any time someone comes in from

2 the public who would like to make a comment. In the

3 absence of that occurrence, we will reconvene

4 at 7:00 p.m. Thank you.

5 (Recess taken)

6 MR. RICHARDS: Good evening. This is a public

7 meeting for the Bay Area to Central Valley Partially

8 Revised Draft Program EIR.

9 Is there anyone in the public or in the

10 audience who would like to make any public comment?

11 Seeing none, it is 7:00 o'clock. This hearing

12 or this meeting was scheduled from 4:00 p.m.

13 to 7:00 p.m.

14 Jessica from Department of Justice, thank you

15 very much for being here and for your guidance and for

16 all of our consultants.

17 Senior Rosario, you very much.

18 And Court Reporter, thank you.

19 This meeting is adjourned.

20 Thank you very much.

21 (Whereupon, the proceedings concluded

22 at 7:00 p.m.)

23

24

25

Submission 61 (Public Hearing, February 9, 2012) - Continued

1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF MARIN )  
4 I, DEBORAH FUQUA, a Certified Shorthand  
5 Reporter of the State of California, duly authorized to  
6 administer oaths pursuant to Section 8211 of the  
7 California Code of Civil Procedure, do hereby certify  
8 that the foregoing proceedings were reported by me, a  
9 disinterested person, and thereafter transcribed under  
10 my direction into typewriting and is a true and correct  
11 transcription of said proceedings.  
12 I further certify that I am not of counsel or  
13 attorney for either or any of the parties in the  
14 foregoing proceeding and caption named, nor in any way  
15 interested in the outcome of the cause named in said  
16 caption.  
17 Dated the 20th day of February, 2012.  
18  
19 DEBORAH FUQUA  
20 CSR NO. 12948  
21  
22  
23  
24  
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## Response to Submission 61 (Public Hearing, February 24, 2012)

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### **61-435**

Comment noted. The project EIR/EIS will apply the current FRA noise criteria and determine level of impact. Where significant impact is predicted to occur, noise mitigation will be evaluated and implemented where warranted under the FRA guidelines. A major change in the noise environment along the San Francisco to San Jose Corridor will be the elimination of train horns for the grade separated system and the elimination of diesel locomotives if Caltrain electrification proceeds. Even with these improvements, where noise impacts are projected to occur, noise mitigation such as soundwalls may be implemented.

### **61-436**

Comment acknowledged. Aesthetics and visual impacts were analyzed in Chapter 3.9 of the 2008 Final Program EIR. In some instances, implementation of the HST may improve the visual character of an area. The visual design guidelines for the City of San Jose include examples of aesthetic treatment options.

### **61-437**

Comment acknowledged.

### **61-438**

Comment acknowledged.

### **61-439**

Comment of support acknowledged.

### **61-440**

The comment concerns a HST project alternative using an Altamont alignment, which is distinct and different than the Altamont Corridor Rail Project. The Bay Area to Central Valley HST Final Program EIR / EIS (2008) considered an alignment across the bay in the Dumbarton Corridor. Depending on the particular alignment chosen and the crossing structure (a low bridge, high bridge, or tube), the crossing was estimated to range in cost between \$1.53 billion and \$3.09 billion (p. 7-125).

### **61-441**

An alignment combining an Altamont Pass crossing with stations at both the Oakland International Airport and San Francisco International Airport face many challenges. A direct alignment from the Livermore area at the west side of the Altamont Pass towards the inner East Bay would most likely utilize the I-580 corridor. A previous comment suggested replacing BART in the I-580 corridor with HST. Please refer to Response to Comment 56-115 for a discussion of that proposal. It is likely that HST would continue west from the I-238/I-580 corridor on an elevated structure following I-238 and then I-880 through San Leandro. The line would then likely turn west in the vicinity of Davis Street, requiring acquisition of developed properties. To access the airport, the HST would likely drop into a tunnel, excavated in poor soil conditions, before requiring a very large excavation for the airport station with a four-track arrangement to allow non-stop trains to bypass the station platforms. This would likely require relocation of a significant portion of the airport's surface parking lot.

The bay is widest at the point between the two airports, approximately ten miles. A completely tunneled crossing beneath the Bay and wetlands at Dumbarton is only 5 to 6 miles. Because of the width, a connection between the two airports is the most expensive place to cross the bay.

Once at San Francisco International Airport, the tunneling would need to continue another mile or so beneath the runways and tarmac until a suitable location for an excavated station, likely somewhere north of the current terminals. From there, more tunneling would connect the HST with the Caltrain line, somewhere in the vicinity of San Bruno.

The length of tunneling to cross the bay and the disruption to existing properties to reach the airports make a HST line connecting the two airports a very unlikely solution to implementing HST in the Bay Area.

**61-443**

The public meeting record indicates “creeping light” which was identified to be an error in the record given that the commenter also provided a written comment (54-428) that discusses “creeping blight”. Refer to Response to Comment 54-428.

**61-444**

Refer to Response to Comment 54-428

**61-445**

Comment of support acknowledged.

**61-446**

Historically, federal funds have supported approximately 50% to 80% of many major transportation investments, including highway, transit, and aviation sector-related projects. This means although California’s HST program is much larger than most transportation projects, there is precedent for substantial federal support for large and nationally significant transportation projects.

California has been extremely successful in winning federal HST grants, obtaining close to 40% of the approximately \$10 billion of federal High-Speed and Intercity Passenger Rail grant funds. This initial federal funding allows California to move forward with the first step in the HST program. The first construction to occur is in the Central Valley, which will be fully funded upon appropriation of state bond funds to match federal grants, becomes the platform for expansion into the IOS—the first HST service in California and the nation.

The Passenger Rail Investment and Improvement Act (PRIIA) of 2008 ([www.fra.dot.gov/downloads/PRIIA%20Overview%20031009.pdf](http://www.fra.dot.gov/downloads/PRIIA%20Overview%20031009.pdf)) established the framework for the national high-speed rail and intercity passenger rail program. In February 2009, President Obama signed the American Recovery and Reinvestment Act (ARRA). Using PRIIA as a framework, Congress appropriated through ARRA an investment of \$8 billion for new high-speed and intercity passenger rail grants.

Congress continued to build upon this ARRA funding by making available, through the Fiscal Year 2010 Appropriations, an additional

\$2.1 billion, bringing the total program funding to \$10.1 billion. In 2011 Congress rescinded \$400 million of that FY 10 funding. As a result, California’s HST program has received \$3.5 billion or 34% of these federal funding sources. Of this amount, slightly more than \$3.3 billion is committed to the first construction in the Central Valley. This, combined with funding from Proposition 1A, would provide the estimated \$6 billion needed for the first construction.

The High-Speed Intercity Passenger Rail Program has been the single largest source of federal grant funding for high-speed rail. The program was developed to provide funding to new or improved high-speed or intercity passenger rail service. These project grants have the effect of delivering transportation, economic recovery, livable communities, and certain project success factors.

**61-447**

Comment acknowledged. Refer to Standard Response 1 for a discussion of the blended system and phasing approach proposed for the Peninsula. The comment is correct that in general, electrified trainsets travelling at 125 mph will be quieter than the diesel locomotives and passenger cars that travel the Caltrain Corridor currently.

**61-453**

Comment of support acknowledged.

**61-454**

Comment acknowledged.

**61-455**

Comment acknowledged.

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Submission 68 (Tony Nguyen, February 9, 2012)

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68-496

My name is Tony Nguyen.

I live in District 2, along the train and air plane corridor, on the corner of Monterrey and Branham. I can live with that level of noise and can live with something comparable in the future. We should take advantage of the project to beautify Monterrey. Right now it is a dump. The streets are bike unfriendly. There aren't enough street lights, so walking down that street is really scary. We can use the HSR to improve the street conditions.

I think we should have started building the HSR 20 years ago. I can't call myself the tech capital of the world, when Europe, Japan and China have advance rail technology and we do not. It would make a huge impact today reducing the carbon footprint of traveling in California. I am not a physicist, but I know it takes a lot more energy to fly a ton of stuff, then to send it by train, because you don't have to lift the entire train into the sky.

I do not think the HSR will costs too much, if we add the full carbon cost to gasoline and jet-fuel. This will be clearer in the future, when the price of oil rises, the carbon market develops and when we price in all of the fracking costs.

Support HSR.

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## Response to Submission 68 (Tony Nguyen, March 5, 2012)

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### **68-496**

Comment of support acknowledged. Please also refer to Response to Comment 61-435.