

Submission I001 (Lillie Salgado, October 18, 2012)



Comment Card
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement
(Revised Draft EIR/Supplemental Draft EIS)

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto Revisado de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental Proyecto Suplementario
(Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

The extended comment period for Fresno to Bakersfield High Speed Train Revised Draft EIR/Supplemental Draft EIS: **July 20 – October 19**

El periodo de comentario público del Proyecto Revisado EIR/Proyecto Suplementario EIS: **Julio 20 – Octubre 19**

Name/Nombre: Lillie Salgado
Organization/Organización: _____
Address/Domicilio: 2331 North Ave. Corcoran, CA 93212
Phone Number/Número de Teléfono: 992-3742
City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran, CA 93212
E-mail Address/Correo Electrónico: Lillie Salgado 2331 @ Gmail .com
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I001-1
I001-2
I001-3

We are going to lose farm land, displace people out of their homes, eliminate Amtrak that is necessary for Corcoran residents to travel to transfer gas business, and pleasure si work.
Its not a good thing for a small town like Corcoran. We are a small community but a strong one.

Response to Submission I001 (Lillie Salgado, October 18, 2012)

I001-1

Refer to Standard Response FB-Response-GENERAL-04, and FB-Response-SO-01.

The Authority does recognize that the loss of farmland cannot be fully mitigated, and as such has been classified as a significant and unavoidable impact. See Impact AG #4 for information on the permanent conversion of agricultural land, and see Mitigation Measure AG #1 in Section 3.14.7 for measures to preserve the total amount of prime farmland.

I001-2

Refer to Standard Response FB-Response-SO-01.

See EIR/EIS Volume I Section 3.12 Impact SO #9 for residential displacements. For more information on the property acquisition and compensation process see Volume II Technical Appendix 3.12-A.

I001-3

Refer to Standard Response FB-Response-GENERAL-12.

Submission I002 (Alan Scott, August 31, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #148 DETAIL

Status : Action Pending
Record Date : 8/31/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 8/31/2012
Submission Method : Website
First Name : Alan
Last Name : Scott
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Hanford
State : CA
Zip Code : 93230
Telephone :
Email : a_scott1318@comcast.net
Email Subscription : All Sections
Cell Phone :
Add to Mailing List : Yes
Stakeholder Comments/Issues : Mr. Richard, as you are well aware many of us who attend board meetings do have long drives. However, the concern is starting the meeting with a closed session where the end time may have movement one way or the other; typically they tend to go long. The accommodation should be made by rescheduling all closed sessions at the end of your agenda to accommodate the general public. The boards I have been involved with and many others that I am familiar with schedule their closed sessions at the end of their regular agenda. I (we) think CAHSRA / B should adopt this policy that seems to be consistent with comment practice. However, because of the continual lack of EJ outreach by the board / authority over the years, I fully understand that the accommodation goes to the board and clearly not the taxpayer who pays everyone's salary. Just another black mark on how poor the outreach is without question favors the board & the authority. In closing, Mr. Richard's using sarcasm or flippant comments is not my goal but my commentary is very difficult to accomplish when there are continual violations not only of Environmental Justice even after the adoption of EJ on August 2, 2012, one would only believe it would have induced an immediate change? Guess not!!!
EIR/EIS Comment : Yes
Official Comment Period : Yes

I002-1

Response to Submission I002 (Alan Scott, August 31, 2012)

I002-1

Refer to Standard Response FB-Response-SO-07, FB-Response-GENERAL-27.

The environmental justice analysis adheres to the definition given by Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population, or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report (Authority and FRA 2012h) identifies the environmental justice populations along the project. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project. EIR/EIS Volume 1 Section 3.12 Impacts SO#17 and SO#18 summarize these findings.

Submission I003 (Shirley Sellers, October 16, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #281 DETAIL	
Status :	Action Pending
Record Date :	10/16/2012
Response Requested :	Yes
Stakeholder Type :	CA Resident
Affiliation Type :	Individual
Interest As :	Individual
Submission Date :	10/16/2012
Submission Method :	Website
First Name :	Shirley
Last Name :	Sellers
Professional Title :	Property Owner
Business/Organization :	Home Owner
Address :	11006 Enger Street
Apt./Suite No. :	
City :	Bakersfield
State :	CA
Zip Code :	93312
Telephone :	904-683-9579
Email :	sellers4maloy@aol.com
Email Subscription :	
Cell Phone :	904-314-1244
Add to Mailing List :	
I003-1 Stakeholder Comments/Issues :	PLEASE NO... with regards to the proposed High Speed Train traveling through Bakersfield, (namely ROSEDALE), effecting the East side of Enger Street 93312... We truly oppose this proposal of the High Speed train in our area and the elimination of the proposed established homes of our friends and neighbors...
I003-2	Even though we were told that since our property is on the EAST side of Enger that our house would not be eliminated, it would definitely effect our property value as proposed... Taking the houses only on the West side of Enger would place the High Speed Train directly in front of our house, again - decreasing the value... We have owned our property for over 30+ years and have worked very hard to pay for our mortgage and definitely feel like this is truly an unfair proposal...
I003-3	Why not move the Speed Train to an area that is less or newly established???
	Shirley Sellers 11006 Enger Street Bakersfield, CA 93312 sellers4maloy@aol.com 904-683-9579 904-314-1244
EIR/EIS Comment :	Yes
Official Comment Period :	Yes

Response to Submission I003 (Shirley Sellers, October 16, 2012)

I003-1

Refer to Standard Response FB-Response-SO-01, FB-Response-SO-06.

For more information on the property acquisition and compensation process see EIR/EIS Volume II Technical Appendix 3.12-A. Also see Volume I Section 3.12 MM SO-2.

I003-2

Refer to Standard Response FB-Response-SO-02.

For information on potential HST project impacts on property values see Section 5.4.4.3 in the Community Impact Assessment Technical Report (Authority and FRA 2012h).

I003-3

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-13.

The purpose of the project is to provide the public with electric-powered high-speed rail service between major urban centers; connectivity to airports, mass transit, and the highway network in the south San Joaquin Valley; and connect the northern and southern portions of the system. The Authority's statutory mandate is to plan, build, and operate an HST System coordinated with California's existing transportation network, particularly intercity rail and bus lines, commuter rail lines, urban rail lines, highways, and airports and to maximize the use of existing transportation corridors and rights-of-way, to the extent feasible.

Submission I004 (Shirley Sellers, October 16, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #298 DETAIL

Status : Unread
Record Date : 10/17/2012
Response Requested :
Stakeholder Type : CA Resident
Affiliation Type : Individual
Attorney or Law Firm? : No
Interest As : Individual
Submission Date : 10/17/2012
Submission Method : Project Email
First Name : Shirley
Last Name : Sellers
Professional Title :
County :
Business/Organization :
Address : 11006 Enger Street
Apt./Suite No. :
City : Bakersfield
State : CA
Zip Code : 93323
Telephone : 904-683-9579
Email : Sellers4Maloy@aol.com
Email Subscription :
Cell Phone :
Fax :
Comment Type : Issue (concern, suggestion, complaint)
Add to Mailing List :
Stakeholder Comments/Issues : I am resending my comments on the proposed High Speed Train...
Shirley F. Sellers
11006 Enger Street
Bakersfield, CA 93323
904-683-9579
904-314-1244
Subscription Request/Response :
EIR/EIS Comment : Yes
General Viewpoint on Project :
Official Comment Period : Yes

I004-1

Response to Submission I004 (Shirley Sellers, October 16, 2012)

I004-1

Unfortunately, no comments were included in this submission.

Submission I005 (Dan Semchuk, September 15, 2012)



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 postmarked, on or before September 20, 2012.

El periodo de comentario es del 20 de Julio al 20
 de Septiembre del 2012. Los comentarios tienen que ser
 recibidos electrónicamente, o matasellados, el o antes
 del 20 de Septiembre del 2012.

Name/Nombre: DAN SEMCHUK
 Organization/Organización: _____
 Address/Domicilio: 1500 HANNA AVE
 Phone Number/Número de Teléfono: _____
 City, State, Zip Code/Ciudad, Estado, Código Postal: CORCORAN CAL 93212
 E-mail Address/Correo Electrónico: _____
 (Use additional pages if needed/Usar paginas adicionales si es necesario)

I005-1
 I005-2
 I005-3
 I005-4

Why should I support a project that is lacking funds, to disrupt communities and will do me no good. HSR rail means I loose Amtrak service. So now I'll get to drive California pot holed roads in foggy weather, - why all the goofy over pass crossings. Also when it is 105° and we have an energy alert will the train - Electric HSR - be shut down so I can have electricity to cook + cool? Yeah that's it shut off A.C. to the prisons for a few hours, that should let HSR train have electricity. Put HSR on the shelf for 10 yrs maybe then some engineers can find a way to lay tracks near I-5 where you won't have to destroy communities and it will be hi-speed no slow down curves. Hey Jerry Brown No new taxes if you force HSR rail on me.



Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment
770 L Street, Suite 800
Sacramento, CA 95814

958143355

Response to Submission I005 (Dan Semchuk, September 15, 2012)

I005-1

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-GENERAL-17.

I005-2

Refer to Standard Response FB-Response-GENERAL-13.

Amtrak service will not be affected with implementaion of the proposed HST.

I005-3

Refer to Standard Response FB-Response-PU&E-02.

I005-4

Refer to Standard Response FB-Response-GENERAL-02.

Submission I006 (Joe Sequeira, October 18, 2012)



Fresno to Bakersfield High-Speed Train Section **La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**
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Name/Nombre: Joe Sequeira
 Organization/Organización: _____
 Address/Domicilio: 8360 Bch Ave
 Phone Number/Número de Teléfono: 559-362-7047
 City, State, Zip Code/Ciudad, Estado, Código Postal: Hanford, Ca, 93230
 E-mail Address/Correo Electrónico: _____
 (Use additional pages if needed/Usar paginas adicionales si es necesario)

I006-1

Property will lie unataenable where I had home stands. Will who will pay for that home to be moved?

This "Green Project" is quickly becoming an environmental disaster!! Explain??

Response to Submission I006 (Joe Sequeira, October 18, 2012)

I006-1

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02.

Submission I007 (Michael Sharp, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #379 DETAIL

Status : Unread
Record Date : 10/19/2012
Response Requested :
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/19/2012
Submission Method : Project Email
First Name : Michael
Last Name : Sharp
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Corcoran
State : CA
Zip Code : 00000
Telephone :
Email : sharpeagle@comcast.net
Email Subscription :
Cell Phone :
Add to Mailing List :

EIR/EIS Comment :
Official Comment Period : Yes

- I007-1 | **Stakeholder Comments/Issues :** I am against the High Speed Train being constructed through the City of Corcoran. Two of the proposed alignments, the BNSF Alternative (C3) and Elevated alternative (C1) will create long terms noise impacts - leading to potential health problems; long term aesthetic impacts, and will detrimentally affect the quality of life in our small rural community. As noted in the Revised Draft EIR/ Supplemental Draft EIS, none of these impacts can be fully mitigated.
- I007-2 | The businesses, farms and industries that are moved to a new location HAVE TO HAVE AN EIR DONE. Why do they have to do an EIR and HSR does not?
- I007-3 | The bill for the HSR was passed by the voters for \$33 Billion the costs are now \$98 billion and were not authorized by the voters. California does not have the money to complete this project.
- I007-4 | The project will destroy people's lives and then end without completion.
- I007-5 | The HSR was sanctioned to run along I5, this is a prime spot to install and complete the HSR at a lower cost in money and interruption to people's lives.
- I007-6 | Poor people use Amtrak to travel to the bay area and to the LA area. The costs of HSR is \$120 which is 3 times what they pay now. This would be a financial hardship to many people. They get on the Amtrak and a local town near them. If HSR is completed they will have to travel hours to get to a HSR station. This would put a major impact on the roads locally and is not addressed in the EIR.
- I007-7 |
- I007-8 | The HSR is a worthwhile project but the current design is extremely flawed. It deviates greatly from the proposition passed by the voters.

Michael Sharp

Response to Submission I007 (Michael Sharp, October 19, 2012)

I007-1

Refer to Standard Response FB-Response-GENERAL-10, FB-Response-GENERAL-14.

There are 3 proposed alternative alignments in the vicinity of Corcoran: BNSF (West side of BNSF), Corcoran Bypass, and Corcoran Elevated (East side of BNSF). Each alternative would have its own set of different effects. As its name implies, the Corcoran Bypass would avoid passing through the City.

The Authority used the information in the Revised DEIR/Supplemental DEIS and input from agencies and the public to identify the Preferred Alternative. The decision included consideration of the project purpose and need and the project objectives presented in Chapter 1, Project Purpose and Need, as well as the objectives and criteria in the alternatives analysis, and the comparative potential for environmental impacts. For more detail please refer to Chapter 7, Preferred Alternative, in this Final EIR/EIS.

I007-2

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-GENERAL-01.

The Authority and FRA have prepared an EIR/EIS for the HST project.

I007-3

Refer to Standard Response FB-Response-GENERAL-17.

I007-4

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-GENERAL-17.

I007-5

Refer to Standard Response FB-Response-GENERAL-02.

The commenter is misinformed. The HST project is not sanctioned to run along Interstate 5 (I-5).

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the 2005 Statewide Program EIR/EIS for the California HST System (Authority and FRA

I007-5

2005). The 2005 Statewide Program EIR/EIS considered an I-5 alternative and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS rejected I-5 and selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Accordingly, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor. The reasons for rejecting the I-5 corridor are discussed in the project EIR/EIS (see Section 2.3.2, Range of Potential Alternatives Considered and Findings, of the Final EIR/EIS).

I007-6

Refer to Standard Response FB-Response-GENERAL-12, FB-Response-GENERAL-23.

This comment assumes that Amtrak will cease operations once the HST System is operational. No substantive evidence supports this assumption. The boardings and alightings on Amtrak at the stations in Hanford, Corcoran, and Wasco totaled 260,871 in fiscal year (FY) 2012 (Amtrak 2012). It is unlikely that Amtrak would wish to forgo this level of ridership and the patronage in other Central Valley communities that will not be served by the HST System.

At least one other low-cost mode of transportation is available between the Bay Area and the Los Angeles Basin beside Amtrak: commercial bus service.

I007-7

Refer to Standard Response FB-Response-GENERAL-12.

I007-8

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

The project EIR/EIS for the Fresno to Bakersfield Section relies on information from the 2005 Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS rejected those routes and selected the BNSF

Response to Submission I007 (Michael Sharp, October 19, 2012) - Continued

I007-8

corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Further engineering and environmental studies within the broad BNSF corridor have resulted in practicable alternatives that meet most or all project objectives, are potentially feasible, and would result in certain environmental impact reductions relative to each other. Accordingly, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor.

Submission I008 (Tony J. Silva, September 8, 2012)



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El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: TONY J SILVA
 Organization/Organización: NA
 Address/Domicilio: 12871 12th AVE
 Phone Number/Número de Teléfono: 559-3334355
 City, State, Zip Code/Ciudad, Estado, Código Postal: HANFORD Ca. 93230
 E-mail Address/Correo Electrónico: tjsilva2@gmail.com
(Use additional pages if needed/Usar paginas adicionales si es necesario)

1008-1 you people are not listening to what we the people
involved are telling you. The devastation it will cause to
this Valley. I live less than 4 mi from where you want to put
 1008-2 this track. 1st where will you get the fill dirt for songs 2nd as I write
 1008-3 I noticed 12 red tail hawks in the field when the trees will go
 1008-4 3rd how are cutting through the best farmland in the TSA
 1008-5 4th finish the system from Bakersfield to CA and from Sacramento to SF
that makes sense. that night you people don't listen the (Tony's response)
letter to me said that if you don't listen help you not doing your job
 1008-6 go out to I-5 what a great place to start you could put
a station at Harris Ranch you have a draft from east to west
that you could 2nd take passengers from Visalia east to the Coast West
the 198 H.way to get to the Station and put many people to work
use your power here. listen to us please there is so much potential
in the I-5 Corridor believe me We would all benefit
 1008-7 from it. that makes sense. think of the devastation again
that it would cause cutting through our homes and farms
Bring the Governor to see what I mean



Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment
770 I Street, Suite 800
Sacramento, CA 95814

9581433359

Response to Submission I008 (Tony J. Silva, September 8, 2012)

I008-1

Refer to Standard Response FB-Response-GENERAL-14.

Pursuant to Proposition 1A and to the Authority's enabling legislation, the charge and responsibility of the Authority are to plan and build an HST System connecting the San Francisco Bay Area to the Los Angeles Basin (see, for example, Streets and Highways Code Section 2704.04). Further, that system is to serve the Central Valley. Finally, the Record of Decision based on the 2005 Systemwide EIR/EIS calls for building an HST System along the BNSF Railway corridor, with stations in Fresno and Bakersfield. The Authority cannot do these things and meet these legal commitments without crossing the Central Valley.

I008-2

As discussed in Section 2.8, Construction Plan, of the Final EIR/EIS, fill material would be excavated from local borrow sites and be transported by truck from 10 to 30 miles to the Preferred Alternative. Railroad ballast would be drawn from existing permitted quarries from the Bay Area to Southern California. Ballast would be delivered to the Preferred Alternative by a combination of rail and trucks. All materials would be suitable for construction purposes and free from toxic pollutants in toxic amounts in accordance with Section 307 of the Clean Water Act.

I008-3

Measures designed to mitigate potential impacts on wildlife species are described in Sections 3.3.6 and 3.7.7, Biological Resources and Wetlands, of the Revised DEIR/Supplemental DEIS.

I008-4

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-GENERAL-04.

I008-5

As stated in Section 1.2.3, CEQA Project Objectives of the HST System in California and in the South San Joaquin Valley, of the Final EIR/EIS, one of the project's objectives is to maximize intermodal transportation opportunities by locating stations to connect with local transit, airports, and highways. The project station locations were

I008-5

selected to meet this objective.

Pursuant to Proposition 1A and to the Authority's enabling legislation, the charge and responsibility of the Authority are to plan and build an HST System connecting the San Francisco Bay Area to the Los Angeles Basin (see, for example, Streets and Highways Code Section 2704.04). Further, that system is to serve the Central Valley. Finally, the Record of Decision based on the 2005 Systemwide EIR/EIS calls for building an HST System along the BNSF Railway corridor, with stations in Fresno and Bakersfield. The Authority cannot do these things and meet these legal commitments without crossing the Central Valley.

I008-6

Refer to Standard Response FB-Response-GENERAL-02.

The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS rejected those routes and selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Further engineering and environmental studies within the broad BNSF corridor have resulted in practicable alternatives that meet most or all project objectives, are potentially feasible, and would result in certain environmental impact reductions relative to each other. Accordingly, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor. The I-5 corridor was again considered during the environmental review of the Fresno to Bakersfield Section (see Section 2.3.2, Range of Potential Alternatives Considered and Findings, of the Final EIR/EIS), but was eliminated from further consideration as described in Standard Response FB-Response-GENERAL-02.

I008-7

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-GENERAL-05, FB-Response-SO-01, FB-Response-AG-02.

For information on the project effects on agricultural business and economic effects on agriculture see Volume I, Section 3.12, Impacts SO#11 and SO #15.

Submission I009 (Amarjit Singh, September 25, 2012)

FROM: [AMARJIT SINGH AND PARWINDER KAUR]
2419 E MANNING AVE. FRESNO. CA. 93725

I009-1

NO I no want New RAIL ROAD. LINE Because
Two Years ago ~~for~~ One RAIL LINE Make My FARM
AND Right Now you ~~are~~ make the New Rail Line
Other Side my Comment I no Need High Speed
RAIL @ Line My FARM and FOR Never. Thank You

I009-2

CALIFORNIA High Speed

NO RAIL Line
NO.

Submission I009 (Amarjit Singh, September 25, 2012) - Continued



Response to Submission I009 (Amarjit Singh, September 25, 2012)

I009-1

Refer to Standard Response FB-Response-GENERAL-11, FB-Response-GENERAL-14.

Your opposition to the project is noted.

I009-2

Refer to Standard Response FB-Response-GENERAL-14.

Your opposition to the project is noted.

Submission I010 (Keith Stephens, August 25, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #119 DETAIL

Status : Action Pending
Record Date : 8/27/2012
Response Requested : No
Affiliation Type : Individual
Interest As : Individual
Submission Date : 8/25/2012
Submission Method : Project Email
First Name : Keith
Last Name : Stephens
Professional Title :
Business/Organization :
Address : 351 Amberhill Lane
Apt./Suite No. :
City : Bakersfield
State : CA
Zip Code : 93308
Telephone :
Email : amberhill2@localnet.com
Email Subscription :
Cell Phone :
Add to Mailing List :
Stakeholder Comments/Issues : Stop spending money that you haven't stolen from me yet! NO HSR for any reason, in any location, any time, until you have the money!!! This state is bankrupt.

Keith Stephens
351 Amberhill Lane
Bakersfield, California 93308
EIR/EIS Comment : Yes
Official Comment Period : Yes

I010-1

Response to Submission I010 (Keith Stephens, August 25, 2012)

I010-1

Refer to Standard Response FB-Response-GENERAL-17.

Submission I011 (Karen Stout, October 3, 2012)

Chairman, CHSRA
Dan Richard &
Board

October 3, 2012

I011-1

I have been reading and trying to read sections of the EIR/S for the Fresno to Bakersfield Section. I find that I need to read additional parts of the report in order to comprehend the section I am reading. This is taking longer to understand than I thought it would. I am also taking care of my ageing mother. Even through I am not working outside the home at this time, I find taking care of my mother's house, yard, and her take a great deal of my time.

I am asking that you extend the comment period 90 more days. I really would like to get a good idea what this EIR/S means to my property. I could understand this report much better if I have more time to review it.

Respectfully,



Karen J. Stout
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559.381.6352

Response to Submission I011 (Karen Stout, October 3, 2012)

I011-1

Refer to Standard Response FB-Response-GENERAL-07.

Submission I012 (Karen Stout, October 18, 2012)

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Revised Draft EIR/s
after, Vol. 2 ~~Table~~/Attachment 3.14 - A - b, no page # = Attachment 1
also known as King #1

1012-1
Corridor A, 923 Acres of non farmable farmland that is prime + unique farmland converted from useable farmland. Corridor B, or King 2 has 956 acres converted from prime and unique farmland to non-farmable farmland. Corridor C, or King 3 has 956 ~~acres~~ converted acres to non-farmland. The object is to not convert farmland. These alignments have the most converted. We are talking about irreplaceable PRIME + UNIQUE farmland. What footprint width have you used? If you are using the alignment width, that is not even close to acres converted. I will need 30' on each side of your 140' wide alignment to turn equipment around, other crops will take even more. My largest equipment on my property will be my harvestors, Walnut trees require much less turn-around area than cotton harvestors or grain (barley) harvestors.

1012-2
Also I have another problem. My ariel commercial sprayer will not spray to within a 1/4 mile of the HSR alignment. So consider both sides, since I am diagonally bisected almost 50/50, I will not be able to spray pests over 1/2 mile of my land. The ground sprayers will not get any closer. I have spoke to the owner of Blair Air Services, Inc. Blair Ground Services. He will not take the liability.

cont. - I 2 of 2

1012-3
Now, I have your 140' wide alignment, plus 2,640' (1/2 mile wide belt I can not spray) You need to change your footprint. What would the converted acres be for Corridor A, otherwise known as King #1, be with a 2780' wide footprint? Let us get real about this. If I can not take care of my crop as I have done in the past, that is a impact! My pests will have a place to breed and I will have no crop. Since, your alignment is a diagonal through my crops, splitting me close to 50/50, I will have no property left to spray; I will be out of business. I am not the only farmer getting bisected diagonally. There are many of us. Some are even cut with a sickle alignment. I can not stress enough how devastating these alignments are to efficient farm and dairy operations.

1012-4
Go back to the drawing board and tell property owners their real impact by your adjusted footprint, reappaluate your charts and Attachments (as Attachment #) and tell us then how this is the alignment through the Central Valley with the least amount of unnecessary (see vol. I - 3.14-1) conversion of important farmland in California.

Submission I012 (Karen Stout, October 18, 2012) - Continued

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II
1 of 1

EIR/S Revised Draft

1012-5 The EIR/S is a preliminary report about a HSR track with an electrified HST. What is proposed at this time ^{is} due to lack of money for even the first phase of this project from S.F. to L.A. is a conventional diesel train running on a HSR track - this EIR/S does not study this. This EIR/S is not relevant to the plans you are making. You need another EIR/S to study this conventional train on a high-speed track.

You can not study something and then do something different that you did not study.

1012-6 Recall this EIR/S until you have the money from S.F. to L.A., the first phase, like Proposition 1A states you need. OR made a new EIR/S with what equipment and rails you intend to use. You may need to use conventional equipment for years, and it needs to be studied.

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VIII
1 of 2

Vol. I - 3, 14-1

1012-7 FFPA - Farmland Protection Policy Act is to protect farmland from irreversibly conversion of farmland to non-agricultural use either directly or indirectly. The stated purpose of the FFPA is to "minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to non-agricultural uses."

For the purpose of FFPA, "Important Farmland" includes prime farmland, unique farmland, farmland of statewide or local importance, as defined by Section 1540(c)(1) of the FFPA.

Why is your alignment at this time through Fresno, Kings, Tulare, and Kern counties through these Important Farmlands? Along the Interstate 5 there are miles of Grassland on the west side of the highway. Grassland is not an "Important Farmland." The path you should take is along California's rightways along I5 and the California Aqueduct.

This would create less unnecessary conversion of farmland is the FFPA's purpose states -

1012-8 The water accessibility in this area is what makes this PRIME + Unique farmland. Working

Submission I012 (Karen Stout, October 18, 2012) - Continued

cont. **IV**
3 of 2

I012-8 agricultural business, farms and dairies, can not be carved up, place a barrier between its irrigation systems and expect the operation to produce the same amount or do so efficiently. These farms and dairies employ the most workers in the area. Agricultural related business jobs employ even more.

I012-9 This project can not be placed here through PRIME and UNIQUE FARMLANDS without repercussions in the grocery store prices and the world market. We had sold walnuts in the shell to Europe for years. If I can not spray my pests I will not be able to operate my almost 80 acres of walnuts because of this project right through the middle of my property. The commercial sprayers will flat not spray the majority of my acreage to control the pest population. I am out of business.

IV
one

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Vol. I 3.14-1

I012-10 Continuing with the purpose statement of the FFPA, Farmland Protection Policy Act of my comment #III previously, what will become of the Williamson Act and Farmland Security Zone, FSZ, contracts? What will become of small parcels created by the HSR tracks? How can agriculture be preserved when the HSR is making small parcels not large enough to remain protected?

I012-11 Going through Fresno, Kings, Tulare, and Kern counties is in opposition to the FFPA. This is not necessary when you have an alternative to go down California's right-aways of Interstate 5 and the California Aqueduct. Less land will need to be acquired and less expensive \$10,000-\$15,000 over/underpasses would be needed. There are few overpasses now on I5. You are planning one every mile through these important farmland counties. Agricultural lands need to be saved. California as a state and the above counties depend on the agricultural and ag-business income.

Submission I012 (Karen Stout, October 18, 2012) - Continued

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page 4, 3.14-A 4.1 Findings

I012-12

to quote: "...mitigation measures have been proposed in the Fresno to Bakersfield Section Environmental Impact Report/Environmental Impact Statement (EIR/EIS) to reduce unavoidable impacts."

To say you are going to mitigate, is not a mitigation plan. This report is supposed to tell concerned persons and businesses what "mitigation measures" you will take.

I012-13

This report is severely lacking in specific measures you intend to take. This must not have been considered yet, so this report is useless. Recall this report until you are willing to tell concerned persons and businesses what you intend to do if you impact or effect indirectly or located close to an impacted zone. You have not studied your impacts or thoughtfully considered how your project in this location will effect others.

09-12-12 Karen J. Stout 2250 9th Ave, LATON, CA 93242
559 381-6352 II 1 of 3

I012-13

To continue with section 3.14-A 4.1 Findings, page 4, the #2 finding states it concluded, "That an HST system connecting cities in southern California with the Bay area via the Central Valley would be most likely to meet legislative mandates in the least environmentally damaging manner (California High-Speed Rail Authority [Authority] and Federal Railroad Administration [FRA] 2005, 2008, 2010)."

I012-14

The legislature did not mandate that HSR must be connecting Southern California with the Bay area through the Central Valley. Citizens For California High-Speed Rail Accountability (CCHSRA) has asked repeatedly for the 2008 study of the Interstate 5 corridor. I am asking again for man hours spent and results of these studies and where to find any of this information. This should be public record. You need to advise us of this information.

Continuing in #2 Findings, the last sentence states: "...alternatives evaluated in the Fresno to Bakersfield Section would follow existing road and railway alignments to the extent feasible." My almost 80 acres of walnut trees is 4 miles from the BNSF you claim as your corridor. My neighbors to the south are 6 miles from the BNSF. You are not following the BNSF; you are not following "existing roadways" if you are cutting me almost in half diagonally. You are not following the closest existing highway one

Submission I012 (Karen Stout, October 18, 2012) - Continued

cont, VI
2 of 3

I012-14 | mile away from me, Hwy 43. Farmer,
I012-15 | John Toss, has offered you in public
the edge of his extensive property
along Hwy 43, if you would just not cut
through his and other's properties
diagonally. I understand you cannot
turn quickly at 200-220 mph, but
your lack of concern for private
property and agricultural operations is
criminal. Interstate 5 is very straight,
there are very few overpasses that
cross it. There is less PRIME and other
important farmlands there. A significant
amount of that alignment is grassland.

I012-16 | If your goal as you state is to go from
L.A. area to the Bay area, then align
your project in the shortest, "least
environmentally damaging manner" that
you say you are trying to do. Going through
Fresno to boost your ridership numbers
is totally devastating to California's
gross state product and the income to the
Central Valley agricultural counties. There
is a better alternative, cheaper and
less destructive to California and the
world's food source. We are the "Bread
Basket of the World" right now. This
destructive project should never have been
planned through the Central Valley. Proposition 1A
barely passed, but voters thought it would be along
Hwy 99 or the I5 - "a major transportation corridor".
When they voted for it.

cont, VI
3 of 3

I012-16 | Stop the planning of this project
through the Central Valley. You
state you are only 15% engineeringly
planned. Stop now. Change the
alignment to Interstate 5 or table the
project until the state and federal
governments are more solvent.

Submission I012 (Karen Stout, October 18, 2012) - Continued

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VII one

I012-17

also:

Vol 2, after 3.14-A-6, is Attachment 1 -
 Vol 1, pg 3.14-39, Table 3.14-7
 On the ninth page of the attachment the
 Kings County Corridor A refers to the
 Heavy Maintenance Facility (HMF).
 Kings County property owners and
 residents do not want this HMF. Why
 would we want 512 acres converted
 from Ag to non-agriculture land?
 Adding A + B from Part IV together
 says that 390 acres of "Important
 Farm land" of the four classifications
 will be converted to non-agriculture.
 Farmers and dairymen employ more
 people in this area with their given skill
 sets that would be employed at the HMF.
 The HMF will hire people from out of
 our area with a different set of skills,
 and our residents will go on "employment."
 You can give this HMF to a large city
 that will have people with the skill sets
 needed for it. Keep it away from producing
 agriculture farm land and the best
 farmland in the country.

I012-18

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I012-19

Vol I, Safety + Security 3.11 -29 and pages 30-31.

Friday August 17, 2012 I spoke to Sean
 Rudden a URS employee who filled out
 the U.S. Department of Agriculture - Natural
 Resources Conservation Service form NRCS CPA-106,
 Farmland Conversion Impact Rating For
 Corridor Type Projects which is Attachment 1
 following page 6 of Volume 2, 3.14. He
 said he also helped write the Summary for
 the Revised Draft EIR/EIS for Fresno to Bakersfield.
 He told me the only safety distance in the
 whole report at this time is a distance 102'
 between a conventional train and a HST
 at the same grade level with no barrier.
 Surely you have considered the safe
 distance for a house to be from your
 alignment at grade and at all your different
 elevations. I asked, "what is my
 safety zone with your truck elevated 10' high?"
 Mr. Rudden had no answer for me. Home
 owners all along the route need to know
 if their family is in an area considered
 safe.

I012-20

What type barriers can you put between
 the alignment and houses? Will the
 safe distance be the same for animal
 barns and equipment shops? Seems
 humans should have a larger safety
 distance.
 I am wondering about my house that

Submission I012 (Karen Stout, October 18, 2012) - Continued

VIII
2 of 2

I012-20 | is maybe 100'-125' from your alignment.
I012-21 | What is your safety distance for you
to live 100' away from the HSR at 70' high?
What if you run a conventional train on
that track at 100 to 125 mph? I under-
stand these trains derail differently.
The conventional train tends to go
a farther distance from the track and
the cars zig-zag different directions.
If you plan no barriers between
the track and my house, what is
safe distance?
I012-22 | On page 3.11-30+31 Train Derailment
topic, you have not included the study of
a conventional train derailment on your
HSR tracks. You may use this system for
years before you get money to electrify or
purchase HSR engines and cars. This is
a major lack in your EIR/EIS study.
You need to report on what you will do.
Recall this inadequate report and include
needed information.

IX
1 of 2

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I012-23 | In regards to the "Environmental Justice"
issue, how have you reached out to
Spanish speakers and other than
English speakers? How many copies of
Spanish Revised/Draft EIR/EIS Reports
were made available in Fresno, Kings,
Tulare, and Kern county locations?
At your workshops in August this year
or before, have you had bilingual
staff there to answer their questions?
I012-24 | Fresno has a large Hmong population.
Visalia-area has a large population of
people from Laos. There is also a large
number of people in California from Vietnam.
When your mail is addressed to "resident";
your mail does not seem important. In
August this year is the first time I
received mail from you with my name
on it. Your mail has just now become
more important to people impacted by
the HSR.
I012-25 | I wonder how many people impacted
by the HSR know they are. What
percentage of people do you figure
know they are impacted as of
September 1, 2012? This is after
your recent workshops and hearings.
I wonder how effective your postcards
were, since this was the first piece
of mail with their name on it. How
many other than English language speakers

Submission I012 (Karen Stout, October 18, 2012) - Continued

1012-25

cont. IX 202

attended your workshops and hearings
to ask questions?
You need to make a greater
effort in this area.

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IX 1 of 2

1012-26

Vol 1, 3.14.2.3 Regional + Local
Sustainable Communities Strategy - SCS.

In Fresno earlier this year, I heard Dan Richard,
Chairman of HSR Authority, say that the
Interstate 5 route was abandon because
there was no water there. I don't know
what the water is needed for. The goal is
not to make bedroom communities
outside major metropolitan cities. Building
permits do not need to be issued for more
businesses or residences along I5.

To quote the above section: "The HST
would provide an alternative transportation
mode to valley residents, thus reducing
reliance on passenger vehicles. It would
also promote concentration of growth
in existing urban centers."

This is Sustainable communities strategy,
(SCS). Water is not needed after construction
if new communities are not permitted
along I5. Central Valley residents will
need bus service until a light rail or
other rail service can connect Fresno
to HSR at I5.

1012-27

Water during construction can be trucked
in or from the California Aqueduct.
Southern California is going to benefit from
this project, so they can turn off the
tap more. Central Valley will have no
benefits from this project with the alignment

Submission I012 (Karen Stout, October 18, 2012) - Continued

Cont. X
2 of 2

1012-27 through agricultural counties. People from my area can get themselves to the I5 as easily as they can get themselves to Fresno 55 miles away or Bakersfield 100 miles away. Our station, Kings/Tulare Regional Station is not funded by the HSR funds. We would need to come up with the funding for this station anyway.

1012-28 Move this proposed alignment out of the Central Valley now. You are only 15% engineeringly planned here. The water here makes our agricultural lands the best in California and the world. You have proposed this alignment in the wrong place. Your plan is too devastating to current operations of farm and dairy businesses. These are the top 2 money making industries in California. The Central Valley is the place to produce crops. Place the HSR where there is grassland and fewer farms and dairies and therefore less water.

Response to Submission I012 (Karen Stout, October 18, 2012)

I012-1

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-SO-01, FB-Response-AG-01, FB-Response-AG-02.

The HST right-of-way width varies from 120 feet for at-grade tracks, to approximately 60 feet for elevated fill, to approximately 45 feet for elevated structures. Turnaround areas for crops have not been included in the permanent agricultural land impacts as the land would not be removed from agricultural production; however, it is recognized that productivity will be lost as a result of the additional turnaround areas required. During the property acquisition process, losses in the value of the remaining property will be taken into account, and compensation will be provided for the loss in productivity.

In April 2013, the Authority reached an agreement with agricultural interests on mitigation of agricultural land impacts for the Merced to Fresno Section of the HST System (Authority 2013). Under that agreement, the Authority will acquire agricultural conservation easements for its impact on Important Farmland (i.e., land classified as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland) at the following ratios:

- Important Farmland converted to nonagricultural uses either by direct commitment of the land to project facilities or by the creation of remnant parcels that cannot be economically farmed will be mitigated at a ratio of 1:1.
- Where HST project facilities would create a remnant parcel of 20 acres or less in size, the acreage of that remnant parcel will be mitigated at a ratio of 1:1.
- An area 25 feet wide bordering Important Farmland converted to nonagricultural uses by project facilities (not counting remnant parcels) will be mitigated at a ratio of 0.5:1.

The Authority and FRA have gone to great lengths to maximize the use of existing transportation corridors to minimize potential impacts on agricultural lands. However, this must be balanced with considerations of minimizing potential impacts on urbanized areas (typically, noise and residential and business displacements) as well as impacts on natural resources. Also, HST operations impose design requirements that do not always fit within the alignment of the existing transportation corridors and therefore HSTs cannot feasibly be built solely within those corridors. Existing corridors are not sufficiently straight, nor are their curve radii long enough to support high-speed operation along their full lengths and in many cases cannot maintain the speeds

I012-1

necessary to meet the Prop. 1A travel-time requirements. Additionally, safety considerations dictate the need to separate the HST from roads and conventional rail (refer to Section 2.4.2.1, Alignment Requirements).

I012-2

Refer to Standard Response FB-Response-AG-05.

The HST Agricultural Working Group's White Paper entitled "Pesticide Use Impacts" (July 2012) examined the issue of whether aerial spraying would be curtailed as a result of HST operations. The White Paper was prepared in collaboration with, and with the concurrence of, all of the County Agricultural Commissioners in the San Joaquin Valley. It provides the following explanation of the potential for new buffer areas to be necessary due to the installation and operation of the HST project.

"Growers in the path of the railway where the route leaves an established transportation corridor and creates a new corridor across their farmland will be subject to the implementation of existing regulatory restrictions depending on conditions and circumstances of the type of pesticide being used. All that would be "new" to the grower would be the enforcement of existing regulations for conditions that did not exist prior to the construction of the route through their property.

"Choices of crops or livestock to produce would be influenced more by forces outside of a high-speed train than the train itself. Similarly the choice of what pesticide to use for any particular need should not be influenced by a high-speed train any more than already exists for any other transportation corridor in the locality. The expectation of pesticide regulators would be that any pesticide application be made in compliance with all applicable laws, regulations, and conditions.

"As to the question about "buffer zones," their utilization will only be required where such safety protocol is called for when making an application adjacent to a transportation corridor. There are no buffer zones specifically addressing passenger trains; therefore, a passenger train traveling at a high rate of speed does not create a need for a buffer zone different from those already established. What is important to understand about any buffer zone is that for every fifty (50) foot increment that is one-eighth (1/8) of a mile,

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-2

or 660 feet, in length represents about 0.75 acres not treatable. This is significant to small acreage growers, especially where the railway divides their land."

I012-3

Refer to Standard Response FB-Response-AG-02, FB-Response-AG-05.

The Authority formed an agricultural working group to assist the Authority on agricultural issues. The working group is composed of representatives of universities, government agencies, and agri-business. The group completed a white paper on pesticide use impacts in 2012 (this paper is on the Authority's website). That white paper reports there would be no need for new spraying regulations around the HST as it would be treated like any other transportation corridor.

Statements regarding the termination of aerial application of pesticides within 0.25 mile of the HST alignment are an oversimplification of the aerial application process. To conduct aerial applications of pesticides, each farm must submit an application to its respective County Agricultural Commissioner, detailing what types of pesticide they are proposing to spray. It is after receiving this information that the Agricultural Commissioner places restrictions on the farm's application of pesticides. These restrictions include, but are not limited to buffer zones, aerial spraying height restrictions, mesh size limits, and wind speed restrictions. When creating these restrictions, the Agricultural Commissioner is looking at nearby sensitive receivers (transportation corridors, houses, business, etc.), the proposed pesticides to be sprayed (different pesticides have different spraying restrictions based off the manufacturer's approved application rates), and several other factors that may influence environmental effects of pesticide application. As there are a large number of factors that influence the possible restrictions placed on aerial application of pesticides, an absolute statement of no spraying within 0.25 mile is not reasonable. There are several options available to farmers so they may not have new spraying restrictions placed on them by their Agricultural Commissioner. For example, the farmer could change the pesticides they are proposing to use to ones that have fewer restrictions; they could also plant a different variety of crops next to the HST that does not require the application of pesticides with spraying restrictions.

I012-3

The Authority recognizes that possible changes to current spraying practice from the HST may reduce the productivity of a farmer's remaining property. Those possible impacts would be taken into account by the appraiser at the time of right-of-way acquisition, and any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed, and including any estimated damages to the remainder parcels, such as the cost of re-establishing irrigation systems, replacing wells, providing buffers for aerial spraying, etc. The difference between these "before" and "after" values is called severance damages and will reflect any loss in value of the remainder parcels due to the construction in the manner proposed.

Land that may be affected by new aerial application restrictions would still be used by the farmer for agricultural purposes, as would new turning areas at the end of crop rows. Therefore, there is no conversion of agricultural land from project impacts on current aerial spraying practices; however, it is an economic hardship in terms of reduced production for the remaining parcels of a farm. As is the case with removing land planted in crops for use as equipment turning lanes, the need to provide a buffer for crop spraying will be analyzed and addressed at the appraisal stage with input from the property owners and managers, and experts in the field.

In April 2013, the Authority reached an agreement with agricultural interests on mitigation of agricultural land impacts for the Merced to Fresno Section of the HST System (Authority 2013). Under that agreement, the Authority will acquire agricultural conservation easements for its impact on Important Farmland (i.e., land classified as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland) at the following ratios:

- Important Farmland converted to nonagricultural uses either by direct commitment of the land to project facilities or by the creation of remnant parcels that cannot be economically farmed will be mitigated at a ratio of 1:1.
- Where HST project facilities would create a remnant parcel of 20 acres or less in size, the acreage of that remnant parcel will be mitigated at a ratio of 1:1.
- An area 25 feet wide bordering Important Farmland converted to nonagricultural uses

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-3

by project facilities (not counting remnant parcels) will be mitigated at a ratio of 0.5:1.

I012-4

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-04, FB-Response-GENERAL-10, FB-Response-AG-01, FB-Response-AG-07.

The EIR/EIS does disclose the "real impact" of the HST project. The footprint does not need to be adjusted, nor does the calculation of impacts on agricultural land. The project has been designed with consideration of the federal Farmland Protection Policy Act and, consistent with the policies of the Act, the alignment minimizes the conversion of farmland to the extent practical. Note that the engineering design requirements for HST operation preclude the use of existing transportation corridors in all cases, as discussed in Standard Response FB-Response-GENERAL-02.

The Authority formed an agricultural working group to assist the Authority on agricultural issues. The working group is composed of representatives of universities, government agencies, and agri-business. The group completed a white paper on pesticide use impacts in 2012 (this paper is on the Authority's website). That white paper reports there would be no need for new spraying regulations around the HST, as it would be treated like any other transportation corridor.

Statements regarding the termination of aerial application of pesticides within 0.25 mile of the HST alignment are an oversimplification of the aerial application process. To conduct aerial applications of pesticides, each farm must submit an application to its respective County Agricultural Commissioner, detailing what types of pesticide they are proposing to spray. It is after receiving this information that the Agricultural Commissioner places restrictions on the farm's application of pesticides. These restrictions include, but are not limited to buffer zones, aerial spraying height restrictions, mesh size limits, and wind speed restrictions. When creating these restrictions, the County Agricultural Commissioner is looking at nearby sensitive receivers (transportation corridors, houses, business, etc.), the proposed pesticides to be sprayed (different pesticides have different spraying restrictions based on the manufacturer's approved application rates), and several other factors that may influence environmental effects of pesticide application. As there are a large number of factors that influence the

I012-4

possible restrictions placed on aerial application of pesticides, an absolute statement of no spraying within 0.25 mile is not reasonable. Several options are available to farmers so they may not have new spraying restrictions placed on them by their County Agricultural Commissioner. For example, the farmer could change the pesticides they are proposing to use to ones that have fewer restrictions; they could also plant a different variety of crops adjacent to the HST, crops that do not require the application of pesticides with spraying restrictions.

The Authority recognizes that possible changes to current spraying practice from the HST may reduce the productivity of a farmer's remaining property. Those possible impacts would be taken into account by the appraiser at the time of right-of-way acquisition, and any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed, and including any estimated damages to the remainder, such as the cost of re-establishing irrigation systems, replacing wells, providing buffers for aerial spraying, etc. The difference between these "before" and "after" values is called severance damages and will reflect any loss in value of the remainder parcels due to the construction in the manner proposed.

Land that may be affected by new aerial application restrictions would still be used by the farmer for agricultural purposes, as would new turning areas at the end of crop rows. Therefore, there is no conversion of agricultural land from project impacts on current aerial spraying practices; however, it is an economic hardship in terms of reduced production for the remaining parcels of a farm. As is the case with removing land planted in crops for use as equipment turning lanes, the need to provide a buffer for crop spraying will be analyzed and addressed at the appraisal stage with input from the property owners and managers, and experts in the field.

In April 2013, the Authority reached an agreement with agricultural interests on mitigation of agricultural land impacts for the Merced to Fresno Section of the HST System (Authority 2013). Under that agreement, the Authority will acquire agricultural conservation easements for its impact on Important Farmland (i.e., land classified as

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-4

prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland) at the following ratios:

- Important Farmland converted to nonagricultural uses either by direct commitment of the land to project facilities or by the creation of remnant parcels that cannot be economically farmed will be mitigated at a ratio of 1:1.
- Where HST project facilities would create a remnant parcel of 20 acres or less in size, the acreage of that remnant parcel will be mitigated at a ratio of 1:1.
- An area 25 feet wide bordering Important Farmland converted to nonagricultural uses by project facilities (not counting remnant parcels) will be mitigated at a ratio of 0.5:1.

I012-5

The funding the Authority has secured would be used to construct high-speed-capable track bed and rails only (no electrification, no high-speed trains, no train control systems). They would extend from Madera to Fresno and Fresno to near-Bakersfield; this extent would be known collectively as the Initial Construction Segment or "ICS." The non-electrified, no-trains, no-high-speed-train-control-systems, track-bed-and-rail-only ICS is not the Authority's CEQA "project." The project is an electrified high-speed train system with high-speed trains running between high-speed train stations in Fresno and Bakersfield. The Authority legally cannot operate anything else. The ICS is a shorthand reference tied to funding availability and construction contracting. It is irrelevant to the Authority's CEQA compliance for the Fresno to Bakersfield Project EIR.

The Authority and its federal partner, the FRA, completed two Program-level EIR/EIS documents in 2005 and 2008 (revised in 2010 and 2012 [April]) for the statewide HST System (Authority and FRA 2005, 2008; Authority 2010a, 2012d). Based on these Program documents, the Authority made basic route corridor and station-location (i.e., cities where the HST would stop) decisions. The decisions included dividing the nearly 800-mile system into nine smaller "project sections"—based on the independent utility of the endpoints (i.e., the city stations). This approach facilitates second-tier environmental review in manageable pieces. One of these sections is the Fresno to Bakersfield Section. These project sections are high-speed train sections, which are projects with electric high-speed trains running on electrified (using overhead catenary) high-speed-capable and grade-separated track running between high-speed train stations, with high-speed train control and signaling systems and high-speed train maintenance

I012-5

facilities. The Authority is a single-purpose, high-speed rail agency, without jurisdiction to construct or operate non-high-speed trains systems.

I012-6

Refer to Standard Response FB-Response-GENERAL-13.

This comment indicates that a lead agency must define its project based on available funding—in this case, funding for the entire system. CEQA and NEPA do not require this approach. Such a requirement would force lead agencies to re-define their projects every time funding changes, a result that would be in direct conflict with the "rule of reason" that governs EIRs (*Laurel Heights Improvement Assn. v. UC Regents* [1988] 47 Ca1.3d 376, 406-407).

I012-7

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-04, FB-Response-GENERAL-10, FB-Response-AG-01.

I012-8

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-AG-02, FB-Response-AG-04.

For information on the economic effects on agricultural land see EIR/EIS Volume I Section 3.12 Impact SO #15, and Section 5.2.

I012-9

Refer to Standard Response FB-Response-AG-05.

The July 2012 HST Agricultural Working Group White Paper entitled "Pesticide Use Impacts" found the following with regard to potential spraying restrictions. The HST operations are unlikely to result in landowners being unable to spray their property.

"Growers in the path of the railway where the route leaves an established transportation corridor and creates a new corridor across their farmland will be subject to the

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-9

implementation of existing regulatory restrictions depending on conditions and circumstances of the type of pesticide being used. All that would be "new" to the grower would be the enforcement of existing regulations for conditions that did not exist prior to the construction of the route through their property.

"Choices of crops or livestock to produce would be influenced more by forces outside of a high speed train than the train itself. Similarly the choice of what pesticide to use for any particular need should not be influenced by a high speed train any more than already exists for any other transportation corridor in the locality. The expectation of pesticide regulators would be that any pesticide application be made in compliance with all applicable laws, regulations, and conditions.

"As to the question about "buffer zones," their utilization will only be required where such safety protocol is called for when making an application adjacent to a transportation corridor. There are no buffer zones specifically addressing passenger trains; therefore, a passenger train traveling at a high rate of speed does not create a need for a buffer zone different from those already established. What is important to understand about any buffer zone is that for every fifty (50) foot increment that is one-eighth (1/8) of a mile, or 660 feet, in length represents about 0.75 acres not treatable. This is significant to small acreage growers, especially where the railway divides their land."

I012-10

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-03, FB-Response-AG-07.

All parcels that were considered to be potentially uneconomic were counted in the permanent agricultural project footprint. The Authority purposely used a cautious approach in estimating remnant parcels so as to not underestimate farmland impacts. The Authority will take on long-term management of any lands that are found to be uneconomic to farm, and maintain them.

The Farm Policy Protection Act does not require that farmland be preserved, but rather its intent is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses (7 United

I012-10

States Code 4201). The Authority and FRA have gone to great lengths to maximize the use of existing transportation corridors to minimize potential impacts on agricultural lands. However, this must be balanced with considerations of minimizing potential impacts on urbanized areas (typically, noise and residential and business displacements) and natural resources. Also, HST operations impose design requirements that do not always fit within the alignment of the existing transportation corridors and therefore the HST cannot feasibly be built solely within those corridors. Existing corridors are not sufficiently straight nor are their curve radii long enough to support high-speed operation along their full lengths, and in many cases they cannot maintain the speeds necessary to meet the Prop. 1A travel-time requirements. The EIR/EIS discloses the unavoidable losses of agricultural land, as required by law (see Appendix 3.14-A).

In April 2013, the Authority reached an agreement with agricultural interests on mitigation of agricultural land impacts for the Merced to Fresno Section of the HST System (Authority 2013). Under that agreement, the Authority will acquire agricultural conservation easements for its impact on Important Farmland (i.e., land classified as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland) at the following ratios:

- Important Farmland converted to nonagricultural uses either by direct commitment of the land to project facilities or by the creation of remnant parcels that cannot be economically farmed will be mitigated at a ratio of 1:1.
- Where HST project facilities would create a remnant parcel of 20 acres or less in size, the acreage of that remnant parcel will be mitigated at a ratio of 1:1.
- An area 25 feet wide bordering Important Farmland converted to nonagricultural uses by project facilities (not counting remnant parcels) will be mitigated at a ratio of 0.5:1.

I012-11

Refer to Standard Response FB-Response-GENERAL-02.

The Final EIR/EIS conforms with the requirements of the Farmland Protection Policy Act (FPPA). The Authority and FRA have gone to great lengths to maximize the use of existing transportation corridors to minimize potential impacts on agricultural lands. However, this issue must be balanced with considerations of minimizing potential

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-11

impacts on urbanized areas (typically, noise and residential and business displacements). Also, HST operations impose design requirements that do not always fit within the alignment of the existing transportation corridors and therefore cannot feasibly be built solely within those corridors. Existing corridors are not sufficiently straight, nor are their curve radii long enough to support high-speed operation along their full lengths. In many cases, the existing corridors could not maintain the speeds necessary to meet the Prop. 1A travel time requirements. Also, safety considerations dictate the need to separate the HST System from roads and conventional rail (refer to Section 2.4.2.1, Alignment Requirements, in the Final EIR/EIS).

I012-12

Refer to Standard Response FB-Response-GENERAL-04.

The Authority recognizes and the EIR/EIS discloses that the loss of farmland cannot be fully mitigated, and as such the loss has been classified as a significant and unavoidable impact. See Impact AG #4 for information on the permanent conversion of agricultural land, and see Mitigation Measure AG #1 in Section 3.14.7 for measures to reduce the impact on prime farmland.

I012-13

Refer to Standard Response FB-Response-GENERAL-21.

I012-14

Refer to Standard Response FB-Response-GENERAL-02.

The commenter is misinformed regarding the provisions of Proposition 1A. The proposition enacted Streets and Highways Code Section 2704.04(a), which states:

"(a) It is the intent of the Legislature by enacting this chapter and of the people of California by approving the bond measure pursuant to this chapter to initiate the construction of a high-speed train system that connects the San Francisco Transbay Terminal to Los Angeles Union Station and Anaheim, and links the state's major population centers, including Sacramento, the San Francisco Bay Area, *the Central*

I012-14

Valley, Los Angeles, the Inland Empire, Orange County, and San Diego consistent with the authority's certified environmental impact reports of November 2005 and July 9, 2008." (emphasis added)

I012-15

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-04, FB-Response-GENERAL-10, FB-Response-AG-01.

I012-16

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-13, FB-Response-GENERAL-14, FB-Response-GENERAL-17.

As discussed in Chapter 1, Project Purpose, Need, and Objectives, of the Final EIR/EIS, the objectives of the HST project include providing service to the major urban areas of the Central Valley.

As described in Section 1.5, Tiering of Program EIR/EIS Documents, of the Final EIR/EIS, in the 2005 Statewide Program EIR/EIS decision document (Authority and FRA 2005), the Authority and FRA selected the BNSF Railway route as the Preferred Alternative for the HST System between Fresno and Bakersfield. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

I012-17

Refer to Standard Response FB-Response-GENERAL-15.

I012-18

Refer to Standard Response FB-Response-GENERAL-10, FB-Response-GENERAL-15.

For information on the economic effects on agricultural land see EIR/EIS Volume I Section 3.12 Impact SO #15 and Section 5.2. See Section 5.1.2 in the Community Impact Assessment Technical Report (Authority and FRA 2012h) and EIR/EIS Volume I Section 3.12 Impacts SO#5 and SO#13 for information on project job creation during

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-18

construction and operation.

I012-19

The distance of 102 feet for the separation of freight rail from HST tracks is primarily to prevent a derailed freight car from encroaching on the HST tracks. This distance would apply to both at-grade and elevated tracks. As discussed in Section 3.11 of the EIR/EIS, a basic design feature of an HST system is to contain train sets within the operational corridor (FRA 1993). Strategies to ensure containment include operational and maintenance plan elements that would ensure high-quality tracks and vehicle maintenance to reduce the risk of derailment. Also, physical elements, such as containment parapets, check rails, guard rails, and derailment walls, would be used in specific areas with a high risk of, or high impact from, derailment. These areas include elevated guideways and approaches to conventional rail and roadway crossings. Figure 3.11-8 in Section 3.11 shows an example of concrete derailment walls and containment parapets on an elevated section of an HST in Taiwan. The concrete derailment walls are like tall curbs that run close to the train wheels. In the event of a derailment, these walls keep the train within the right-of-way and upright. Figure 3.11-9 in Section 3.11 shows a derailed HST and how it is prevented from leaving the right-of-way. This photograph shows a train that derailed in Taiwan in March 2010 after an earthquake. The train was traveling at 175 miles per hour when the railway earthquake sensors picked up seismic movements. The traction power supply was automatically cut, and the onboard ATP system was instructed to bring the train to an emergency halt. As a result of the lateral seismic movements during the earthquake, the train jumped the track; but as designed, the train bogies were contained by the derailment wall alongside the track. As a result of implementing these standard design practices, people outside the HST right-of-way would be safe from derailment accidents.

I012-20

No barriers are planned between houses, barns, and equipment shops and the HST alignment. As discussed in Section 3.11 of the EIR/EIS, a basic design feature of an HST system is to contain train sets within the operational corridor (FRA 1993). Strategies to ensure containment include operational and maintenance plan elements that would ensure high-quality tracks and vehicle maintenance to reduce the risk of derailment. Also, physical elements, such as containment parapets, check rails, guard

I012-20

rails, and derailment walls, would be used in specific areas with a high risk of or high impact from derailment. These areas include elevated guideways and approaches to conventional rail and roadway crossings. Figure 3.11-8 in Section 3.11 shows an example of concrete derailment walls and containment parapets on an elevated section of an HST in Taiwan. The concrete derailment walls are like tall curbs that run close to the train wheels. In the event of a derailment, these walls keep the train within the right-of-way and upright. Figure 3.11-9 in Section 3.11 shows a derailed HST and how it is prevented from leaving the right-of-way. This photograph shows a train that derailed in Taiwan in March 2010 after an earthquake. The train was traveling at 175 miles per hour when the railway earthquake sensors picked up seismic movements. The traction power supply was automatically cut, and the on-board ATP system was instructed to bring the train to an emergency halt. As a result of the lateral seismic movements during the earthquake, the train jumped the track; but as designed, the train bogies were contained by the derailment wall alongside the track. As a result of implementing these standard design practices, people outside the HST right-of-way would be safe from derailment accidents.

I012-21

The FRA has determined that a distance of approximately 102 feet is sufficient to provide protection for accidents associated with the derailment of a freight train adjacent to an HST. It is reasonable to assume that this same distance would apply to collisions between HSTs. In the accidents involving HSTs in Germany and China, the impact zone was within that distance from the HST tracks. Where the HST is at-grade, the edge of right-of-way would typically be about 50 feet from the edge of the HST tracks (see Figure 2-6 in the EIR/EIS). Where the HST is elevated, the HST tracks may be about 15 feet from the edge of the elevated structure (see Figure 2-9 in the EIR/EIS). Therefore, people and structures within about 50 feet of the right-of-way where the HST is at-grade and about 85 feet of an elevated structure could be at risk from a collision of HSTs. However, the probability of such an accident is very low.

I012-22

Refer to Standard Response FB-Response-GENERAL-13.

Amtrak's Acela Express is the only train operating at speeds of up to 150 mph in the

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-22

United States. That train began operations in 2000 and has experienced one accident involving collision with an automobile at an at-grade crossing. There have also been deaths of people on the tracks and struck by the train. None of these types of accidents would occur with diesel train operations on the HST tracks because there would be no at-grade crossings and the alignment would be fenced to prevent people and animals from crossing the tracks.

Because the HST alignment is designed for operation of trains at much higher speeds than can be attained by diesel trains, the alignment is fully grade-separated, and there will be adequate separation or barriers between the HST tracks and adjacent freight tracks, the potential for accidents involving a non-electric passenger train using the HST tracks would be low.

In the event of an accident resulting in the derailment of a nonelectric passenger train using the HST tracks, there is a potential for the release of diesel fuel into the environment, and there could also be a fire related to the spill of diesel fuel in the event of an accident. This could result in injuries or fatalities to individuals within approximately 100 feet of the HST alignment.

I012-23

Refer to Standard Response FB-Response-SO-07.

A sticker denoting the extension of the public comment period was provided in Spanish and English and affixed to comment cards and the EIR/EIS outreach brochure. These materials were available to the public at all public meetings, at the project office in Kings County, in all public repositories, and on the Authority website. Materials were not translated into Hmong, but the opportunity to provide translation services was made available and noticed on all public outreach/notification materials, and a multilingual, toll-free hotline is available for community members to obtain information and submit requests/comments.

I012-24

Refer to Standard Response FB-Response-SO-07.

I012-24

A sticker denoting the extension of the public comment period was provided in Spanish and English and affixed to comment cards and the EIR/EIS outreach brochure. These materials were available to the public at all public meetings, at the project office in Kings County, in all public repositories, and on the Authority website. Materials were not translated into Hmong, but the opportunity to provide translation services was made available and noticed on all public outreach/notification materials, and a multilingual, toll-free hotline is available for community members to obtain information and submit requests/comments.

I012-25

The public outreach process for the Fresno to Bakersfield Section of the HST System has been extensive; this process has included hundreds of public meetings and briefings where public comments have been received, participation in community events where participation has been solicited, and the development and distribution of educational materials to encourage feedback. These efforts are cited in Chapter 7, Public and Agency Involvement, of the Revised DEIR/Supplemental DEIS. Public notification regarding the draft environmental documents took place in the following ways. A notification letter, informational brochure, and NOA were prepared in English and Spanish and sent to landowners and tenants living within 300 feet of all alignment alternatives. The letters notified landowners and tenants that their property may be necessary for construction (within the project construction footprint) of one or more of the alignment alternatives or project components being evaluated. Anyone who has requested to be notified or is in our stakeholder database was sent notification materials in English and Spanish. An e-mail communication about the notification materials was distributed to the entire stakeholder database. Public notices were placed in English- and Spanish-language newspapers. Posters in English and Spanish were posted along the project right-of-way.

I012-26

Refer to Standard Response FB-Response-GENERAL-02.

Water supply was not a contributing factor in the decision to reject an Interstate 5 (I-5) alternative.

Response to Submission I012 (Karen Stout, October 18, 2012) - Continued

I012-27

Refer to Standard Response FB-Response-GENERAL-02.

The commenter is under the false impression that the Interstate 5 (I-5) alternative was rejected due to a lack of water. Water supply was not a consideration in the decision to dismiss analysis of the I-5 alternative. The I-5 alternative was rejected because it failed to meet the objectives of the HST project.

The Kings/Tulare Regional Station is no longer considered a "potential" station. The Authority and FRA will construct a Kings/Tulare Regional Station in the vicinity of Hanford as part of the project. Construction timing would be based on ridership demand in the region, and would occur during Phase 2 of the statewide project, sometime after 2020.

I012-28

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-GENERAL-10, FB-Response-AG-01, FB-Response-AG-06.

As described in Section 1.5, Tiering of Program EIR/EIS Documents, in the Final EIR/EIS, in the 2005 Statewide Program EIR/EIS decision document (Authority and FRA 2005), the Authority and FRA selected the BNSF Railway route as the Preferred Alternative for the HST System between Fresno and Bakersfield. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

Submission I013 (Joe Streiff, October 17, 2012)

RECEIVED
10/19/2012

10-17-12

I013-1

We agree with the enclosed letter from Semitropic Water District opposing high speed rail.

Streiff Family Trust
Vera May Streiff
Joe Streiff



1101 Central Avenue, P.O. Box 8043, Wasco, California 93280-0877

Telephone: (661) 758-5113 Bakersfield: (661) 327-7144
Facsimile: (661) 758-3219 Email: mail@semitropic.com
Website: www.semitropic.com

Semitropic's Comments to the California High Speed Rail Authority

October 3, 2013

Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment
770 L Street, Suite 800
Sacramento, CA 95814

The Semitropic Water Storage District is one of eight water storage districts in California and is the largest in Kern County. The District delivers water for the irrigation of approximately 140,000 acres for agricultural uses. Semitropic also supplies energy to a variety of users and provides groundwater banking and storage services for municipalities and agricultural interests.

I013-2

Upon review of the alternative alignments from Wasco north to the Kern County line we are very concerned if Alternative A-2 is selected and therefore, Semitropic highly recommends that Alternative A-1, which follows the existing railroad alignment, be selected as the preferred alternative.

Alternative A-2, if constructed, would cause extreme damage by cutting diagonally across private property, not only intersecting Semitropic's water distribution and electrical facilities but also numerous Landowners' on-farm systems that would have to be reconstructed. Additionally, access to operate and maintain Semitropic's water distribution facilities on the east side of the proposed alignment (Alternative A-2) would be very restricted, therefore causing operations to be highly inconvenienced, perhaps even causing additional damage because of operational emergencies that could not be dealt with in a timely manner.

Also, just a cursory review of the two alignments indicated that the cost of construction along A-2 will be extraordinarily higher than to construct along Alternative A-1.

I013-3

As a final comment, Semitropic does not support construction of the High Speed Train Project recognizing that the State and Federal Governments are in a financial crisis and that this kind of money would be far more beneficial to the enemy of the State if used to provide a more reliable water supply.

Wilmar L. Boschman
General Manager

Note: See other side for sketch.

Submission I013 (Joe Streiff, October 17, 2012) - Continued



Response to Submission I013 (Joe Streiff, October 17, 2012)

I013-1

Refer to Standard Response FB-Response-GENERAL-14.

The commenter's opposition to the construction of the High Speed Train project is noted.

I013-2

Refer to Standard Response FB-Response-AG-01, FB-Response-AG-02, FB-Response-GENERAL-10, FB-Response-HWR-01, FB-Response-PU&E-03, FB-Response-SO-01, FB-Response-SO-03.

The Authority has used the information in the Final EIR/EIS and input from the commenting agencies and public to identify the Preferred Alternative. The decision has involved consideration of the project purpose, need, and objectives as presented in Chapter 1, Project Purpose, Need, and Objectives, the criteria in the alternatives analysis, and the comparative potential for environmental impacts. The Preferred Alternative balances the least overall impact on the environment and local communities with the cost and constructability constraints of the project alternatives evaluated.

Please refer to Chapter 5 of the EIR/EIS for a discussion and breakdown of project costs.

I013-3

Refer to Standard Response FB-Response-GENERAL-14.

The commenter's opposition to the construction of the High Speed Train project is noted.

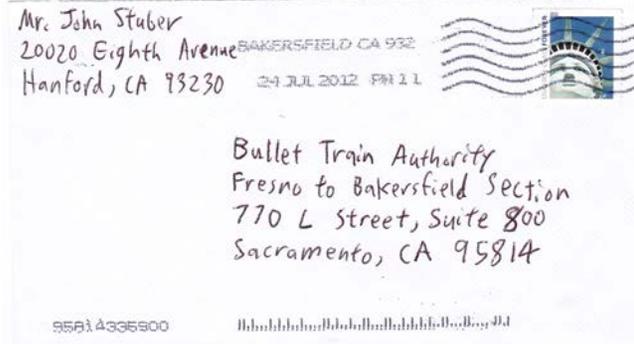
Submission I014 (John Stuber, July 24, 2012)

I014-1

4881

Dear High Speed rail burocrat:
I believe that the high speed
railroad should have room on
its cars for automobiles to be
transported from San Francisco
to Los Angeles or from Los Angeles
to San Francisco. The cars can be
put on the train before it leaves
and taken off at the end of the
journey.

Your Friend:
Mr. John Stuber



Response to Submission I014 (John Stuber, July 24, 2012)

I014-1

One of the attributes of the high-speed train that enables it to travel at speeds of up to 220 miles per hour is the lightness of the rail cars. To accommodate freight, such as automobiles, the rail cars would need to be much heavier and the trains' top speeds would be reduced, which would not meet the project's objectives.

Submission I015 (Jeff and Cindy Taylor, October 19, 2012)

October 16, 2012

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Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment
770 L Street, Suite 800
Sacramento, CA 95814

SUBJECT: REVISED DRAFT EIR/SUPPLEMENTAL DRAFT EIS COMMENT
FROM JEFF AND CINDY TAYLOR.

INTRODUCTION

1015-1 | Many of the issues raised in this comment were addressed by Cindy and I, Bakersfield City officials, Kern County officials and members of the public in comments submitted to the Authority for the previous 2011 EIR/S documents. However, very few issues previously brought to the attention of the High Speed Rail Authority have been adequately responded to or addressed in the 2012 Revised Draft EIR/S documents. We respectfully request that the High Speed Rail Authority adequately respond to the issues, comments and questions contained in this comment.

VIOLATIONS OF NEPA AND ENVIRONMENTAL JUSTICE

1015-2 | Non-compliance with National Environmental Policy Act (NEPA) provisions including widespread denial of public and local authority participation in the NEPA process by the California High Speed Rail Authority (Authority) is so egregious that the Federal Railroad Administration (FRA) must consider all scoping and planning of the project thus far completed by the Authority invalid. Authority violations of NEPA are sufficiently severe to necessitate planning for the project to start anew in strict compliance with all NEPA laws and regulations including those of Environmental Justice (EJ) that provide for effective efforts to notify the affected public to promote sufficient public participation in the scoping and planning process as per the intent of NEPA. The severity of Authority NEPA violations necessitates that the FRA withhold approval of federal funding for the California High-Speed Rail project until all prior NEPA violations have been reversed, remedied and mitigated.

The FRA is the lead federal agency responsible for project oversight and compliance with NEPA, the Endangered Species Act, and the National Historic Preservation Act. The US Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency (EPA), the FRA, and the California High Speed

Rail Authority (CHSRA) signed a Memorandum of Understanding (MOU) in 2010, creating an integrated process for compliance with NEPA. The MOU includes a series of checkpoints to determine the least environmentally damaging practicable alternative (LEDPA) for the High Speed Rail project for the purpose of creating an integrated NEPA document that would meet the needs of the FRA and the USACE. Draft Environmental Impact Report (DEIR) documents have been prepared for the High Speed Rail project by the FRA and the Authority with USACE being a cooperating agency.

Section 6.1 "Preferred Alternative" of the Revised Draft Fresno to Bakersfield EIR/S (RDEIR) states that the selection of a preferred alternative will take into account the physical and operational characteristics, and potential environmental consequences associated with the HST alignments and station and heavy maintenance facility alternatives in which relative differences are identified, such as physical and operational characteristics that include travel time, capital cost, the ability to test and certify trains operating at speeds of 220 mph, right-of-way availability and ability to reach agreement with stakeholders to acquire easements or operating rights, construction complexity, impacts on existing railroad facilities and operations and available funding limitations (e.g., American Recovery and Reinvestment Act of 2009 (ARRA) deadlines).

According to the MOU between CHSRA, FRA, EPA and USACE Tier 2 project level reviews are not limited to Tier 1 program level alternatives. The MOU clearly states that "As sections of the proposed High Speed Train (HST) system are advanced, these Tier 2 reviews will examine a range of HST project alternatives within corridors and at station locations selected in the Tier 1 EIR/EIS in addition to other corridors or alternatives that may be identified through public scoping, or through the availability of new information or analysis not considered during the Tier 1 phase, as well as a no action alternative."

The MOU states that a preferred alternative will take into account potential environmental impacts including transportation related topics (air quality, noise and vibration, and energy), human environment (land use and community impacts, farmlands and agriculture, aesthetics and visual resources, socioeconomics, utilities and public services, and hazardous materials and waste), cultural resources (archaeological resources, historic properties) and paleontological resources,

Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

Page 3 of 21

natural environment (geology and seismic hazards, hydrology and water resources, and biological resources and wetlands) and section 4(f) and 6(f) resources (certain types of publicly owned parklands, recreation areas, and historic sites).

The MOU at Checkpoint B, (Identification of Project Alternatives for Analysis in the DEIS) clearly states that the public interest review process may require alternatives to be revisited if necessary. A July 22, 2005 letter from the EPA and USACE is incorporated in the MOU as Appendix C. The letter concurred with the alternative most likely to contain the LEDPA for the statewide California HST Project.

The decisions were commensurate with the level and breadth of the environmental data made available to the USACE and EPA at that time and was focused on Section 404 and NEPA issues that were ripe for consideration. However, the prior Tier 1 concurrences do not obviate the need for FRA and the Authority to fully comply with all requirements of the Clean Water Act section 404(b) (1) Guidelines (40 C.F.R. Part 230) during the preparation of subsequent Tier 2 (project-level) EISs, nor do they fulfill the USACE's public interest review process and determination pursuant to 33 C.F.R. Part 320.4(a). New information or changes in project decisions should be carefully considered when developing alternatives and may require Tier 1 alternatives to be revisited, if necessary.

NEPA requires that the Authority demonstrate a need for the proposed project compared with a no build option. Arguably, the need threshold for a high speed rail system has not been met. NEPA also mandates that the Authority provide reasonable alternative studies for the project's proposed action for the purpose of identifying and evaluating the associated environmental impacts of the alternatives to determine which alternative will accomplish the purpose of the project while causing the least amount of impacts to the environment.

Environmental impacts associated with a more direct north-south route along the Central Valley's I-5 corridor to the southern portion of the San Joaquin Valley could be much less widespread and severe than the Fresno to Bakersfield alignment being considered in the current RDEIR because the I-5 route could use state-owned right of way or utility easements, reducing conflicts with property owners. In 2010, French National Railway officials proposed running the bullet train along I-5 through the Central Valley linking the system to San Francisco. The

Page 4 of 21

French National Railway officials are experienced and successful bullet train operators. They determined that the I-5 route would be the shortest, fastest and lowest-cost alignment, with a price tag of about \$38 billion which is substantially less than CHSRA's current route with an estimated cost of \$68.4 billion.

The I-5 rail alignment has never been studied under NEPA provisions because it was eliminated prior to the start of that formal review process. The I-5 alignment is arguably a „better“ preferred alternative and merits scoping, planning and environmental study under NEPA. The I-5 alignment may not perform as well for connecting Central Valley cities such as Fresno and Bakersfield, but that could be mitigated by adding spur lines along existing transportation corridors. It is possible that this alternative could outperform the current alternatives for nearly all desired characteristics as described in the RDEIR.

The current RDEIR states that local agencies endorsed the downtown Bakersfield, Truxtun Avenue station. However, concepts considered desirable prior to full evaluation of environmental effects should not preclude consideration of NEPA and CEQA alternatives within an RDEIR that might be effective in avoiding or reducing significant environmental effects. Previous local agency endorsements are outdated. More recently, the City of Bakersfield, City of Wasco and Kern County approved resolutions of opposition to the project as planned. This should be considered "new" information under the 2010 MOU, and under NEPA guidelines.

There are no true rail alternative alignment studies for the Bakersfield area in the current RDEIR documents. The RDEIR examined only minor variations or combinations of the B1 and B2 alternative alignments when they developed the B3 hybrid alignment in Bakersfield. The three Bakersfield alternative alignments will cause similar, devastating impacts to the Bakersfield community. All three alignments are in most cases only feet apart from each other as they cut through the heart of metropolitan Bakersfield. All three of the alternative alignments are elevated as high as 90' for the entire 12 mile long route through metropolitan Bakersfield and will cause widespread and excessive impacts to all members of the community who live and work within sight and sound of the elevated train tracks.

City of Bakersfield officials made a formal request to the CHSRA that a peripheral alignment be studied. Bakersfield City officials also addressed other serious issues that require response by the CHSRA in their 2011 Environmental Impact Comment

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I015-10 | to the CHSRA. However, the request for a peripheral alignment and virtually every other issue brought to the attention of the CHSRA by the City of Bakersfield has been completely ignored.

I015-11 | A RDEIR of less destructive and impactful alternative station locations and alignments outside of, but in close proximity to, metropolitan Bakersfield have not been considered. Peripheral alignment alternatives would cause far fewer negative impacts, especially if built at grade and may cost hundreds of millions of dollars less than the current alternatives. A peripheral alignment alternative may greatly reduce property acquisition costs and the exorbitant expense of constructing an elevated downtown Bakersfield station and 12 miles of elevated viaducts that cut through the heart of Bakersfield.

I015-12 | All three of the Bakersfield alternative alignments will unnecessarily cause "south of the tracks" devaluation to an extended number of properties located within sight and sound of the 12 mile long elevated train tracks and will cause huge impacts to our local property tax base. All three alignments will unnecessarily destroy an unacceptable number of homes, businesses, churches, jobs and community infrastructure. Widespread and severe destruction of a major portion of a city with severe impacts to culture and quality of life caused by that destruction violate NEPA and CEQA law and violate the intended provisions of EJ.

I015-14 | The RDEIR does not consider other alternatives that could avoid or substantially reduce the project's significant impacts, such as an alignment that follows established transportation corridors. Failure of the RDEIR documents to consider a reasonable range of alternatives makes the analysis inadequate and incomplete and violates the intended provisions of EJ.

The Council on Environmental Quality (CEQ) has direct oversight of the federal government's compliance with Executive Order 12898 and NEPA regulations. The CEQ and the EPA have developed guidance policies to further assist the FRA with their NEPA mandated procedures so that EJ concerns are effectively identified and addressed.

The FRA is the lead federal agency for the California High Speed Rail project under NEPA and is responsible for informing, implementing and reviewing

environmental policies of the project to insure compliance with procedural requirements of NEPA. The FRA is also responsible for technical and legal review of regional Environmental Impact Statements. The FRA is chartered to begin its process of considering the environmental impacts of a proposed action by consulting with appropriate federal, state, and local authorities, and with the public at the earliest practical time in the project planning process. The FRA's charter also includes complying with all applicable environmental review laws and regulations of NEPA. The FRA process includes encouraging broad public participation during scoping and review of draft environmental documents. In addition to publication of notices in the Federal Register, the FRA is responsible for making effective efforts to notify the affected public.

On August 2, 2012 the Authority for the first time adopted an Environmental Justice Guidance (EJG) policy, even though the Authority has been planning the project for well over ten years.

I015-15 | Recently, the CHSRA was requested to provide their Right of Way Agents Manual which is an integral part of their EJG policy, but CHSRA responded that they are using Caltrans' manual. This is further evidence that the policy was an afterthought and is convincing evidence that the Authority did not consider or comply with provisions of EJ that are mandated by NEPA laws and regulations from the Authority's inception through the entire design and planning stages of the project to the present day.

I015-16 | Title VI of the Civil Rights Act of 1964 is a non-discrimination statute providing that: No person in the United States shall, on the ground of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. EJ is a component of Title VI and is a part of environmental law and regulations of NEPA. In September 2011, the FRA requested that the Authority adopt Title VI policy. The Authority did not adopt Title VI policy until its March 2012 Board meeting.

NEPA regulations also include Executive Order 12898. The Order addresses achieving EJ by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. The order specifically

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emphasizes the importance of NEPA's public participation process, directing that "each federal agency shall provide opportunities for community input in the NEPA process." The FRA in accordance with NEPA regulations is responsible for insuring effective policies to help "identify potential effects and mitigation measures in consultation with affected communities, and improve the accessibility of meetings, crucial documents, and notices."

I015-17 | Authority compliance with EJ regulations mandated by NEPA were not even considered until September 15, 2011, when the FRA directed the Authority to develop and implement a Title VI Program to finally address how the Authority will ensure nondiscrimination in the federally financially assisted high-speed rail project. As of August 2, 2012 the Authority had not yet filled the position of Title VI Coordinator.

During the August 2, 2012 Authority Board meeting held in Sacramento, the Authority for the first time adopted an EJG policy. Board meeting Agenda Item #4 made two requests of the Board. (1) Approve the California High-Speed Rail Authority Environmental Justice Policy and authorize the Chief Executive Officer, Jeff Morales, to sign and widely disseminate. (2) Adopt the Environmental Justice Guidance and authorize the CEO to transmit the EJG policy to the Federal Railroad Administration. The Authority also adopted Resolution #HSRA 12-22 that resolved to approve the new EJG policy.

I015-18 | The EJG policy adopted by the Authority on August 2, 2012 states that "The Authority's Environmental Justice Guidance promotes the incorporation of EJ considerations into its programs, policies, and activities to mitigate disproportionate adverse impacts, particularly on minority and low-income populations. The Authority emphasizes the fair treatment and meaningful involvement of people of all races, cultures, and income levels, including minority and low-income populations, from the early stages of transportation planning and investment decision-making through design, construction, operations and maintenance." Unfortunately, the Authority has unfairly excluded untold thousands of people of all races and cultures from having any meaningful involvement in the early stages of the project's planning, design and decision making processes.

I015-19 | Since the Authority's inception, the project has violated provisions of EJ that are mandated by NEPA. Property owners whose properties will be impacted by the High Speed Rail project were not officially notified by the Authority that their properties were at risk of being taken or otherwise impacted until July 19, 2012. Stakeholder notification should have been provided much earlier to comply with EJ provisions mandated by NEPA.

I015-20 | The untimely notification by the Authority unjustly prohibited impacted stakeholders from participating in the project planning process. Impacted property owners have been excluded from attending workshops and meetings held by the Authority concerning alignment alternatives. This inexcusable oversight denied stakeholders privileged position status and prohibited stakeholders their right to participate in identifying impacts on the surrounding environment. Stakeholders have been unjustly denied the opportunity to review and make comments on EIR documents and Authority Business Plans.

I015-21 | Thousands of stakeholders throughout California were unjustly denied the opportunity to attend Authority meetings held prior to July 19, 2012 because the Authority did not notify property owners specifically that plans were being made to take, partially take or otherwise impact their properties in order to make right of way for the project. This is a purposeful and egregious omission on the part of the Authority and violates the intent of federal EJ provisions mandated by NEPA.

I015-23 | There are over 14,000 pages of RDEIR documents for the Fresno to Bakersfield California High Speed Rail segment and over 30,000 pages of documents which are directly related to the Program and Project Level EIRs. However, less than 4,800 pages of the documents have been provided on line and on CD for the purpose of review and comment on the Fresno to Bakersfield portion of the project. The 4,800 pages that were included in the CD make over 150 references to more detailed information in the form of Technical Reports, yet those reports are not included on the CD. The reports are not available locally in libraries. In fact, the reports are only available on the HSRA's website. Most reports are so large that they require not only a computer and access to the internet, but high speed access to the internet. The reports contain relevant information that is necessary for the public to fully evaluate all of the environmental impacts caused by the project. The Authority's failure to provide all relevant and necessary information to the public has denied stakeholders the ability to effectively review and comment on the environmental impacts of the project and has violated the intent of EJ.

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1015-26 | The Authority has not provided hard copies of RDEIR documents written in Spanish, even though a large percentage of impacted property owners who own properties in the planned alternative alignments are Hispanic. In fact, very few Authority documents have been provided in Spanish. This violates the intent of EJ provisions mandated by NEPA and has denied Spanish speaking stakeholder's privileged position status.

1015-27 |

1015-28 | Potentially impacted property owners have been unjustly denied an opportunity to participate in formulation of feasible project alternatives and appropriate mitigation. It is a violation of EJ to exclude the public from being adequately informed in such a way that they can intelligently weigh the environmental consequences of all contemplated action, and have an appropriate voice in the formulation of all decisions made by the Authority. The Authority has not publicized the addresses of impacted properties in the planned rail alignment nor has the Authority disclosed whether the impacted properties are residential, business, church, industrial or publicly owned.

1015-29 |

1015-30 | The brief 60 day review and comment periods allowed by the Authority for the public, government and other agencies to respond to previous environmental impact and study documents and business plans was so unreasonably short that it effectively precluded any meaningful opportunity for informed agency and public participation. Many state agencies, legislators, congressional representatives, community organizations, city and county officials, businesses and individuals requested a review and comment extension last year, but the Authority ignored them all. The unreasonable 60 day review and comment periods have violated the Authority's duty to ensure informed public participation in the environmental review process. The 60 day review and comment periods are insufficient for a project of this magnitude, cost and complexity. The Authority should allow much longer EIR and Business Plan review and comment periods. We recognize that the Authority did grant a 30 day comment period extension for the current Fresno to Bakersfield RDEIR.

1015-31 |

1015-32 | We believe that violations of NEPA by the CHSRA are numerous and egregious. We respectfully request that the CHSRA take measures to reverse and mitigate the widespread and severe damage those violations have caused to untold thousands of people unjustly denied their EJ rights and other NEPA provisions by the CHSRA's denial of public participation in the NEPA process. We are convinced that the only possible remedy to reverse, mitigate and correct the numerous and severe

1015-33 |

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1015-33 | violations the CHSRA has caused to the NEPA process is to renew the high speed rail project scoping and planning process and do so in strict accordance to all provisions of NEPA law.

FINITE PROJECT DESCRIPTION

1015-34 | The Authority identifies several possible alignment and Heavy Maintenance Facility alternatives. Is the project's failure to identify an accurate, stable and fixed project description ambiguous and contrary to NEPA and CEQA guidelines? NEPA and CEQA provisions mandate that an EIR/S document identify which alignment is the proposed project and which alignments are project alternatives. Project alternatives as defined under CEQA and NEPA are intended to avoid or substantially reduce the significant impacts of the proposed project. The failure to identify the proposed project is due to the fact that that the project has not reached a point that allows for meaningful environmental review.

1015-35 |

1015-36 | (1) Does CEQA require a project level document have a stable, finite project description?

1015-37 | (2) Why is there a disclaimer stating "Preliminary Draft/Subject to Change-HST Alignment Is Not Determined" and how can the EIR/S document be project ready with the above mentioned disclaimer?

1015-38 | (3) Does the fact that a number of critical studies have not been completed and the analyses of several significant impacts have been deferred prove that effective environmental review is premature?

BAKERSFIELD CITY IMPACTS

1015-39 | (1) Why did the EIR state that local agencies endorsed the Truxtun downtown station, when concepts considered desirable prior to full evaluation of environmental effects should not preclude consideration of CEQA alternatives within an EIR that might be effective in avoiding or reducing significant environmental effects?

1015-40 | (2) Good access of local mass transit is not dependant on a downtown station location, so shouldn't an alternative station location outside our metropolitan Bakersfield area be considered as an alternative in the EIR and wouldn't that alternative meet the provisions of Prop-1A?

1015-41 | (3) Why does the project destroy so much of downtown Bakersfield when other less destructive alternative rail alignments could have been studied?

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- 1015-42 | (4) Does widespread and severe destruction of a major portion of a city and impacts to culture and quality of life caused by that destruction, violate CEQA and NEPA?
- 1015-43 | (5) Why is the Authority ignoring the City of Bakersfield's concerns and suggestions?
- 1015-44 | (6) Why haven't all of the City of Bakersfield's comments for last year's public comment on the Fresno-Bakersfield EIR been included or addressed in the revised draft EIR?
- 1015-44 | (7) Why are the distinct and different policies of the Kern County General plan and the Kern County and City of Bakersfield Metropolitan General Plans not incorporated in the EIR/S documents?
- 1015-45 | (8) Why do the EIR/S documents indicate that the project would have significant construction and operational impacts to the residents of Bakersfield and surrounding communities that would permanently affect the physical environment and quality of life in the region?
- 1015-46 | (9) Why did the EIR/S not discuss the increase of vehicular exhaust emissions caused by significant parking and supportive transit services around the downtown Bakersfield station?
- 1015-47 | (10) Does the EIR/S significantly underestimate the vehicle trips for the Bakersfield station and isn't the percentage of trips allocated to peak hours unsupported?
- 1015-48 | (11) Why is there no EIR/S of areas east of Oswell Street?
- 1015-49 | (12) How can the City of Bakersfield, Kern County officials or the public fully evaluate the impacts to the city without a complete EIR/S document that includes the entire stretch of rail within Bakersfield's metropolitan area?
- 1015-50 | (13) How many hundreds of millions of dollars of public infrastructure will be destroyed in the Fresno to Bakersfield portion of the project?
- 1015-51 | (14) How many hundreds of millions of dollars of public infrastructure will be destroyed in Bakersfield?
- 1015-51 | (15) Are the EIR/S alignments in direct conflict with alternative "C" of the Centennial Corridor project?
- 1015-52 | (16) Does the EIR/S have substantial and numerous potential conflicts with Bakersfield's Thomas Road Improvement projects?
- 1015-53 | (17) Why should the project proceed when the project would cause hundreds of millions of dollars of damage to Bakersfield city assets without any mitigation being offered?

VIADUCT IMPACTS TO BAKERSFIELD

- 1015-54 | (1) Will 12 miles of 40' to 90' elevated viaducts cutting through the entire width of Bakersfield greatly increase the distance on both sides of the alignment that aesthetic, sound and vibration impacts will be caused to property owners compared to an alignment constructed at grade outside the Bakersfield community?
- 1015-55 | (2) How can the increased amount of aesthetic, sound and vibration impacts caused by the elevated viaducts studied in the EIR not necessitate studies of less impactful rail alignment alternatives outside metropolitan Bakersfield?
- 1015-56 | (3) Why is the Authority rushing ahead to final engineering design and construction without analyzing feasible alternatives that take into consideration site-specific adverse impacts?
- 1015-57 | (4) Why are the different grade profiles of the project's elevated infrastructure components not linked to specific properties so that the public can understand how the project will look at a specific Bakersfield location?
- 1015-58 | (5) Will 12 miles of elevated viaducts in metropolitan Bakersfield and the impacts associated with them cause much more devaluation of properties over a much wider area than an alignment at grade?
- 1015-59 | (6) To what extent will devaluation of properties over an extended area caused by elevated trains reduce property tax revenues?
- 1015-60 | (7) Why are tens of thousands of Bakersfield citizen's quality of life being unnecessarily diminished by rail viaducts that divide the community from one end to the other and does that violate environmental law?
- 1015-61 | (8) Will all properties including neighborhoods, homes and businesses located under viaducts in Bakersfield be taken?
- 1015-62 | (9) What mitigation measures will be implemented to eliminate impacts to properties located within sight and sound of the alignment?
- 1015-63 | (10) Will properties with severe noise and vibration impacts due to close proximity to the elevated Bakersfield alignment be taken?
- 1015-64 | (11) What kind of emergency escape systems are planned for the 12 mile stretch of 40' to 90" viaducts in Bakersfield?
- 1015-64 | (12) How will passengers exit the trains in an emergency situation on 12 miles of viaduct with elevations of 40' to 90'?
- 1015-64 | (13) How will emergency response teams access the trains on viaducts 40' to 90' high over our city?

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PRIVATE PROPERTY DESTRUCTION

- 1015-65 | (1) Why does the EIR not specify the properties that will be taken by the three alternatives or whether properties taken by the project will be partial or total takes?
- 1015-66 | (2) How many homes will be destroyed in the Fresno to Bakersfield EIR portion of the project?
- 1015-67 | (3) How many people will be displaced in the Fresno to Bakersfield EIR portion of the project?
- 1015-68 | (4) How many existing business locations will be destroyed in the Fresno to Bakersfield portion of the project?
- 1015-69 | (5) How many existing jobs will be impacted due to destruction of businesses in the Fresno to Bakersfield portion of the project?
- 1015-70 | (6) How many existing business locations will be destroyed in the Bakersfield portion of the project due to the three alternative downtown alignments?
- 1015-71 | (7) How many existing jobs will be impacted due to destruction of businesses in the Bakersfield portion of the project due to the three alternative downtown alignments?
- 1015-71 | (8) How many hundreds of millions of dollars of lost revenues will the Fresno to Bakersfield rail alignments cause due to destruction of existing farm operations, business and industry locations?
- 1015-71 | (9) How many hundreds of millions of dollars of lost revenues will the downtown Bakersfield rail alignments cause due to destruction of existing business and industry locations?
- 1015-72 | (10) How will destruction of properties in the rail alignments of the Fresno to Bakersfield portion of the project affect local property tax revenues?
- 1015-72 | (11) How will devaluation of property values due to the property's close proximity to the rail alignments of the Fresno to Bakersfield portion of the project affect local property tax revenues?
- 1015-72 | (12) How will the severe and widespread devaluation of property values that are located within sight and sound distance of the 12 miles of elevated viaducts proposed in the Bakersfield alternative alignments affect local property tax revenues?
- 1015-73 | (13) Why do the alignment alternatives for the Fresno to Bakersfield portion of the project not follow existing transportation corridors?
- 1015-74 | (14) Would most of the extremely negative impacts discussed above be eliminated if the project alternatives followed existing transportation corridors as specified in Prop-1A?

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SAN JOAQUIN VALLEY INITIAL CONSTRUCTION SECTION AND AMTRAK

1015-75 | The HSRA's plan is to construct an Initial Construction Section (ICS) passenger rail corridor in the San Joaquin Valley and relocate existing Amtrak trains from their existing rail alignment to the ICS. This is not only absurd; it is irresponsible. San Joaquin Valley communities and the rest of the State already have an operational Amtrak system that will be laid to waste by the new ICS portion of the High Speed Rail project. The HSRA plan to relocate Amtrak trains to the ICS will eliminate existing Amtrak passenger rail service to Wasco, Corcoran and Hanford. The priority of a competent and well planned passenger rail system for California must study and construct a passenger rail system that connects the existing Amtrak system from Bakersfield to Los Angeles. A competent passenger rail plan would upgrade existing Amtrak systems in the San Joaquin Valley so that Amtrak trains can travel at speeds of 125 MPH.

AIR QUALITY IMPACTS

- 1015-76 | (1) Why does the Air Quality Technical report not contain specific quantification of amounts for construction emissions?
- 1015-76 | (2) Why does the Air Quality Technical report not contain any analysis for operational emissions?
- 1015-77 | (3) Should the public be able to verify methodology and calculations used for the Air Modeling?
- 1015-77 | (4) Should the actual amounts in tons per year of the construction emissions and operational emissions be included in the Air Quality Technical Report?
- 1015-78 | (5) What are the indirect air quality impacts of the employees driving to the trains as operators?
- 1015-78 | (6) What are the indirect air quality impacts of passengers driving to and from the trains?
- 1015-79 | (7) Why is there no technical source document on air quality, and how can the accuracy of the information be determined without one?
- 1015-80 | (8) Is the Air Quality section of the EIR/S inadequate as it incorrectly presumes that the project will have a low potential for air quality impacts?
- 1015-81 | (9) When completed, how many years will it take for air quality impacts caused during the construction process to equal air quality improvement realized by a fully operational green powered electric high speed rail system?

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1015-82 | (10) Is it certain that there will be increased power plant emissions caused by the new 1000MW load required to power the trains in order to generate necessary electricity reserve capacity for home, business and industry use?

CONSTRUCTION IMPACTS

1015-83 | (1) Why are calculations of the trip lengths and mix for construction workers to each location not specifically addressed in the EIR/S documents?

1015-84 | (2) How can there be no significant differentiating construction impacts between alternatives for transportation and traffic?

1015-85 | (3) How can the variation in the number of road closures between scenarios vary from 15 to 20 roads without that being a significant difference, and won't that necessitate different mitigation measures?

(4) What County and unincorporated roads and intersections were analyzed, and what is the mitigation necessary to maintain the current level of service?

(5) What are the mitigation measures necessary to protect Public Roadways during construction?

1015-86 | (6) Explain how the lengthening of Rosedale Highway in Bakersfield will be accomplished to accommodate the project, without a major disruption in vehicle traffic?

1015-87 | (7) Why have grade separation issues that are a necessary component of the HSR project not been thoroughly addressed in the EIR/S documents?

1015-88 | (8) Why is there no mitigation for vital connector road closures?

(9) Why is there inadequate discussion of mitigation for unimpeded traffic circulation during the construction of the project?

SOUND AND VIBRATION IMPACTS

1015-89 | (1) Why is the Authority rushing ahead to final engineering design and construction without analyzing feasible alternatives that take into consideration site-specific adverse impacts?

1015-90 | (2) Why does the EIR/S designate "Potential Sound Barriers" on the elevated rail alignment drawings?

(3) Are Potential Sound Barrier locations specified on the drawings necessary or not?

1015-91 | (4) Why do the EIR/S documents not specify where installation of building sound proofing will be necessary to mitigate interior noise to adjacent buildings?

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1015-92 | (5) What agency is responsible for determining the necessity of sound barriers and sound proofing of walls?

(6) What agency is responsible for the costs associated with sight, sound and vibration impact mitigation to adjacent properties?

1015-93 | (7) Where are the cross sections and dimensions of the sound barriers?

(8) In addition to steel on wheel and other mechanical noise, will wind noise from the 220 mile per hour trains be effectively mitigated with sound barriers?

1015-94 | (9) Is it the responsibility of the HSR Authority or lead agency to provide impact analysis and propose mitigation or alternatives to address specific impacts?

(10) Why did the Authority not provide detailed sound impact analysis and mitigation proposals for all impacted properties in the EIR/S documents?

MITIGATION MEASURES

1015-95 | (1) Why does the EIR/S not discuss what mitigation measures and alternatives are within the jurisdiction of the Authority?

(2) Why did the Authority not provide detailed impact analysis and mitigation proposals in their EIR/S documents?

(3) Do the proposed incomplete and ineffective mitigation measures fail to identify mitigation measures with sufficient specificity to gauge their effectiveness and enforceability, and does that violate CEQA requirements?

(4) Do mitigation measures that are not identified and agreed on make it uncertain that the impacts will be sufficiently mitigated?

(5) Is it the responsibility of the HSR Authority or lead agency to provide impact analysis and propose mitigation or alternatives to address specific impacts?

(6) Why did the Authority not provide detailed impact analysis and mitigation proposals in their EIR/S documents?

1015-96 | (7) Why does the EIR/S not mention the need for overriding consideration for significant Air, Noise, Traffic, Biological Resources, Aesthetics/Visual Resources and Cultural Resources caused by the Bakersfield alignment alternatives?

NEPA AND CEQA ISSUES

1015-97 | (1) Is the "No Project" alternative discussion inadequate because there are no facts provided to determine if the no project alternative is or is not environmentally superior, and doesn't that omission violate CEQA guidelines?

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- I015-98 | (2) Why do the Revised EIR/S documents not follow the higher standards and guidelines of CEQA concerning format, specific identification of impacts, specific mitigation and other overriding considerations?
- I015-99 | (3) Why do the EIR/S documents fail to comply with the fundamental procedural and substantive requirements of NEPA and CEQA?
- I015-100 | (4) Why is there no specific project description that includes the project's technical, economic or environmental characteristics to provide the basis for discussion of the environmental effects of the project and doesn't that violate CEQA guidelines?
- I015-101 | (5) If environmental review of a project is premature until the design is 30% complete, doesn't the 15% design stage of the alternatives make proper environmental review of the project impossible?
- I015-102 | (6) Is the project description uncertain and incomplete and doesn't that violate NEPA and CEQA?
- I015-103 | (7) When the EIR/S discusses environmental impacts in general terms and fails to quantify the extent of the project's impacts, does it violate NEPA and CEQA requirements for analysis of potential impacts to be reasonably thorough?
- I015-104 | (8) Do NEPA and CEQA require the Authority to provide meaningful responses to public agency comments?
- I015-105 | (9) Do NEPA and CEQA require the Authority to respond to all significant environmental issues raised in EIR/S comments by providing detailed, reasoned, good-faith analysis of the issues raised?
- I015-106 | (10) Do NEPA and CEQA require the Authority to respond to the reasoned, factually supported responses made by responsible agencies and experts who drafted the Kern County and Bakersfield City EIR Comments?
- I015-107 | (11) Does the EIR/S discussion of potential environmental impacts that consist of conclusory statements not supported by scientific data make the EIR/S susceptible to legal challenge?
- I015-108 | (12) Why should the project proceed when the EIR document did not address the requirements of State law under CEQA?
- I015-109 | (13) Why does the EIR violate the requirements of CEQA by damaging Mercy Hospital in Bakersfield?
- I015-110 | (14) Why does the EIR violate the requirements of CEQA by damaging churches and schools in Bakersfield?
- I015-111 | (15) Why does the EIR violate the requirements of CEQA by taking a huge swath through the entire city of Bakersfield?
- I015-112 | (16) Why does the EIR violate the requirements of CEQA by potentially damaging properties east of Oswell Street and why weren't those areas properly noticed, clarified or studied?

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- I015-106 | (17) Do NEPA and CEQA require that an EIR/S document be written in plain language with appropriate graphics so decision makers and the public can rapidly understand the documents?

OTHER QUESTIONS AND COMMENTS

- I015-107 | (1) Why does the Revised Draft 2012 EIR/S not meet the statutory requirements of Assembly Bill 3034?
- I015-108 | (2) Due to lack of guaranteed funding, shouldn't travel demand and ridership forecast been studied for a scenario where no future extensions beyond the Initial Construction Section are ever built?
- I015-109 | (3) Why did the EIR/S not address alternative technology such as Maglev in the EIR/S documents, and wouldn't that technology minimize or avoid many significant impacts?
- I015-110 | (4) Why were the EIR/S documents presented as project level rather than program level documents which require a greater level of assessment and review?
- I015-111 | (5) Why do the maps contained in the EIR appear to be purposely unclear?
- I015-112 | (6) Why were there no reasonable alternatives for the Bakersfield City area contained in the EIR?
- I015-113 | (7) What are the costs related to adding the reserve electricity production necessary for the HSR project and where will the funds come from?
- I015-114 | (8) How can the Authority proceed with the project when the availability of funding is highly uncertain?
- I015-115 | (9) Why does the Authority overstate the alternative cost estimates for other transportation upgrades?
- I015-116 | (10) What are the correct costs of alternative transportation upgrades?
- I015-117 | (11) How does the Authority quantify that High-Speed Rail is a superior alternative to other transportation investments?
- I015-118 | (12) Would providing alternative transportation infrastructure upgrades be a better value for the public?
- I015-119 | (13) Why should we build the project when the independent benefits of the Initial Construction Segment from north of Fresno to Bakersfield is unlikely to justify the expense?
- I015-120 | (14) Why should the project proceed when the Bakersfield City Council confirmed its complete and unwavering opposition to the Authority's entire High Speed Rail project as it is currently proposed?
- I015-121 | (15) Why should the project proceed when the Kern County Board of Supervisors resolved to oppose the high speed rail project as planned?

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- I015-120 | (16) Why should the high speed rail project proceed when there is no revenue source for a completed high speed passenger rail system?
- I015-121 | (17) Why should the high speed rail project proceed when there is no funding to electrify the ICS track?
- I015-122 | (18) Why should the project proceed when the Authority cannot clarify how far south the track will be built?
- I015-123 | (19) Why should the project proceed when current funding for the ICS track will not be used for high speed trains?
- I015-124 | (20) Why should the project proceed when the ICS has no high speed passenger rail system independent utility?
- I015-125 | (21) Does the Initial Construction Section of the project that is currently being studied violate provisions of Prop-1A?
- I015-126 | (22) Is spending \$6 billion on a new San Joaquin Valley Amtrak corridor or ICS a waste of scarce tax dollars?
- I015-127 | (23) After prolonged consultations with the Authority, why did the Authority ignore virtually all suggestions made by Bakersfield City staff?
- I015-128 | (24) Why should the project proceed when the project would cause hundreds of millions of dollars of damage to Bakersfield city assets without any mitigation being offered?
- I015-129 | (25) Why is the EIR drafted in such a manner that it is too difficult for the average citizen to understand?
- I015-130 | (26) Why does the EIR ignore the significant impacts created by the project?
- I015-131 | (27) Why hasn't the Authority responded to Bakersfield City's or Kern County's comments related to the deficiencies of the project?
- I015-132 | (28) Why does the project unnecessarily threaten residences, businesses, churches, medical facilities, Rabobank Arena, new city redevelopment projects and the city corporation yard in Bakersfield?
- I015-133 | (29) Why does the project conflict with current and future TRIP projects in Bakersfield?
- I015-134 | (30) Why should the project proceed when it is unlikely that there will be any funding to extend the track to usable termination points?
- I015-135 | (31) Why should the project proceed when issuance of bonds will cause the state deficit to grow?
- I015-136 | (32) Why should we build another Amtrak corridor in the San Joaquin Valley when the costs will cause raids on local services to escalate?
- I015-137 | (33) How does relocating Amtrak from its existing BNSF alignment to the ICS make the project a high speed rail project?
- I015-138 | (34) Does relocation of Amtrak to the ICS violate Prop-1A?

- I015-135 | (35) Is it a huge waste of tax dollars to eliminate a functioning Amtrak corridor?
- I015-136 | (36) Why should the project proceed when the cost of the project has multiplied while the scope of high speed rail construction has decreased or is even non-existent, and isn't the current project vastly different from the project voters approved in 2008?
- I015-137 | (37) Will the cost of the project found in future HSR Business Plans continue to rise as the amount of high speed rail construction continues to decrease or be eliminated?
- I015-138 | (38) Why should the project proceed when future revenues are based on flawed ridership projections?
- I015-139 | (39) Why should the project proceed when all recent voter polls show overwhelming statewide opposition to the project?
- I015-140 | (40) Why should the project proceed when there are so many fiscal, legal and logistical concerns which have not been sufficiently addressed by the Authority?
- I015-141 | (41) Why should the project proceed when there are so many errors and omissions in the EIR and business plan?
- I015-142 | (42) Why should the project proceed when there are so many flaws which if constructed as designed, would permanently and adversely impact the City of Bakersfield and the citizens of Kern County?
- I015-143 | (43) Why does the project not remotely resemble what voters approved in Prop-1A and doesn't that put the project at risk of successful litigation to stop it?
- I015-144 | (44) Why will the 130 mile ICS that was previously called the "High Speed Rail Test Track" have no operating high speed trains on it?
- I015-145 | (45) Does a new Amtrak corridor satisfy the intention of "Independent Utility" mandated in the high speed rail Prop-1A documents?
- I015-146 | (46) Is it illegal to use Prop-1A bonds to finance the bookend (bay area and So Cal) upgrades?
- I015-147 | (47) Why should the project be funded using American Recovery and Reinvestment Act money when more cost effective and beneficial infrastructure projects are needed?
- I015-148 | (48) Why should the project proceed when a significant, yet to be determined additional amount of debt would be incurred by the state as a result of the Authority's proposed HSR project?
- I015-149 | (49) Why should the project proceed when the current secured funding only provides for a track from Borden to a southerly point not yet clarified by the Authority?

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- 1015-148 | (50) Why should the project proceed when the three alternative rail alignments through metropolitan Bakersfield contain comparable negative impacts to the community and are not true alternatives as described per NEPA and CEQA?
- 1015-149 | (51) Why should the project proceed when the proposed alignments will damage significant amounts of local residences, businesses, schools, churches, historical structures, culturally significant structures, freeway projects, open spaces and other basic critical infrastructure?
- 1015-150 | (52) Why should the project proceed when the proposed alignments would ultimately damage hundreds of millions of dollars in Bakersfield City assets, with no significant mitigation?
- 1015-151 | (53) Why should the project proceed when the loss of conventions and events at Rabobank will significantly impact transient occupancy tax and sales tax revenues in Bakersfield?
- 1015-152 | (54) Why should the project proceed when the HSR plan proposes a station location that would negatively impact numerous significant structures within downtown Bakersfield?
- 1015-153 | (55) Why should the project proceed when the proposed station is over 5 times the size of the station that was first envisioned in the primary study?
- 1015-154 | (56) Why should the project proceed when the EIR does not adequately address mitigation in all applicable areas?
- 1015-155 | (57) Why should the project proceed when the Authority provided insufficient review time for the Revised Draft EIR document?
- 1015-156 | (58) Why should the project proceed when the EIR implies substantial negative impacts to East Bakersfield, but does not provide detail or mitigation for said impacts?
- 1015-157 | (59) Why should the project proceed when Bakersfield City staff relayed concerns with the Authority in person, via e-mail and in phone conversations in recent years, but those concerns were not adequately addressed?
- 1015-158 | (60) Why should the project proceed when numerous citizens of Bakersfield and Kern County have addressed the City Council and other local legislative bodies and elected officials with numerous and varied significant concerns regarding the Authority's proposal?
- 1015-159 | (61) Why were the numerous comments submitted by the public for the August 2011 public comment on the Fresno-Bakersfield EIR not included or addressed in the revised draft EIR?
- 1015-160 | (62) Why should the project proceed when there are no credible sources of adequate funding for completing an operational high speed rail system in the Business Plan?

- 1015-161 | (63) Why should the project proceed when there isn't a definitive business model?
- (64) Why should the project proceed when there are not appropriate management resources within the Authority?
- (65) Why is the HSR Revised 2012 Business plan so flawed that the state appointed Peer Review Group did not recommend the Legislature approve the appropriation of bond proceeds for the HSR project?
- 1015-162 | (66) Why should construction of the High Speed Rail project begin when the project as planned represents an immense financial risk to the State of California?
- 1015-163 | (67) Why were hypothetical scenarios used to represent purported growth forecasts and policy for Kern County instead of using reasoned analysis of impacts that are location specific for a project level document?
- 1015-164 | (68) Why were Kern County's comments for last year's public comment on the Fresno-Bakersfield EIR not included or addressed in the revised draft EIR?

END OF COMMENT

Respectfully Submitted,

Jeff and Cindy Taylor
1624 Country Breeze Place
Bakersfield, CA 93312

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012)

I015-1

The Authority has adequately responded to all the issues, comments, and questions provided in this submission in the Final EIR/EIS document. Response to comments on the Draft EIR/EIS are located in Volume IV, and responses to the comments on the Revised DEIR/Supplemental DEIS are located in this volume, Volume V.

I015-2

Refer to Standard Response FB-Response-GENERAL-08, FB-Response-GENERAL-16, FB-Response-GENERAL-27.

This comment provides no substantive evidence that the planning and scoping for the project was not in compliance with NEPA.

The Authority and FRA have undertaken substantial outreach to environmental justice communities during the preliminary engineering and environmental review of the Fresno to Bakersfield Section. Materials translated into Spanish included the Executive Summary, Notice of Preparation, a summary of the highlights of the Draft EIR/EIS, a Draft EIR/EIS overview brochure, and comment cards at the public workshops and hearings. In addition, a multilingual, toll-free hotline was made available for public comments and requests. Section 3.12.5 of the EIR/EIS describes the project benefits, regional and localized effects, and project impacts on environmental justice communities. These efforts meet the intent and requirements of Executive Order 12898.

I015-3

This comment consists of language taken from the NEPA/404 Integration Process Memorandum of Understanding (MOU) dated November 2010. The Authority and FRA are complying and will continue to comply with the requirements of the MOU.

I015-4

The purpose and need for the HST System is fully described in the 2005 Program EIR/EIS (Authority and FRA 2005). The purpose and need of the Fresno to Bakersfield Section of the HST is fully described in Chapter 1 of the Fresno to Bakersfield Section EIR/EIS and has been concurred with by the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency.

I015-5

The commentator is correct, and this EIR/EIS provides a range of alternatives to allow the decision makers to determine which alternative will accomplish the purpose of the project while causing the least amount of impacts on the environment. The Authority and the FRA's prior program EIR/EIS documents (see Section 1.5, Tiering of Program EIR/EIS Documents) selected the BNSF Railway route as the Preferred Alternative for the Central Valley HST between Fresno and Bakersfield in the 2005 Statewide Program EIR/EIS decision document. Therefore, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

As discussed in Section 2.3.1 of the EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under 14 CCR 15126.6 and 40 CFR 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

Chapter 1 of the EIR/EIS describes the project's purpose and need. The alternatives selected for analysis in the EIS must satisfy the project's purpose and need (64 FR 101, page 28545, section 14(I)). The No Project Alternative must also be examined, whether or not it would satisfy the purpose and need. Although NEPA requires an EIS to contain sufficient analysis to allow a comparison between alternatives, NEPA does not mandate that the project's purpose and need be compared to the "no-build option" (i.e., the No Project Alternative).

The Authority used the information in the Revised DEIR/Supplemental DEIS and input from the agencies and public to identify the Preferred Alternative. The decision included consideration of the project purpose and need and the project objectives presented in Chapter 1, Project Purpose and Need, as well as the objectives and criteria in the Alternatives Analysis and the comparative potential for environmental impacts. Selection of the Preferred Alternative balanced the least overall impact on the environment and local communities, cost, and constructability constraints. For more detail, please refer to Chapter 7, Preferred Alternative, of this Final EIR/EIS.

I015-6

Refer to Standard Response FB-Response-GENERAL-02.

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I015-6

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. The I-5 and SR 99 corridors were again considered during the environmental review for the Fresno to Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement.

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

I015-7

Refer to Standard Response FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-Response-GENERAL-02.

I015-7

Because the Authority conducted analysis of alternative alignments that follow SR 99/the Union Pacific Railroad (UPRR) and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither the California Environmental Quality Act (CEQA) nor the National Environmental Policy Act (NEPA) requires an environmental document to analyze alternatives that are not practicable to implement. The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

I015-8

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

The EIR/EIS for the Fresno to Bakersfield Section tiers from several program environmental documents prepared by the Authority and FRA, including the Statewide Program EIR/EIS for the California High-Speed Train Project (Authority and FRA 2005). The Statewide Program EIR/EIS evaluated a wide range of alternative alignment corridors for the system, including the Fresno to Bakersfield Section. The Notice of Determination (Authority 2005c) and Record of Decision (FRA 2005b) for the Statewide Program EIR/EIS identified the BNSF corridor as the preferred alignment corridor for the Fresno to Bakersfield Section. The project-level EIR/EIS for the Fresno to Bakersfield Section evaluates alternative alignments within the preferred BNSF corridor.

The opposition of these cities does not affect the 2010 Memorandum of Understanding, which relates to compliance with the Section 404 process.

I015-9

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-GENERAL-02, FB-Response-GENERAL-10, FB-Response-GENERAL-25.

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid the impacts associated with the BNSF Alternative. In Bakersfield, the BNSF Alternative would displace six religious facilities, the Bakersfield High School Industrial Arts building, the Mercado Latino Tianguis, and 119 homes in the eastern portion of the city. In contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-9

Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis; however, this alternative would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, this alternative would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

I015-10

Refer to Standard Response FB-Response-GENERAL-25.

The Authority has previously and remains committed to engaging with Kern County, the City of Bakersfield, and all affected municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-11

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-GENERAL-02, FB-Response-GENERAL-10, FB-Response-GENERAL-25.

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System. The Statewide Program EIR/EIS considered alternatives on I-5 and SR 99 as well as on the BNSF corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. The I-5 and SR 99 corridors were again considered during the environmental review of the Fresno to Bakersfield Section and were eliminated for further consideration.

As the Authority conducted analysis of alternative alignments that follow SR 99/UPRR and the I-5 corridor and determined that these alternatives were not practicable, they were not carried forward in the EIR/EIS. Neither CEQA nor NEPA require the environmental document to analyze alternatives that are not practicable to implement.

I015-11

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid impacts associated with the BNSF Alternative. In Bakersfield, the BNSF Alternative would displace six religious facilities, the Bakersfield High School Industrial Arts building, the Mercado Latino Tianguis, and 119 homes in the eastern portion of the city. In contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis. However, the alignment would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, the alignment would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

The station locations are designed primarily to tie into the existing transportation network. City centers are where existing transit facilities are and typically have good connections to the existing highway system. The Authority has not ignored the City of Bakersfield's concerns and suggestions. Input from the City of Bakersfield has been taken into consideration in project planning since the project was initiated. The Bakersfield station was located in downtown Bakersfield adjacent to the Amtrak station at the recommendation of the City of Bakersfield, Kern County, and the Kern COG. The RDEIR/SDEIS was modified to include information provided by the City of Bakersfield.

I015-12

Refer to Standard Response FB-Response-SO-04, FB-Response-SO-06, FB-Response-SO-05.

For information on the potential for disruption and division in Bakersfield, see the EIR/EIS, Volume I, Section 3.12, Impact SO #6. Also see Impact SO #9 and Impact SO #10 for displacement estimates in Bakersfield. Mitigation Measures SO-2 and SO-3 propose mitigations for identified effects in Bakersfield communities. For information on the HST operation-related property and sales tax revenue effects, see Volume I, Section

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-12

3.12, Impact SO #3, Impact SO #4, and Impact SO #12.

I015-13

The environmental justice analysis adheres to the definition in Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population, or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project. Impacts SO #17 and SO #18, Volume 1, Section 3.12, of the EIR/EIS summarize these findings. See Volume I, Section 3.12, Impact SO #6, for a discussion of impacts disrupting community cohesion or dividing existing communities.

The project also includes specific mitigation measures that will minimize or avoid the impacts on the environmental justice populations. These include:

I. Public Outreach

See Mitigation Measure SO-6: Continue outreach to disproportionately and negatively impacted environmental justice communities of concern. The Authority will continue to conduct substantial environmental justice outreach activities in adversely affected neighborhoods to obtain resident feedback on potential impacts and suggestions for mitigation measures. Input from these communities will be used to refine the alternatives during ongoing design efforts.

Impact SO #18, in Section 3.12, Environmental Justice Effects Conclusion, explains that the Authority would also continue the existing activities similar to the workshops that have been held in the city of Fresno to discuss the HST project and collect community

I015-13

input. At meetings in September 2011 and February 2012, the Authority provided overviews on the relocation process and distributed the brochure, "Your Property, Your High-Speed Train Project," and other brochures on the Relocation Assistance Program. The Authority has also made information available on the right-of-way process (Appendix 3.12-A), with emphasis on property and business owners' rights under federal and state laws and regulations. The overview consisted of a presentation followed by a question-and-answer period.

II. Memorandum of Understanding

The Authority and FRA along with the EPA, U.S. Department of Housing and Urban Development, and the Federal Transit Administration (FTA) have also entered into an Interagency Partnership and established a "Memorandum of Understanding (MOU) for Achieving an Environmentally Sustainable High-Speed Train System in California," which includes a common goal of integrating HST station access and amenities into the fabric of surrounding neighborhoods. The principles for this partnership are to help improve access to affordable housing, increase transportation options, lower transportation costs, and protect the environment in communities nationwide.

The implementation of the MOU would be beneficial to all populations but could help intensify project benefits in the areas most affected by project impacts, especially in communities of concern. One example is that the Authority would establish a temporary relocation field office to help facilitate relocation efforts in areas with substantial relocation needs. Project relocation field offices would be open during convenient hours and during evening hours if necessary. In addition to these services, the Authority is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits, including persons within communities of concern.

III. Community Benefits Policy

Jobs created by construction and operation of the project would likely be filled by workers in the region. To help offset any disproportionate effects, the Authority has approved a Community Benefits Policy that supports employment of individuals who

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-13

reside in disadvantaged areas and those designated as disadvantaged workers, including veterans returning from military service. It helps to remove potential barriers to small businesses, disadvantaged business enterprises, disabled veteran business enterprises, women-owned businesses, and microbusinesses that want to participate in building the high-speed rail system. Under the Authority's Community Benefits Policy, design-build construction contracts will be required to adhere to the National Targeted Hiring Initiative, which states a minimum of 30% of all project work hours will be performed by national Targeted Workers and a minimum of 10% of National Targeted Workers hours will be performed by disadvantaged workers. According to the National Targeted Hiring Initiative, disadvantaged workers either live in an economically disadvantaged area or face any of the following barriers to employment: being homeless, being a custodial single parent, receiving public assistance, lacking a GED or high school diploma, having a criminal record or other involvement with the criminal justice system, being chronically unemployed, being emancipated from the foster care system, being a veteran, or being an apprentice with less than 15% of the required graduating apprenticeship hours in a program. The Community Benefits Policy will supplement the Authority's Small Business Program, which has an aggressive 30% goal for small-business participation, and which includes goals of 10% for disadvantaged business enterprises and 3% for disabled veteran business enterprises.

IV. Title VI Plan

The Authority, as a federal grant recipient, is required by the Federal Railroad Administration to conform to Title VI of the Civil Rights Act of 1964, and related statutes. The Authority's subrecipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities, and services. The Authority is committed to ensuring that no person in the state of California is excluded from participation in, nor denied the benefits of, its programs, activities, and services on the basis of race, color, national origin, age, sex, or disability, as afforded by Title VI of the Civil Rights Act of 1964 and Related Statutes.

As permitted and authorized by Title VI, the Authority will administer a Title VI Program in accordance with the spirit and intent of the nondiscrimination laws and regulations. The Authority has assembled a Title VI Project Team with a coordinator and technical

I015-13

and policy consultants who can be contacted at the Authority's website.

V. Project Benefits

According to Executive Order 12898, the offsetting benefits associated with the project should be considered as part of the environmental justice analysis. The project would provide benefits that would accrue to all populations, including communities of concern. These benefits would include improved mobility within the region, improved traffic conditions on freeways as modes divert to HST, improvements in air quality within the region, and new employment opportunities during construction and operation.

Station construction and planned station area improvements in downtown Fresno and Bakersfield would improve the aesthetics and visual environment in both of these locations, benefiting the nearby minority and low-income communities. Other station-related benefits, including improved accessibility and property value increases, would benefit those who live and work closest to the new stations. In Fresno and Bakersfield, these benefits would be disproportionately incurred in minority and low-income communities.

I015-14

Refer to Standard Response FB-Response-SO-07, FB-Response-GENERAL-02.

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section, and therefore no violation of Executive Order 12898 occurred. As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The environmental justice analysis adheres to the definition in Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental

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I015-14

justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This adverse effect is one that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project alignment. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project alignment (Authority and FRA 2012h). The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project alignment. Impacts SO #17 and SO #18 in Section 3.12, Socioeconomics, Communities, and Environmental Justice, of Volume 1 of the Final EIR/EIS summarize these findings.

I015-15

The Authority has adopted the California Department of Transportation (Caltrans) Right of Way Manual as the basis for all business and residential relocations for the project (Caltrans 2009a). The Caltrans Right of Way Manual Section 10.01.02.01 states that relocation assistance will be administered in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act for all projects, regardless of funding sources. In preparing the Final EIR/EIS, Section 3.12, Socioeconomics, Communities, and Environmental Justice, looked at the state statutes governing relocation assistance (found in the California Government Code, Section 7260 et seq.) and the California Relocation Assistance and Real Property Acquisition Guidelines (found in the California Code of Regulations, Title 25, Chapter 6 [the Guidelines]). Both of these provide that for projects with state-only funding, state agencies shall adopt regulations to administer relocation assistance under state law and, with respect to a federally funded project, a public entity shall make relocation assistance payments and provide relocation advisory assistance as required under federal law.

The adoption of the Environmental Justice Guidance Policy formalized the Authority's long-standing efforts to address environmental justice matters in a comprehensive

I015-15

manner. The Authority and FRA have undertaken substantial outreach to environmental justice communities. Section 3.12.3, Laws, Regulations, and Orders, details the laws, regulations, and orders that the project adheres to, including environmental justice laws.

The environmental justice analysis adheres to the definition defined by Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This effect is an adverse one that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the non-minority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report (Authority and FRA 2012h) identifies the environmental justice populations along the project alignment. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project alignment. Impacts SO#17 and SO#18 in Volume I, Section 3.12, summarize these findings.

I015-16

Refer to Standard Response FB-Response-SO-07.

The Environmental Justice (EJ) Guidance document is a supplement to the Authority's Title VI Program. The Authority vetted the proposed EJ policy and guidance with the Federal Railroad Administration (FRA). The Authority has subsequently received FRA comment to include the Department of Transportation order, which has been incorporated in the EJ Guidance document. The adoption of the EJ policy formalized the Authority's long-standing efforts to address EJ matters in a comprehensive manner. The Authority and FRA have undertaken substantial outreach to EJ communities.

I015-17

The Authority has assembled a Title VI Project Team with a coordinator and technical and policy consultants, who can be contacted at the Authority's website.

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I015-18

Refer to Standard Response FB-Response-GENERAL-16, FB-Response-SO-07.

I015-19

Refer to Standard Response FB-Response-SO-07.

The public outreach process for the Fresno to Bakersfield Section of the HST has been extensive and includes hundreds of public meetings and briefings where public comments have been received, community events where participation has been solicited, and educational materials that were developed and distributed to encourage feedback (see the Revised DEIR/Supplemental DEIS, Volume I, Chapter 7). Public notification regarding the draft environmental documents took place in the following ways: A notification letter, informational brochure, and Notice of Action were written in English and Spanish and sent to landowners and tenants within 300 feet of all alignment alternatives. The letters notified landowners and tenants that their property may be necessary for construction (within the project construction footprint) of one or more of the alignment alternatives or project components being evaluated.

I015-20

The public outreach process for the Fresno to Bakersfield Section of the HST has been extensive and includes hundreds of public meetings and briefings where public comments have been received, community events where participation has been solicited, and educational materials that have been developed and distributed to encourage feedback. These efforts are cited in Chapter 7 of the Revised DEIR/Supplemental DEIS. Public notification regarding the draft environmental documents took place in the following ways: A notification letter, informational brochure, and Notice of Action were written in English and Spanish and sent to landowners and tenants within 300 feet of all alignment alternatives. The letters notified landowners and tenants that their property may be necessary for construction (within the project construction footprint) of one or more of the alignment alternatives or project components being evaluated. Anyone who requested notification or is in the stakeholder database was sent notification materials in English and Spanish. An e-mail communication of the notification materials was distributed to the entire stakeholder database. Public notices were placed in English and Spanish newspapers. Posters in

I015-20

English and Spanish were posted along the project right-of-way.

The environmental justice analysis adheres to the definition in Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population, or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project. Impacts SO #17 and SO #18, Volume 1, Section 3.12, summarize these findings.

I015-21

Refer to Standard Response FB-Response-GENERAL-07.

No one was "denied the opportunity to review and make comments" on the EIR/EIS.

The Draft 2012 Business Plan was released for public review and comment on November 1, 2011 (Authority 2011a). Although a public comment period was not mandated under either the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), the Authority felt that it was important to receive stakeholder feedback on the draft business plan, and comments were received until the Revised 2012 Business Plan was issued in April 2012 (Authority 2012a). The Revised 2012 Business Plan featured a dramatically revamped approach, due in part to stakeholder comments.

I015-22

Refer to Standard Response FB-Response-GENERAL-16.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-23

Refer to Standard Response FB-Response-GENERAL-26.

I015-24

Refer to Standard Response FB-Response-GENERAL-26.

I015-25

Print copies of the environmental documents were available for public review at 47 community centers, public agencies, and libraries, which were chosen with a diverse range of hours, to solicit public comment. The hours of the repositories were considered upon selection of the locations, thus the diversity in the types of repositories that had evening or weekend hours. For individuals lacking high-speed Internet connections, CDs containing the environmental documents were available upon request.

Many of the public libraries offer public Internet access. This provided reviewers with an alternative method of access to the information available on the Authority's website.

I015-26

Refer to Standard Response FB-Response-SO-07.

The Authority's website has provided translated materials and has offered translation services at all public meetings. The Executive Summary and several educational materials regarding the Draft EIR/EIS and Revised DEIR/Supplemental DEIS is available in Spanish. In addition, notification letters for the Draft EIR/EIS were sent in English and Spanish to residents, property owners, meeting attendees, businesses, organizations, elected officials, cities, counties, and agencies.

I015-27

Refer to Standard Response FB-Response-SO-07.

The Authority's website has provided translated materials and has offered translation services at all public meetings. The Executive Summary and several educational materials regarding the Draft EIR/EIS and Revised DEIR/Supplemental DEIS are

I015-27

available in Spanish. In addition, notification letters for the Draft EIR/EIS were sent in English and Spanish to residents, property owners, meeting attendees, businesses, organizations, elected officials, cities, counties, and agencies.

The environmental justice analysis adheres to the definition defined by Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the non-minority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project. Volume 1, Section 3.12, Impacts SO#17 and SO#18 summarize these findings.

I015-28

Refer to Standard Response FB-Response-SO-07.

The environmental justice analysis adheres to the definition in Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population, or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-28

environmental justice effects across resources along the project. Impacts SO #17 and SO #18, Volume 1, Section 3.12, of the EIR/EIS summarize these findings.

I015-29

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-GENERAL-05.

Section 3.1-A, Parcels within HST Footprint, identifies impacted properties within the HST footprint by Assessor's Parcel Number. Addresses were not publicized to protect the privacy of property owners and residents and to protect sensitive biological and cultural resources information. The data were provided to individuals who specifically requested the information for technical review of the analyses.

Selected information about impacts on specific land uses can be found in Section 3.12.

I015-30

Refer to Standard Response FB-Response-GENERAL-07.

I015-31

Refer to Standard Response FB-Response-GENERAL-07, FB-Response-GENERAL-08, FB-Response-GENERAL-16.

I015-32

Refer to Standard Response FB-Response-SO-07, FB-Response-GENERAL-16.

The environmental justice analysis adheres to the definition defined by Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an adverse effect that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the non-minority and/or non-low-income population along the project. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project. The

I015-32

methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project. Volume I, Section 3.12, Impacts SO#17 and SO#18 summarize these findings.

I015-33

Refer to Standard Response FB-Response-GENERAL-16, FB-Response-GENERAL-27.

The Authority and FRA have been adhering to the public process required under CEQA and NEPA and in the preparation of the Draft EIR/EIS and Revised DEIR/Supplemental DEIS.

I015-34

Refer to Standard Response FB-Response-GENERAL-15.

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section of the HST System. Adequate project alternatives for both the alignment and the heavy maintenance facility are identified and evaluated.

An EIR project description is intended to be general, not detailed (CEQA Guidelines § 15124[c]). Final design—or even advanced design—of infrastructure is not required in the project description (*Dry Creek Citizens Coalition v. County of Tulare* [1999] 70 Cal.App.4th 20, 36). Abundant substantial evidence in the record demonstrates that the project description in the EIR/EIS is more than adequate. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR/EIS. The 15% design generates detailed information, like the horizontal and vertical location of track, cross sections of the infrastructure with measurements, precise station footprints with site configuration, and temporary construction staging sites and facilities. The 15% design also yields a "project footprint" overlaid on parcel maps; the project footprint shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-34

This 15% design translated into a project description in the EIR/EIS with 100% of the information that is required under CEQA Guidelines § 15124 (see *Dry Creek*, above, 70 Cal.App.4th at pp. 27-36 [upholding EIR conceptual project description as adequate when based on preliminary design]).

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid the impacts associated with the BNSF Alternative.

I015-35

"Section 1502.14(e) [40 CFR 1502.14(e)] requires the section of the EIS on alternatives to 'identify the agency's preferred alternative if one or more exists, in the draft statement, and identify such alternative in the final statement' This means that if the agency has a preferred alternative at the Draft EIS stage, that alternative must be labeled or identified as such in the Draft EIS. If the responsible federal official in fact has no preferred alternative at the Draft EIS stage, a preferred alternative need not be identified there. By the time the Final EIS is filed, Section 1502.14(e) presumes the existence of a preferred alternative and requires its identification in the Final EIS 'unless another law prohibits the expression of such a preference.'" (CEQ n.d. [<http://ceq.hss.doe.gov/nepa/regs/40/1-10.HTM#4>]).

Neither the Authority nor FRA had selected a "Proposed Project" under the California Environmental Quality Act (CEQA) or a "Preferred Alternative" under the National Environmental Policy Act (NEPA) at the time the Draft EIR/EIS or the Revised DEIR/Supplemental DEIS was circulated. As required by NEPA, all alternatives carried through the Draft EIR/EIS and the Revised DEIR/Supplemental DEIS were described in sufficient detail to evaluate the potential impacts of each alternative.

I015-36

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section of the HST System.

An EIR project description is intended to be general, not detailed (CEQA Guidelines §

I015-36

15124(c)). Final design—or even advanced design—of infrastructure is not required in the project description (*Dry Creek Citizens Coalition v. County of Tulare* [1999] 70 Cal.App.4th 20, 36). Abundant substantial evidence in the record demonstrates that the project description in the EIR/EIS is more than adequate. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR/EIS. The 15% design generates detailed information, like the horizontal and vertical location of track, cross sections of the infrastructure with measurements, precise station footprints with site configuration, and temporary construction staging sites and facilities. The 15% design also yields a "project footprint" overlaid on parcel maps; the project footprint shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity. This 15% design translated into a project description in the EIR/EIS with 100% of the information that is required under CEQA Guidelines Section 15124 (see *Dry Creek*, above, 70 Cal.App.4th at pp. 27-36 [upholding EIR conceptual project description as adequate when based on preliminary design]).

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid the impacts associated with the BNSF Alternative.

I015-37

The disclaimer "Preliminary Draft/Subject to Change—HST Alignment is Not Determined" indicates that the alignment for the Fresno to Bakersfield Section had not been selected at the time the Draft EIR/EIS and Revised DEIR/Supplemental DEIS were circulated for public review.

I015-38

Refer to Standard Response FB-Response-GENERAL-01.

This comment does not state which "critical studies have not been completed" and what "analyses of several significant impacts have been deferred." The Authority and FRA have complied with CEQA, NEPA, and all related federal and state regulations in the preparation of the EIR/EIS. The Authority and FRA have made a good faith effort to provide an informational document to inform public agency decision makers and the

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-38

public generally of the significant environmental effects of the proposed project, identify possible ways to minimize the significant effects, and describe a range of reasonable alternatives.

I015-39

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

Chapter 2 of the Fresno to Bakersfield Section EIR/EIS accurately states that the City of Bakersfield and Kern Council of Governments reviewed issues concerning the siting of the Metropolitan Bakersfield High-Speed Rail Terminal for over 6 years, participated in a regional steering committee created by the Kern Council of Governments, and retained a consultant team to analyze three potential sites in the Bakersfield metropolitan area. After careful consideration, the Council of the City of Bakersfield issued Resolution No. 118-03 on July 9, 2003, endorsing the downtown Truxtun Avenue site for the High-Speed Rail Terminal.

As discussed in Section 2.3.1 of the EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project as required under 14 CCR 15126.6 and 40 CFR 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The Authority introduced an additional alternative through the Bakersfield area based on substantive comments received during the public and agency review of the Draft EIR/EIS. The Bakersfield Hybrid Alternative would require reduced speeds and would impact the overall travel times mandated by the California State Legislature, however it provides the advantage of avoiding the Bakersfield High School campus, and reduces the number of religious facilities and homes impacted in east Bakersfield. Please refer to Section 3.12 Socioeconomics, Communities, and Environmental Justice for more detail.

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid impacts associated with the BNSF Alternative. In Bakersfield, the BNSF Alternative would displace six religious facilities, the Bakersfield High School Industrial Arts building, the Mercado Latino Tianguis, and 119 homes in the eastern portion of the city. In

I015-39

contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis. However, the alignment would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, the alignment would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield HST Section.

I015-40

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

The station locations are designed primarily to tie into the existing transportation network. City centers are where existing transit facilities are, and city centers typically have good connections to the existing highway system. The Authority has not ignored the City of Bakersfield's concerns and suggestions. Input from the City of Bakersfield has been taken into consideration in project planning since the project was initiated. The Bakersfield Station was located in downtown Bakersfield adjacent to the Amtrak station at the recommendation of the City of Bakersfield, Kern County, and the Kern Council of Governments.

I015-41

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. The I-5 and SR 99 corridors were again considered during the environmental review for the Fresno to Bakersfield Section, but were eliminated from further consideration, as described in Standard Response FB-

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-41

Response-GENERAL-02.

As discussed in Section 2.3.1, HST Project-Level Alternative Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I015-42

CEQA and NEPA require the disclosure to the public, agencies, and decision makers of the environmental effects of a proposed project or action so the decision makers can consider those effects and input from the public and agencies when deciding whether or not to approve a project.

I015-43

The Authority remains committed to engaging with Kern County, the City of Bakersfield, and all impacted municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-44

The Revised DEIR/Supplemental DEIS discusses policies specific to the HST. The Revised DEIR/Supplemental DEIS does not include specific policies of the Kern County General Plan as the General Plan does not contain any specific policies related to the HST. Policies of the City of Bakersfield Metropolitan Plan related to the HST are listed in Section 3.13.2.3.

I015-45

The environmental impact analysis in the Revised DEIR/Supplemental DEIS indicates that there would be significant environmental impacts from construction and operation of

I015-45

the proposed project in Bakersfield and Kern County and identifies mitigation measures to reduce these significant impacts.

I015-46

In the Revised DEIR/Supplemental DEIS, Section 3.3.6.3, Impact AQ #10, station emissions were estimated for employee and passenger traffic.

I015-47

Refer to Section 2.2.4, Station Alternatives, of the Final EIR/EIS for details on planning and design assumptions for the stations. In the section, Table 2-13 summarizes the planning and design assumptions for the stations throughout the implementation of the HST System in phases, and reflects forecast ridership under the "high" scenario (ticket price at 50% of air fare), which would continue to increase from 2025 to 2035.

I015-48

The study area for impacts in east Bakersfield extends from the alternative station locations in Downtown Bakersfield to Oswell Street, where the three alternatives (i.e., the BNSF, Bakersfield South, and Bakersfield Hybrid alternatives) converge. This study area ensures that, regardless of the station site that is selected, the potential impacts of the BNSF, Bakersfield South, and Bakersfield Hybrid alternatives east of the station are disclosed.

I015-49

There are two sections of the proposed HST that are within the city of Bakersfield; the Fresno to Bakersfield Section and the Bakersfield to Palmdale Section. The Fresno to Bakersfield Section ends at the proposed Bakersfield station location, which is where the Bakersfield to Palmdale Section begins. The study area for the Fresno to Bakersfield Section extends from the alternative station locations in downtown to Oswell Street, where the three alternative alignments of the HST (i.e., BNSF, Bakersfield Hybrid, and Bakersfield South) converge. This ensures that, regardless of the station site that is selected, the potential impacts of the BNSF, Bakersfield Hybrid, and Bakersfield South alternatives east of the station are disclosed.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-50

Refer to Standard Response FB-Response-SO-01.

Please refer to EIR/EIS Mitigation Measure SO-3: Implement measures to reduce impacts associated with the relocation of important facilities. These measures will apply to schools, churches, city and county property, as well as other important facilities. The Authority will consult with these respective parties before land acquisition to assess potential opportunities to reconfigure land use and buildings and/or relocate affected facilities, as necessary, to minimize the disruption of facility activities and services, and also to ensure relocation that allows the community currently served to continue to access these services. This mitigation measure will be effective in minimizing the impacts of the project by completing new facilities before the necessary relocations, and by involving affected facilities in the process of identifying new locations for their operations.

The Authority, as required under the Uniform Act and California Relocation Assistance Act, bears the cost of compensation for displaced public infrastructure. The exact dollar value for each will be determined through an appraisal of the property during the property acquisition and compensation process. While it is not possible to know what local jurisdictions spent on the infrastructure that will need to be relocated or replaced, the cost of relocation and replacement has been estimated and is included in the overall cost of the project. Funding secured for the HST project includes the total amount required for all of the land acquisition and compensation.

I015-51

The Fresno to Bakersfield HST project will not preclude the California Department of Transportation (Caltrans) and the City of Bakersfield from constructing the alternative of the Centennial Corridor Project. On November 15, 2012, Caltrans announced the recommendation of Alternative B as the preferred alternative of the Centennial Corridor Project.

I015-52

The HST project will not preclude the City of Bakersfield or any other entity from

I015-52

planning and constructing the Thomas Road Improvements Projects.

I015-53

Mitigation is identified for all significant impacts analyzed in the Revised DEIR/Supplemental DEIS. The Authority has the full responsibility for implementation of the mitigation measures. The HST project financing includes funding for the cost of property acquisition and relocation of all displaced residents, as well as all other costs associated with fulfilling the mitigation measures.

I015-54

The alignment that you describe in your comment (an alignment that goes around the outside of Bakersfield) was not a potential alternative and the noise levels generated by an alternative like that was not analyzed for noise impacts.

In general, it is likely that elevated viaducts would be visually prominent over a wider area than at-grade segments, but this is not necessarily always the case. For example, viaduct segments that are screened to sensitive viewers by intervening development or tree canopies can be less visible than at-grade segments at sites with no intervening screening.

I015-55

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

The purpose of an EIR is to analyze and document the environmental impacts of a project. The fact that a project alternative would result in environmental impacts is not a violation of the California Environmental Quality Act (CEQA).

I015-56

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section of the HST System.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-56

As described in Section 1.5, Tiering of Program EIR/EIS Documents, of the Final EIR/EIS, in the 2005 Statewide Program EIR/EIS decision document (Authority and FRA 2005), the Authority and FRA selected the BNSF Railway (BNSF) route as the Preferred Alternative for the HST System between Fresno and Bakersfield. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF corridor.

As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

I015-57

Volume III, Alignments and Other Plans, of the EIR/EIS provides grade profiles for the length of the Fresno to Bakersfield Section project alternatives to inform the public about what the project would look like at specific locations.

I015-58

Refer to Standard Response FB-Response-AVR-04, FB-Response-SO-02.

The Authority will work with local jurisdictions to develop appropriate visual/aesthetic treatments. These treatments will need to reflect reasonable costs and meet engineering design parameters. Appropriate treatments will vary by location, but will be compatible with the context of areas adjacent to them. This approach is applicable to elevated guideways and will be employed to mitigate visual impacts through context-sensitive design. Aesthetic Guidelines for Non-Station Structures (TM 200-06) will also guide design of the HST components. The Authority will adhere to local jurisdiction construction requirements (if applicable) to minimize construction-related visual/aesthetic disruption. For information on potential HST project impacts on property values, see Section 5.4.4.3 in the Community Impact Assessment Technical Report.

I015-59

Refer to Standard Response FB-Response-SO-05.

For information on the HST operation-related property and sales tax revenue effects, see the EIR/EIS, Volume I, Section 3.12, Impact SO #3, Impact SO #4, and Impact SO #12.

I015-60

Refer to Standard Response FB-Response-AVR-04, FB-Response-SO-04.

For information on the potential for disruption and division in Bakersfield, see the EIR/EIS, Volume I, Section 3.12, Impact SO #6. Also see Impact SO #9 and Impact SO #10 for displacement estimates in Bakersfield. Mitigation Measures SO-2 and SO-3 propose mitigations for identified effects in Bakersfield communities.

I015-61

The number of residential units displaced is an estimate based on parcel-by-parcel examination of the project alternative alignments as presented in Volume III of the Revised DEIR/Supplemental DEIS, and this includes properties under elevated guideways. Only compatible land use, as determined first by FRA and the Department of Homeland Security and then as approved by the local jurisdiction's land use plan, would be placed under the elevated guideway.

I015-62

Refer to Standard Response FB-Response-N&V-05.

Regarding visual impacts, the mitigation measures are described in Sections 3.16.7.1 and 3.16.7.2 of the the Revised DEIR/Supplemental DEIS (Mitigation Measures AVR-MM#1a, #1b, and #2a through #2h).

I015-63

Refer to Standard Response FB-Response-N&V-05, FB-Response-SO-01.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-64

Please see Impact S&S #9 in Section 3.11 of the EIR/EIS.

I015-65

Refer to Standard Response FB-Response-GENERAL-14, FB-Response-SO-04.

Alignment plans and maps of parcels directly affected by the project, where the whole parcel or a portion thereof would be acquired by the project, are provided in Volume III of the EIR/EIS. For information on the potential for disruption and division in Bakersfield, see Volume I, Section 3.12, Impact SO #6. Also see Impact SO #9 and Impact SO #10 for displacement estimates in Bakersfield. Mitigation Measures SO-2 and SO-3 propose mitigations for identified effects in Bakersfield communities. For information on new job creation and the resulting impacts to the regional economy, see Volume I, Section 3.12, Impacts SO #5 and SO #13.

I015-66

Refer to Standard Response FB-Response-SO-01.

See the EIR/EIS, Volume I, Section 3.12, Impact SO #9, for the potential displacement and relocation of local residences.

I015-67

Refer to Standard Response FB-Response-SO-03.

See the EIR/EIS, Volume I, Section 3.12, Impact SO #10, for the potential displacement and relocation of businesses and their employees.

I015-68

Refer to Standard Response FB-Response-SO-03.

See the EIR/EIS, Volume I, Section 3.12, Impact SO #10, for the potential displacement and relocation of businesses and their employees.

I015-69

Refer to Standard Response FB-Response-SO-03.

See the EIR/EIS, Volume I, Section 3.12, Impact SO #10, for the potential displacement and relocation of businesses and their employees.

I015-70

Refer to Standard Response FB-Response-SO-03.

See the EIR/EIS, Volume I, Section 3.12, Impact SO #10, for the potential displacement and relocation of businesses and their employees.

I015-71

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-SO-03, FB-Response-SO-05.

For information on the economic effects on agriculture, see the EIR/EIS, Volume I, Section 3.12, Impact SO #11 and Impact SO #15. For a detailed analysis of the effects of the HST project on agricultural production, see Appendix C of the Community Impact Assessment Technical Report. The analysis in this appendix provides these results by county and by project alternative in terms of the number of acres of agricultural production loss, the resulting annual revenue loss in both dollar and percentage terms for each type of agricultural product, and the employment loss.

The short-term reductions in sales tax revenues are discussed in Section 3.12 Impact SO #12, because the need to acquire land will necessitate the relocation of businesses along the project alignment. With the relocation assistance provided under the Uniform Act, including assistance in finding replacement properties, moving expenses, and obtaining permits, temporary reductions in sales tax revenue from business displacement would be minimal. A detailed discussion of potential sales tax revenue losses is presented in section 5.4.4.4 of the CIA. Losses would be an insignificant amount of the annual revenue from sales tax collected by the cities and counties. Therefore, the economic impact is measurable, but would not be perceptible to community residents and no mitigation is required.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-71

Additionally, the expected annual gain in sales tax revenue from project spending is greater than the expected loss from business relocation. Construction- and operation-related sales tax gains are examined in section 5.4.6 of the CIA. The impacted cities and counties will have considerable additional revenues attributed to the construction and operation of the HST.

I015-72

Refer to Standard Response FB-Response-SO-05.

For information on HST operation-related property and sales tax revenue effects, see the EIR/EIS, Volume I, Section 3.12, Impact SO #3, Impact SO #4, and Impact SO #12.

I015-73

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

I015-74

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

Proposition 1A mandates that the project follow existing transportation corridors to the extent possible. All alternatives through the San Joaquin Valley would impact agricultural land and sensitive habitats, including alternative alignments along I-5 and SR 99. For example, in the screening analysis conducted for the Fresno to Bakersfield Section, alternatives along SR 99 had comparable impacts to Important Farmland as alternatives along the BNSF corridor (see Table 3-1, pages 3-4 and 3-5, Checkpoint B Summary Report on the Authority's website). Alternative alignments within the BNSF corridor were selected to minimize farmland and sensitive habitat impacts and to take into account all other environmental impacts of the alternatives.

The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System. The Statewide Program EIR/EIS considered alternatives on I-5 and SR99 as well as on the BNSF corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the preferred alignment for the Fresno to Bakersfield Section. The I-5 and SR 99 corridors

I015-74

were again considered during the environmental review of the Fresno to Bakersfield Section and were eliminated for further consideration as described in FB-Response-GENERAL-02.

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

I015-75

Refer to Standard Response FB-Response-GENERAL-12.

I015-76

Construction emission levels can be found in Section 7.10 of the *Fresno to Bakersfield Section: Air Quality Technical Report* (Authority and FRA 2012f). Operational emissions can be found in Section 7.1 of the Air Quality Technical Report.

I015-77

The methodologies and calculations are described in detail in the Fresno to Bakersfield Air Quality Technical Report, with additional details of the specific values used contained in the appendices (Authority and FRA 2012). The document can be found at the Authority's website.

I015-78

In the Revised DEIR/Supplemental DEIS, Section 3.3.6.3, Impact AQ #10, station emissions were estimated for employee and passenger traffic.

I015-79

The methodology and detailed emission air quality estimates are available in the Air Quality Technical Report (Authority and FRA 2012). The Air Quality Technical Report is available on the Authority's website.

I015-80

The analysis in Section 3.3, Air Quality, in the Final EIR/EIS, fully describes the methodologies and significance criteria used in reaching the conclusions concerning the

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I015-80

air quality impacts listed in Section 3.3.6.3. More details on the air quality analysis can be found in the Air Quality Technical Report (Authority and FRA 2012f).

I015-81

Mitigation Measure AQ-4: Offset Project Construction Emissions through a San Joaquin Valley Air Pollution Control District (SJVAPCD) Voluntary Emissions Reduction Agreement provides that the Authority and SJVAPCD will enter into a contractual agreement to mitigate, by offsetting to net zero, the project's actual emissions by providing funds for the district's Emission Reduction Incentive Program. These funds will be provided at the beginning of the construction phase. Therefore, mitigation/offsets will occur in the year of impact, or as otherwise permitted by 40 CFR Part 93, Section 93.163. There will be no long-term delay in achieving the net-zero emission reductions through the construction offset agreement.

I015-82

Refer to Standard Response FB-Response-PU&E-02.

As described in Section 3.3.6.3 and in Tables 3.3-9 and 3.3-10 of the Revised DEIR/Supplemental DEIS, the power plant emissions were estimated for the entire host project at a statewide level. The HST would be electrically powered. While cars and planes result in direct air and greenhouse gas emissions from fossil fuel combustion, the HST only results in indirect air and greenhouse gas emissions from the power plants that produce electricity. Indirect fossil fuel combustion emissions from power plants that provide the electricity for the HST are provided in Tables 3.3-9 and 3.3-10 in the Revised DEIR/Supplemental DEIS. In addition, because of the state requirement that an increasing fraction (33% by 2020) of electricity generated for the state's power portfolio must come from renewable energy sources, the emissions generated for the HST system are expected to be lower in the future when compared to the emissions estimated in Tables 3.3-9 and 3.3-10 in the Revised DEIR/Supplemental DEIS, which are based on the state's current power portfolio.

I015-83

The estimates of construction trips and impacts are summarized in the Revised

I015-83

DEIR/Supplemental DEIS, but are explained in more detail in Section 5.4.10 of the supporting technical report, the *Fresno to Bakersfield Section: Transportation Analysis Technical Report*, July 2012 (Authority and FRA 2012n).

I015-84

For construction, the alternatives have similar levels of construction activity required, but at different locations. Each of the stations had the same trip generation assumed for construction workers, as each station has similar features.

I015-85

Refer to Standard Response FB-Response-TR-01.

All roads that cross the alignment were evaluated for average daily traffic, and roads that serve high volumes of traffic or are otherwise important routes were considered for overcrossings, whether they were in a "rural" area or not. Roads proposed to be closed are those estimated to have volumes fewer than 500 vehicles per day, with crossings available on alternative detour routes that would add 1 mile or less in out-of-direction travel or less to a trip. Impacts from each individual road closure would be an inconvenience, but would not restrict continued access, and therefore impacts were determined to be less than significant. Since the less-than-significant impact is associated with each specific road closure, there is no overall difference between 15 or 20 road closures, as the comments suggests. All road crossings, whether proposed to remain open or closed, are listed in Chapter 2, Appendix A, Road Crossings.

I015-86

Refer to Standard Response FB-Response-TR-01.

The Rosedale Highway overcrossing would have to be raised to accommodate the HST vertical clearance. The HST project does not have any mitigation related to the capacity or number of lanes needed on the bridge, as the impact analysis determined no such mitigation is necessary. Prior to construction, the design-builder will prepare a detailed Construction Transportation Plan for the purpose of minimizing the impact of

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I015-86

construction and construction traffic on adjoining and nearby roadways.

I015-87

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-TR-02.

CHSRA will continue coordination with the Greater Bakersfield Separation of Grade District and other local agencies on the required level of roadway improvements associated with the HST project.

I015-88

Refer to Standard Response FB-Response-TR-01.

All roads that cross the alignment were evaluated for average daily traffic, and roads that serve high volumes of traffic or are otherwise important routes were considered for crossings (over or under), whether they were in a "rural" area or not. Roads with volumes under 500 vehicles per day were considered for closure because vehicles could use other crossings on alternative detour routes. This change would be an inconvenience, but would not restrict continued access. HSR policy is to provide roadway overpasses approximately every 2 miles, resulting in no more than 1 mile of out-of-direction travel for vehicles to cross the HST tracks. In most locations in the Fresno to Bakersfield Section, roadway overpasses would be provided more frequently, approximately every mile or less, because of the existing roadway infrastructure. Consequently, out-of-direction travel would be limited to approximately 1 mile in nearly all locations in the project area. Because most detours are limited and because few travelers are affected, only small effects to traffic circulation are expected as a result of the closures and diversion of traffic.

A detailed Construction Transportation Plan (CTP) (see Section 3.2.6) and the Construction Management Plan (see Section 3.12.10, Design Features) will be prepared as the project progresses into the final design phase and more details are developed regarding construction plans. CTPs are standard means of minimizing traffic conflicts during construction, and depending on the type and extent of construction, typically include detours and lane control features such as signage, lighting, and flag persons. Section 3.2.6, Project Design Features, in the Revised DEIR/Supplemental DEIS describes the types of activities addressed by the CTP.

I015-89

The Authority and the FRA's prior program EIR/EIS documents (see Section 1.5, Tiering of Program EIR/EIS Documents) selected the BNSF Railway route as the Preferred Alternative for the Central Valley HST between Fresno and Bakersfield in the 2005 Statewide Program EIR/EIS decision document. Therefore, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

As discussed in Section 2.3.1 of the EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project as required under 14 CCR 15126.6 and 40 CFR 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

The Revised DEIR/Supplemental DEIS analyzes a number of feasible alternatives as described in Chapter 2 and analyzed in Chapter 3. The Revised DEIR/Supplemental DEIS considered a reasonable range of potentially feasible alternatives that fosters informed decision making and public participation. The Revised DEIR/Supplemental DEIS added alternatives in Bakersfield and the Hanford area from what was analyzed in the Draft EIR/EIS.

The Authority used the information in the Revised DEIR/Supplemental DEIS and input from agencies and the public to identify the Preferred Alternative. The decision included consideration of the project purpose and need and the project objectives presented in Chapter 1, Project Purpose and Need, as well as the objectives and criteria in the alternatives analysis, and the comparative potential for environmental impacts. The Preferred Alternative balances the least overall impact on the environment and local communities, cost, and constructability constraints of the project alternatives evaluated. For more detail please refer to Chapter 7, Preferred Alternative, in this Final EIR/EIS.

I015-90

Refer to Standard Response FB-Response-N&V-05.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-91

Refer to Standard Response FB-Response-N&V-05.

I015-92

The California High Speed Rail Authority is responsible for this.

I015-93

The sound barriers are designed to mitigate the aerodynamic component of the noise generated by HSR operations.

Volume III depicts the potential extents of the sound barriers on plan. This is shown as a line with intermittent circles, as identified in the legend on page 10 of 16 in the Volume III General Sheets. The cross sections do not show the potential sound barriers, as the position, height, and design of this mitigation must be completed by the design-builder.

I015-94

Refer to Standard Response FB-Response-N&V-03, FB-Response-N&V-05.

It is the California High Speed Rail Authority's responsibility.

I015-95

Refer to Standard Response FB-Response-BIO-02, FB-Response-GENERAL-01, FB-Response-GENERAL-02, FB-Response-N&V-05.

All of the alternatives analyzed in the Revised DEIR/Supplemental DEIS are within the jurisdiction of the Authority to implement. The responsible parties for implementing the mitigation measures is described in the Mitigation Monitoring and Enforcement Plan. The mitigation measures will effectively reduce significant impacts, have been agreed upon and are enforceable by the responsible parties. Section 3.1.4 of the Revised DEIR/Supplemental DEIS provides a discussion of the legal authority to implement offsite mitigation.

I015-95

The Authority is the CEQA lead agency for this project and as such was responsible for analyzing the environmental impacts of the proposed Fresno to Bakersfield HST Section, for analyzing alternatives that would reduce impacts, and for identifying mitigation measures to further reduce impacts where necessary. This has all be done in the Revised DEIR/Supplemental DEIS and this Final EIR/EIS.

I015-96

The Statement of Overriding Considerations is presented in this Final EIR/EIS as required by CEQA. It is not presented in the Draft EIR/EIS.

I015-97

The No Project Alternative has been analyzed at the same level of detail as the other project alternatives in the Revised DEIR/Supplemental DEIS and in the Final EIR/EIS. This Final EIR/EIS identifies the environmentally superior alternative.

I015-98

The Revised DEIR/Supplemental DEIS was prepared in accordance with the CEQA and NEPA guidelines and implementing regulations, and it follows a format that is consistent with those guideline and regulations.

Preparation of the Fresno to Bakersfield HST Section EIR/EIS has exceeded the required procedures under CEQA and NEPA, including notifications, outreach, scoping, workshops, hearings, and meetings, as well as the content of the Draft EIR/EIS, Revised DEIR/Supplemental DEIS, and Final EIR/EIS.

I015-99

Refer to Standard Response FB-Response-GENERAL-21.

The EIR/EIS follows the California Environmental Quality Act (CEQA) Guidelines and provides the information on project impacts and mitigation required for decision-makers and the public to determine the environmental consequences of project implementation.

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I015-99

An EIR project description can be general, not detailed (CEQA Guidelines § 15124(c)). Final design—or even advanced design—of infrastructure is not required in the project description (*Dry Creek Citizens Coalition v. County of Tulare* [1999] 70 Cal.App.4th 20, 36). The issue is whether the project description narrows the scope of environmental review or prevents full understanding of the project and its consequences (*ibid.*).

Abundant substantial evidence in the record demonstrates that the project description is more than adequate. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR. The 15% design generates detailed information, like the horizontal and vertical location of track, cross sections of the infrastructure with measurements, precise station footprints with site configuration, and temporary construction staging sites and facilities. The 15% design also yields a "project footprint" overlaid on parcel maps; the project footprint shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity. This 15% design translated into a project description in the EIR with 100% of the information that is required under CEQA Guidelines Section 15124 (see *Dry Creek*, above, 70 Cal.App.4th at pp. 27-36 [upholding EIR conceptual project description as adequate when based on preliminary design]).

A higher level of design is not necessary because the 15% design provides enough information for a conservative environmental analysis. A higher level of design provides refinement, but does not yield more information needed for adequate CEQA review. For example, if a lead agency knows the location, size, and basic design of a building, it has enough information for environmental review. The details about whether the water system will use polyvinyl chloride (PVC) or copper pipe or whether windows will be vinyl or wood are not necessary for assessing the impacts of building construction. Further, it is common practice with larger transportation infrastructure projects to prepare the environmental analysis before the completion of the final design.

I015-100

Refer to Standard Response FB-Response-GENERAL-01.

This project EIR/EIS contains significantly more detail than was available for the first-tier

I015-100

Program EIR/EIS. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR/EIS. The 15% design generates detailed information, like the horizontal and vertical locations of the track, cross sections of the infrastructure with measurements, precise station footprints with site configurations, and temporary construction staging sites and facilities. The 15% design also yields a "project footprint" overlaid on parcel maps, which shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity. This 15% design translated into a project description in the EIR with 100% of the information that is required under CEQA Guidelines Section 15147. This level of design conforms to Section 1501.2 of the California Environmental Quality Act (CEQA) regulations implementing the National Environmental Policy Act (NEPA) as well as the CEQA Guidelines.

I015-101

Refer to Standard Response FB-Response-GENERAL-21.

The EIR/EIS follows the NEPA and CEQA Guidelines and provides the information on project impacts and mitigation required for decision makers and the public to determine the environmental consequences of project implementation.

On the law, this comment ignores that an EIR project description is intended to be general, not detailed (CEQA Guidelines § 15124(c)). Final design or even advanced design of infrastructure is not required in the project description (*Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20, 36.) The issue is whether the project description in the Revised DEIR/Supplemental DEIS narrows the scope of environmental review, or prevents full understanding of the project and its consequences (*ibid.*).

Abundant substantial evidence in the record demonstrates the project description is more than adequate. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR. The 15% design generates detailed information, like the horizontal and vertical location of track, cross sections of the infrastructure with measurements, precise station footprints with site configuration, and temporary construction staging sites and facilities. The 15% design

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I015-101

also yields a "project footprint" overlaid on parcel maps, which shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity. This 15% design translated into a project description in the EIR with 100% of the information that is required under CEQA Guidelines Section 15124 (See Dry Creek, above, 70 Cal.App.4th at pp. 27-36 [upholding EIR conceptual project description as adequate when based on preliminary design].)

A higher level of design is not necessary because 15% design provides enough information for a conservative environmental analysis. A higher level of design provides refinement, but does not yield more information needed for adequate CEQA review. For example, if a lead agency knows the location, size, and basic design of a building, it has enough information for environmental review. The details about whether the water system will use PVC or copper pipe, or whether windows will be vinyl or wood, are not necessary for assessing the impacts of building construction. Further, it is common practice with larger transportation infrastructure projects to prepare environmental analysis before completion of final design.

I015-102

The EIR/EIS document follows the requirements of the CEQA and NEPA guidelines and implementing regulations; and the procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield HST Section.

The level of detail provided in the impact analysis is more than adequate to assess the significant environmental effects of the proposed project and to allow meaningful evaluation and analysis of the project alternatives.

I015-103

Pursuant to NEPA and CEQA guidelines, all public comments collected during a public comment period are formally responded to in the Final EIR/EIS. Copies of comments received during the Draft EIR/EIS comment period can be obtained upon request.

I015-104

Refer to Standard Response FB-Response-GENERAL-01.

I015-104

The impact analysis in the Revised DEIR/Supplemental DEIS and Final EIR/EIS is supported by scientific data throughout the analysis. As an example, please see Section 3.7.3 for a detailed discussion on the methodology used for analyzing impacts on biological resources and wetlands.

I015-105

Refer to Standard Response FB-Response-GENERAL-01, FB-Response-GENERAL-27, FB-Response-SO-04.

The EIR/EIS fully complies with CEQA. As detailed in Volume 1 Section 3.12 Impact SO#6, the HST alternatives through Bakersfield would travel through existing suburban and urban development in the city, displacing many homes, businesses and important community facilities.

Please refer to Mitigation Measure SO-3: Implement measures to reduce impacts associated with the relocation of important facilities. These measures will apply to all schools, churches, city and county property, as well as other important facilities such as Mercy Hospital. The Authority will consult with these respective parties before land acquisition to assess potential opportunities to reconfigure land use and buildings and/or relocate affected facilities, as necessary, to minimize the disruption of facility activities and services, and also to ensure relocation that allows the community currently served to continue to access these services. This mitigation measure will be effective in minimizing the impacts of the project by completing new facilities before necessary relocations, and by involving affected facilities in the process of identifying new locations for their operations. The Authority, as required under the Uniform Act, bears the cost of compensation for displaced public infrastructure.

The public outreach process for the Fresno to Bakersfield Section of the HST has been extensive and includes hundreds of public meetings and briefings where public comments have been received, community events where participation has been solicited, and educational materials that were developed and distributed to encourage feedback. These efforts are cited in Volume I, Chapter 7.

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I015-105

Public notification regarding the draft environmental documents took place in the following ways: A notification letter, informational brochure, and NOA were written in English and Spanish and sent to landowners and tenants within 300 feet of all alignment alternatives. The letters notified landowners and tenants that their property may be necessary for construction (within the project construction footprint) of one or more of the alignment alternatives or project components being evaluated. Anyone who has requested to be notified or is in our stakeholder database was sent notification materials in English and Spanish. An e-mail communication of the notification materials was distributed to the entire stakeholder database. Public notices were placed in English and Spanish newspapers. Posters in English and Spanish were posted along the project right-of-way.

I015-106

Refer to Standard Response FB-Response-GENERAL-26.

As stated in Section 15140 of the CEQA Guidelines "EIRs shall be written in plain language and may use appropriate graphics so that decision makers and the public can rapidly understand the documents." That guidance was followed in preparing this EIR/EIS.

I015-107

The EIR/EIS meets the requirements of CEQA and NEPA. The Authority and FRA disagree that the proposed project analyzed in the EIR/EIS is in violation of Proposition 1A.

The California State Legislature voted to put Proposition 1A on the ballot via Assembly Bill 3034 of the 2007–2008 Regular Session (Chapter 267, Statutes of 2008). In 2008, California voters approved Proposition 1A – essentially approving the California HST System. Regarding urban development and land use patterns, voters specifically mandated that HST stations “be located in areas with good access to local mass transit or other modes of transportation. The HST system also shall be planned and constructed in a manner that minimizes urban sprawl and impacts on the natural environment” including “wildlife corridors.” The Authority has embraced this voter and legislative direction. As the Authority’s program EIR/EIS documents show and this

I015-107

EIR/EIS supports, operation of the HST System by itself will reduce traffic congestion, air pollution, and greenhouse gas (GHG) emissions.

The Authority divided the HST System into nine project sections, allowing phased system implementation. This approach is consistent with the provisions of Proposition 1A, the Safe, Reliable, High-Speed Passenger Train Bond Act, adopted by California voters in November 2008.

I015-108

Refer to Standard Response FB-Response-GENERAL-17.

I015-109

Three types of HST technology were analyzed by the California Intercity High-Speed Rail Commission for the Statewide Program EIR/EIS. These three technologies were Steel-Wheel-on-Steel-Rail at Lower Speed (below 200 miles per hour [mph]); Magnetic Levitation Technology (maglev); and Steel-Wheel-on-Steel-Rail (very high speed [VHS]; above 200 mph).

The Authority’s enabling legislation, Senate Bill (SB) 1420 (chaptered September 24, 1996, Chapter 796, Statute of 1996) defines high-speed rail as “intercity passenger rail service that utilizes an alignment and technology that makes it capable of sustained speeds of 200 mph (320 kph [kilometers per hour]) or greater.” Therefore, technologies in which trains travel below 200 mph were eliminated from further consideration. This direction is consistent with foreign HST experience, the experience of the northeast corridor (Boston–New York–Washington, D.C.), and HST studies done elsewhere in the United States, which show that to compete with air transportation and generate high ridership and revenue, the intercity HST travel times between the major transportation markets must be below 3 hours. From this determination, the Commission directed staff to focus technical studies on VHS (Steel-Wheel-on-Steel-Rail at Very High Speeds [above 200 mph]) and maglev technologies. Although a completely dedicated train technology using a separate track/guideway would be required on the majority of the proposed system for both technologies, requiring such separation everywhere in the system would prohibit direct HST service to certain heavily constrained terminus sections (e.g., the San Francisco Peninsula from San Jose to San Francisco and the

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existing rail corridor between Los Angeles Union Station and Orange County). Because of extensive urban development and severely constrained rights-of-way, HST service in these terminus sections would need to share physical infrastructure (tracks) with existing passenger rail services in existing or slightly modified corridors. A maglev system, in addition to being a more costly technology, requires separate and distinct guideway configurations that preclude the sharing of rail infrastructure. As a dedicated (exclusive guideway) high-speed rail service along existing right-of-way corridors in all segments of the system would be infeasible, use of maglev technology for portions of the project would preclude direct HST service without passenger transfer and would not satisfy the travel time requirements of the project purpose and need. Other rail transportation configurations, including monorail, were eliminated from further consideration for not meeting this basic system requirement. A VHS system would be compatible with other trains sharing the tracks. The potential for utilization of shared track allows for individual project segments to meet independent utility requirements. By comparison, maglev technology does not lend itself to incremental improvements and could not satisfy independent utility requirements or meet the project's blended system approach. By taking advantage of the existing rail infrastructure, a shared-use configuration would be mostly at-grade. Shared-use options are less costly and would result in fewer environmental impacts compared with exclusive guideway options.

Also, improved regional commuter service (electrified, fully grade separated, with additional track and security features) would help mitigate the impacts along existing rail corridors. Shared-use improvements in these corridors would potentially improve automobile traffic flow at rail crossings and reduce noise impacts, because a grade-separated system could eliminate trains blowing warning horns throughout the alignment. Shared-use options would provide the opportunity for a partnership with right-of-way owners and commuter rail operators and would provide the opportunity to incrementally improve network segments. For these reasons, maglev technology was eliminated from further investigation in the Final Program EIR/EIS (Authority and FRA 2005), is not part of the project description, and does not require further consideration in this project-level EIR/EIS.

I015-110

Refer to Standard Response FB-Response-GENERAL-01.

I015-111

The graphics presented in the EIR/EIS are clear and legible. Volume III of the Revised DEIR/Supplemental DEIS presents detailed alignment plans of the entire proposed 114-mile Fresno to Bakersfield HST Section on aerial photos at a scale of 1 inch = 100 feet.

I015-112

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid the impacts associated with the BNSF Alternative. In Bakersfield, the BNSF Alternative would displace six religious facilities, the Bakersfield High School Industrial Arts building, the Mercado Latino Tianguis, and 119 homes in the eastern portion of the city. In contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis; however, this alternative would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, this alternative would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

I015-113

Refer to Standard Response FB-Response-GENERAL-17.

The cost of operation and maintenance of HST equipment includes the cost of (1) crew, administration, and supplies to operate and dispatch the HST services; (2) electric power for traction, onboard systems, stations, and maintenance/other facilities; and (3)

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cleaning, inspection, maintenance, and overhaul of train sets. Operation and maintenance costs are presented in Section 5.3 of the Revised DEIR/Supplemental DEIS.

Also, as provided in Appendix 5-A of the Revised DEIR/Supplemental DEIS, energy to power the train and facilities is estimated at \$9.27 per train set mile, which is drawn from power load design studies for the HST, and average per kWh cost of 15.65 cents, based on the average of BART and Los Angeles Metro costs plus 3.09 cents for “green power.”

I015-114

Refer to Standard Response FB-Response-GENERAL-17.

I015-115

The Statewide Program EIR/EIS for the California HST Program (Authority and FRA 2005) evaluated the cost of the HST relative to improvements to existing transportation modes, including highways and airports. The cost estimates for improvements to existing transportation modes were not overstated. This submission provides no substantive evidence that these estimates were overstated.

I015-116

Please see Chapter 4 of the Statewide Program EIR/EIS for the California HST Program (Authority and FRA 2005) for the estimated cost of expanding the existing transportation system. The report is available on the Authority's website.

I015-117

Refer to Standard Response FB-Response-GENERAL-14.

I015-118

Refer to Standard Response FB-Response-GENERAL-13.

I015-119

Refer to Standard Response FB-Response-GENERAL-08.

I015-119

The Bakersfield station was located in downtown Bakersfield adjacent to the Amtrak station at the recommendation of the City of Bakersfield, Kern County, and the Kern Council of Governments (COG). The Revised DEIR/Supplemental DEIS was modified to include information provided by the City of Bakersfield, including adding the Bakersfield Hybrid Alternative. The Authority and FRA are committed to continue working with the City of Bakersfield and Kern County on this project.

I015-120

Refer to Standard Response FB-Response-GENERAL-17.

I015-121

The project under environmental review is the Fresno to Bakersfield Section of the HST System. The project limits are clearly defined in Chapter 2, Alternatives, of the EIR/EIS as that section of the HST System between the Fresno Station and the Bakersfield Station.

As described in the Revised 2012 Business Plan (Authority 2012a) and Section 1.6, Revised 2012 Business Plan, of the Final EIR/EIS, construction of this section will be phased. However, in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), the EIR/EIS addresses the whole project and not a phase of that project.

I015-122

Refer to Standard Response FB-Response-GENERAL-13.

I015-123

The comment isolates a single step in the development of the HST System and claims its independent benefits are unlikely to justify the expense. As discussed in the Revised 2012 Business Plan (Authority 2012a), the California High-Speed Rail (HSR) Program will depend on a mix of public and private investment, the latter becoming available after the fundamental economics of the program are demonstrated.

A phased approach to system development is the prudent course to build a foundation

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that allows for greater efficiency in the use of private investment once the initial segments of the system are in place. This approach also recognizes current budgetary and funding realities. Among other things, the phased approach will help ensure the system's success by introducing Californians to HSR service and building ridership over time. At the same time, improvements can be made to regional systems that connect with HSR, resulting in the conventional and high-speed systems that complement each other.

The goals of Proposition 1A were used to develop the phasing strategy for the statewide HSR system and were guided by the following key principles:

- Divide the statewide high-speed rail program into a series of smaller, discrete projects that can stand alone, will provide viable revenue service, can be matched to available funding, and can be delivered through appropriate business models.
- Advance sections as soon as feasible to realize early benefits, especially employment, and to minimize the impact of inflation.
- Leverage existing rail systems and infrastructure, including connecting rail and bus services.
- Forge a long-term partnership with the federal government for program delivery.
- Develop partnerships with other transportation operators to identify efficiencies through leveraging state, regional, local, and capital program investments and maximizing connectivity between systems.
- Seek earliest-feasible and best-value private-sector participation and financing with appropriate risk transfer and cost containment.
- Mitigate against the risk of funding delays by providing decision points for state policy-makers to determine how and when the next steps should proceed while leaving a fully operational system and generating economic benefits at each step.

The Authority applied these principles, taking into account key factors such as cost, funding scenarios, and ridership and revenue projections, to develop an implementation strategy with the following key steps:

Step 1—Early Investments, Statewide Benefits. The first construction of dedicated high-speed infrastructure for the initial operating section (IOS) begins in the Central Valley. As with all of the steps, this initial section is being developed to deliver early

I015-123

benefits by leveraging other systems—enabling them to operate on the new high-speed tracks, which can be done without impacts on the design or the integrity of the new infrastructure. Improved passenger rail service would begin on completion of the first IOS segment by connecting the San Joaquins, ACE, Sacramento Regional Transit, and the Capitol Corridor (and potentially Caltrain). Through a new, strategic approach, there is also the opportunity for new or improved travel between Bakersfield and Sacramento, Oakland, San Jose, and San Francisco. This expanded Northern California Unified Service could begin operation as early as 2018, with the potential to provide transportation and economic benefits well before fully operational high-speed rail service is initiated.

As part of this first step, complementary investments and improvements will be made to both accelerate benefits and distribute them more widely across the state. These investments will be made using the \$950 million in Proposition 1A connectivity funding, available Proposition 1A high-speed rail funds, future federal funds, and other sources, and will include the following:

- Investment in the bookends: In Northern California, the long-awaited electrification of the Caltrain corridor will begin under a collaborative program between Bay Area agencies and the Authority. Also, consistent with the Southern California Memorandum of Understanding (MOU), investments will be made in key rail corridors in the southern part of the state, such as upgrading the Metrolink corridor from Los Angeles to Palmdale.
- The Northern California Unified Service described above will be initiated.
- As the next step in the IOS, work to close the rail gap between Bakersfield and Palmdale through the Tehachapi Mountains will begin. Environmental clearance is possible in early 2014, and plans are being developed to move quickly to implement the improvements to close this critical gap and create the first statewide rail link between the Bay Area and the Los Angeles Basin.

Step 2—Initial High-Speed Rail Operations. Introduction of the state's (and the nation's) first fully operational high-speed rail service will begin. This service can be operated by a private entity without subsidy, will have the potential to attract private investment to expand the system from Bay to Basin, and can be completed within a decade. The service will be blended with regional/local systems. The IOS is achieved through expansion of the first construction segment into an electrified operating high-speed rail line from Merced to Palmdale and the San Fernando Valley, accessing the

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-123

populous Los Angeles Basin. Following on the work discussed above, the next priority in implementing the IOS will be closing the rail gap between Northern and Southern California by crossing the Tehachapi Mountains with new, dedicated high-speed rail infrastructure. Before completion of the IOS to the San Fernando Valley, this link will tie the north to the south at Palmdale, where Metrolink commuter rail service can then provide service and connections throughout Southern California.

Currently, the IOS is defined as extending from Merced to the San Fernando Valley, and high-speed revenue service would only start once the full IOS is built and operable. Should ridership and revenue forecasts and financial projections demonstrate that revenue service compliant with Proposition 1A could begin earlier, with a shorter IOS, appropriate reviews would occur to consider and implement earlier service, if appropriate.

Step 3—The Bay to Basin System. The dedicated high-speed rail infrastructure of the IOS will be expanded north and west to San Jose, providing HSR service between the state's major population centers in the north and south and providing the platform for the transition to statewide blended operations. At this stage, passengers will be able to take a one-seat ride between greater Los Angeles (San Fernando Station) and the San Francisco Transbay Transit Center using blended infrastructure in the north between San Francisco and San Jose (assuming electrification of the Caltrain corridor by 2020, as proposed by Caltrain), using dedicated high-speed rail infrastructure between San Jose and the San Fernando Station, and, in the south, connecting via Metrolink between the San Fernando Valley Station and Los Angeles' Union Station and on to other points throughout Southern California.

Step 4—The Phase 1 System. For the blended approach, the dedicated high-speed rail infrastructure of the Bay-to-Basin system will be extended from the San Fernando Valley to Los Angeles Union Station, linking to a significantly upgraded passenger rail corridor developed to maximize service between Los Angeles and Anaheim while also addressing community concerns about new infrastructure impacts in a congested urban corridor that includes a number of established communities that abut the existing right-of-way. Under a Full Build scenario, dedicated high-speed rail infrastructure would be extended from San Jose to San Francisco's Transbay Transit Center and from Los Angeles to Anaheim.

Step 5—The Phase 2 System. Phase 2 will extend the high-speed rail system to Sacramento and San Diego, representing completion of the 800-mile statewide system.

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Travelers will be able to travel between all of the state's major population centers on high-speed rail. Phase 2 areas will see improvements in rail service well in advance of the expansion of the high-speed rail system through the combination of early investments and blended operations, as described in the Revised Plan.

I015-124

Refer to Standard Response FB-Response-GENERAL-13.

The Initial Construction Section will be used to test the HST and does not violate provisions of Proposition 1A.

I015-125

Refer to Standard Response FB-Response-GENERAL-13.

I015-126

Refer to Standard Response FB-Response-GENERAL-08.

The Authority remains committed to engaging with Kern County, the City of Bakersfield, and all affected municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-127

Refer to Standard Response FB-Response-GENERAL-01.

Mitigation Measures SO-2, SO-3, and SO-4 in the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12, propose mitigations for identified effects in Bakersfield communities.

I015-128

Refer to Standard Response FB-Response-GENERAL-07, FB-Response-GENERAL-16.

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I015-128

Environmental documents are written to a specific and legally required standard, with the objective of making them understandable to the average reader. Technical data were summarized and provided separately from the EIR/EIS in order to avoid the use of jargon and technical discussions where possible. Fact sheets, brochures, and summaries were provided to ensure widespread understanding of the environmental documents and ease in finding pertinent information. Additionally, as noted in the standard responses, numerous public workshops were held to answer and solicit feedback on the documents and to assist the public with finding pertinent information.

I015-129

Refer to Standard Response FB-Response-GENERAL-01.

The significant environmental impacts of constructing and operating the Fresno to Bakersfield Section of the HST have been identified and analyzed in the Revised DEIR/Supplemental DEIS.

I015-130

Refer to Standard Response FB-Response-GENERAL-08.

The Authority remains committed to engaging with Kern County, the City of Bakersfield, and all affected municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-131

Refer to Standard Response FB-Response-GENERAL-02.

As detailed in Volume 1 Section 3.12 Impact SO#6, the HST alternatives through Bakersfield would travel through existing suburban and urban development in the city, displacing many homes, businesses and important community facilities.

I015-131

Please refer to Mitigation Measure SO-3: Implement measures to reduce impacts associated with the relocation of important facilities. These measures will apply to all schools, churches, city and county property, as well as other important facilities. The Authority will consult with these respective parties before land acquisition to assess potential opportunities to reconfigure land use and buildings and/or relocate affected facilities, as necessary, to minimize the disruption of facility activities and services, and also to ensure relocation that allows the community currently served to continue to access these services. This mitigation measure will be effective in minimizing the impacts of the project by completing new facilities before necessary relocations, and by involving affected facilities in the process of identifying new locations for their operations. The Authority, as required under the Uniform Act, bears the cost of compensation for displaced public infrastructure.

I015-132

The HST project does not conflict with TRIP projects and will not preclude the City of Bakersfield or any other entity from constructing future roadway improvements and projects.

I015-133

Refer to Standard Response FB-Response-GENERAL-17.

I015-134

The EIR/EIS meets the requirements of CEQA and NEPA. The Authority and FRA disagree that the proposed project analyzed in the EIR/EIS is in violation of Proposition 1A.

The California State Legislature voted to put Proposition 1A on the ballot via Assembly Bill 3034 of the 2007–2008 Regular Session (Chapter 267, Statutes of 2008). In 2008, California voters approved Proposition 1A – essentially approving the California HST System. Regarding urban development and land use patterns, voters specifically mandated that HST stations “be located in areas with good access to local mass transit or other modes of transportation. The HST system also shall be planned and

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

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constructed in a manner that minimizes urban sprawl and impacts on the natural environment” including “wildlife corridors.” The Authority has embraced this voter and legislative direction. As the Authority’s program EIR/EIS documents show and this EIR/EIS supports, operation of the HST System by itself will reduce traffic congestion, air pollution, and greenhouse gas (GHG) emissions.

The Authority divided the HST System into nine project sections, allowing phased system implementation. This approach is consistent with the provisions of Proposition 1A, the Safe, Reliable, High-Speed Passenger Train Bond Act, adopted by California voters in November 2008.

The Initial Construction Section will be used to test the HST and does not violate provisions of Proposition 1A.

I015-135

Refer to Standard Response FB-Response-GENERAL-12.

I015-136

Refer to Standard Response FB-Response-GENERAL-12, FB-Response-GENERAL-13, FB-Response-GENERAL-17.

I015-137

Refer to Standard Response FB-Response-GENERAL-12, FB-Response-GENERAL-13, FB-Response-GENERAL-17.

I015-138

Refer to Standard Response FB-Response-GENERAL-06, FB-Response-GENERAL-24.

A considerable degree of study has been conducted to model HST ridership levels, including the potential shift in modes of travel. While all forecasts have an inherent level of uncertainty, the ridership forecasts described in the EIR/EIS appropriately support the feasibility of the project and present a valid approach to determine the reasonable range of potential impacts.

I015-138

The forecasts of HST ridership used in the EIR/EIS were developed from 2005 to 2008 by Cambridge Systematics, a national leader in transportation economics and modeling with extensive current experience in transportation issues throughout California. Before modeling changes in modes of travel that could result from implementation of the HST, a detailed picture of current and future trip-making in California was developed. The volume of present travel among cities and rural regions was estimated from highway traffic counts, federal data on air trips, existing and new surveys of origins and destinations of trips, California Department of Transportation (Caltrans) data, and many other sources. The cost and speed of travel by air, car, and train, including getting to stations and airports and parking at destinations, was developed. Growth in traffic was projected from state forecasts of population, employment, and household income growth, and the known relationships of these factors with travel volumes. An extensive U.S. and international body of research and experience exists on why people pick cars, planes, transit, or other ways to travel for a specific trip. To develop the forecast model, over 4,000 existing surveys of California inter-regional travelers were combined with 2,700 new surveys collected in 2005 specifically to determine their sensitivity to cost, speed, and convenience.

Cambridge Systematics developed a detailed 4,667-zone model for the entire state to forecast travel between regions. The economic and household characteristics were forecast for each zone in the year 2030 based on data and forecasts from state, regional, and local government agencies. A detailed description of system capacity, speeds, service levels, cost, and traffic congestion for the highway and local transit networks was developed for 2030 from the fiscally constrained, long-range transportation plans of each regional planning agency. Finally, future air and intercity conventional rail service reflecting current service levels and planned investments were incorporated. The high-speed train line and stations were added, using fares, travel times between stations, and time between trains provided by the Authority. A peer review panel of local, national, and international travel model and high-speed train experts reviewed and commented on the modeling assumptions, methodologies, and results during each stage of model development.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-139

The need for an HST System exists statewide, with regional areas contributing to this need. The Fresno to Bakersfield Section is an essential component of the statewide HST System. The need for improvements to intercity travel in California, including intercity travel between the south San Joaquin Valley, the Bay Area, Sacramento, and Southern California, relates to the following issues.

- Future growth in demand for intercity travel, including the growth in demand within the south San Joaquin Valley.
- Capacity constraints that will result in increasing congestion and travel delays, including those in the south San Joaquin Valley, particularly along the State Route (SR) 99 corridor.
- Unreliability of travel stemming from congestion and delays, weather conditions, accidents, and other factors that affect the quality of life and economic well-being of residents, businesses, and tourism in California, including the south San Joaquin Valley.
- Reduced mobility as a result of increasing demand on limited modal connections between major airports, transit systems, and passenger rail in the state, including the south San Joaquin Valley.
- Poor and deteriorating air quality and pressure on natural resources and agricultural lands as a result of expanded highways and airports and urban development pressures, including those within the south San Joaquin Valley.

Please see Chapter 1 of the EIR/EIS for additional information on the need for the proposed project.

The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield HST Section.

The Authority and the FRA's prior program EIR/EIS documents (see Section 1.5, Tiering of Program EIR/EIS Documents in the Fresno to Bakersfield Section EIR/EIS) selected the BNSF Railway route as the preferred alternative for the Central Valley HST between

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Fresno and Bakersfield in the 2005 Statewide Program EIR/EIS decision document (Authority and FRA 2005). Therefore, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

As discussed in Section 2.3.1 of the EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project as required under 14 CCR 15126.6 and 40 CFR 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

I015-140

The need for an HST System exists statewide, with regional areas contributing to this need. The Fresno to Bakersfield Section is an essential component of the statewide HST System. The need for improvements to intercity travel in California, including intercity travel between the south San Joaquin Valley, the Bay Area, Sacramento, and Southern California, relates to the following issues:

- Future growth in demand for intercity travel, including the growth in demand in the south San Joaquin Valley.
- Capacity constraints that will result in increasing congestion and travel delays, including those in the south San Joaquin Valley, particularly along the SR 99 corridor.
- Unreliability of travel stemming from congestion and delays, weather conditions, accidents, and other factors that affect the quality of life and economic well-being of residents, businesses, and tourism in California, including the south San Joaquin Valley.
- Reduced mobility as a result of increasing demand on limited modal connections between major airports, transit systems, and passenger rail in the state, including the south San Joaquin Valley.
- Poor and deteriorating air quality and pressure on natural resources and agricultural lands as a result of expanded highways and airports, and urban development pressures, including those within the south San Joaquin Valley.

Please see Chapter 1 of the EIR/EIS for additional information on the need for the

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

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proposed project. The procedural requirements for NEPA and CEQA were followed during the environmental review of the Fresno to Bakersfield HST Section.

The Authority and the FRA's prior program EIR/EIS documents (refer to Section 1.5, Tiering of Program EIR/EIS Documents) selected the BNSF Railway route as the preferred alternative for the Central Valley HST between Fresno and Bakersfield in the 2005 Statewide Program EIR/EIS decision document. Therefore, the Project EIR/EIS for the Fresno to Bakersfield Section focuses on alternative alignments along the general BNSF Railway corridor.

The Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project as required under 14 CCR 15126.6 and 40 CFR 1502.15(a). This range of alternatives was analyzed in the EIR/EIS. Refer to Section 2.3.1 of the EIR/EIS.

The project EIR/EIS for the Fresno to Bakersfield Section appropriately evaluates alternative alignments within the BNSF corridor.

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Refer to Standard Response FB-Response-GENERAL-14.

The purpose of the statewide HST System is to provide a reliable high-speed electrified train system that links the major metropolitan areas of the state, including the City of Bakersfield, and that delivers predictable and consistent travel times. The HST has been planned to provide an interface with commercial airports, mass transit, and the highway network and relieve capacity constraints of the existing transportation system as increases in intercity travel demand in California occur. Locating the Bakersfield station next to the existing Amtrak station provides an important connection of the two systems and maximizes the use of the Bakersfield transit system.

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As discussed in the Revised 2012 Business Plan, the California High-Speed Rail (HSR) Program will depend on a mix of public and private investment, the latter becoming available after the fundamental economics of the program are demonstrated. A phased

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approach to system development is the prudent course to build a foundation that allows for greater efficiency in the use of private investment once the initial segments of the system are in place.

This approach also recognizes current budgetary and funding realities. Among other things, the phased approach will help ensure the system's success by introducing Californians to HSR service and building ridership over time. At the same time, improvements can be made to regional systems that connect with HSR, resulting in the conventional and high-speed systems complementing each other.

The goals of Proposition 1A were used to develop the phasing strategy for the statewide HSR system and were guided by the following key principles:

- Divide the statewide high-speed rail program into a series of smaller, discrete projects that can stand alone, will provide viable revenue service, can be matched to available funding, and can be delivered through appropriate business models.
- Advance sections as soon as feasible to realize early benefits, especially employment, and to minimize inflation impact.
- Leverage existing rail systems and infrastructure, including connecting rail and bus services.
- Forge a long-term partnership with the federal government for program delivery.
- Develop partnerships with other transportation operators to identify efficiencies through leveraging state, regional, local, and capital program investments and maximizing connectivity between systems.
- Seek earliest feasible and best-value private-sector participation and financing with appropriate risk transfer and cost containment.
- Mitigate against the risk of funding delays by providing decision points for state policy makers to determine how and when the next steps should proceed while leaving a fully operational system and generating economic benefits at each step.

The Authority applied these principles, taking into account key factors such as cost, funding scenarios, and ridership and revenue projections, to develop an implementation strategy with the following key steps:

Step 1—Early Investments, Statewide Benefits. The first construction of dedicated high-

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speed infrastructure for the initial operating section (IOS) begins in the Central Valley. As with all of the steps, this initial section is being developed to deliver early benefits by leveraging other systems—enabling them to operate on the new high-speed tracks, which can be done without impacts on design or the integrity of the new infrastructure. Improved passenger rail service would begin upon completion of the first IOS segment by connecting the San Joaquins, ACE, Sacramento Regional Transit, and the Capitol Corridor (and potentially Caltrain). Through a new, strategic approach, there is also the opportunity for new or improved travel between Bakersfield and Sacramento, Oakland, San Jose, and San Francisco. This expanded Northern California Unified Service could begin operation as early as 2018, with the potential to provide transportation and economic benefits well before fully operational high-speed rail service is initiated. As part of this first step, complementary investments and improvements will be made to both accelerate benefits and distribute them more widely across the state. These investments will be made using the \$950 million in Proposition 1A connectivity funding, available Proposition 1A high-speed rail funds, future federal funds, and other sources, and will include the following:

- Investment in the bookends: In Northern California, the long-awaited electrification of the Caltrain corridor will begin under a collaborative program between Bay Area agencies and the Authority. In addition, consistent with the Southern California Memorandum of Understanding (MOU), investments will be made in key rail corridors in the southern part of the state, such as upgrading the Metrolink corridor from Los Angeles to Palmdale.
- The Northern California Unified Service described above will be initiated.
- As the next step in the IOS, work to close the rail gap between Bakersfield and Palmdale through the Tehachapi Mountains will begin. Environmental clearance is possible in early 2014, and plans are being developed to move quickly to implement the improvements to close this critical gap and create the first statewide rail link between the Bay Area and the Los Angeles Basin.

Step 2—Initial High-Speed Rail Operations. Introduction of the state's (and the nation's) first fully operational high-speed rail service will begin. This service can be operated by a private entity without subsidy, will have the potential to attract private investment to expand the system from Bay to Basin, and can be completed within a decade. The service will be blended with regional/local systems. The IOS is achieved through expansion of the first construction segment into an electrified operating high-speed rail line from Merced to Palmdale and the San Fernando Valley, accessing the populous Los

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Angeles Basin. Following on the work discussed above, the next priority in implementing the IOS will be closing the rail gap between Northern and Southern California by crossing the Tehachapi Mountains with new, dedicated high-speed rail infrastructure. Prior to completion of the IOS to the San Fernando Valley, this link will tie the north to the south at Palmdale, where Metrolink commuter rail service can then provide service and connections throughout Southern California. Currently, the IOS is defined as extending from Merced to the San Fernando Valley, and high-speed revenue service would only start once the full IOS is built and operable. Should ridership and revenue forecasts and financial projections demonstrate that revenue service compliant with Proposition 1A could begin earlier, with a shorter IOS, appropriate reviews would occur to consider and implement earlier service, if appropriate.

Step 3—The Bay to Basin System. The dedicated high-speed rail infrastructure of the IOS will be expanded north and west to San Jose, providing HSR service between the state's major population centers in the north and south and providing the platform for the transition to statewide blended operations. At this stage, passengers will be able to take a one-seat ride between greater Los Angeles (San Fernando Station) and the San Francisco Transbay Transit Center using blended infrastructure in the north between San Francisco and San Jose (assuming electrification of the Caltrain corridor by 2020 as proposed by Caltrain), using dedicated high-speed rail infrastructure between San Jose and the San Fernando Station, and, in the south, connecting via Metrolink between the San Fernando Valley Station and Los Angeles' Union Station and on to other points throughout Southern California.

Step 4—The Phase 1 System. For the blended approach, the dedicated high-speed rail infrastructure of the Bay-to-Basin system will be extended from the San Fernando Valley to Los Angeles Union Station, linking to a significantly upgraded passenger rail corridor developed to maximize service between Los Angeles and Anaheim while also addressing community concerns about new infrastructure impacts in a congested urban corridor that includes a number of established communities that abut the existing right-of-way. Under a Full Build scenario, dedicated high-speed rail infrastructure would be extended from San Jose to San Francisco's Transbay Transit Center and from Los Angeles to Anaheim.

Step 5—The Phase 2 System. Phase 2 will extend the high-speed rail system to Sacramento and San Diego, representing completion of the 800-mile statewide system. Travelers will be able to travel among all of the state's major population centers on high-speed rail. Phase 2 areas will see improvements in rail service well in advance of the

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expansion of the high-speed rail system through the combination of early investments and blended operations, as described in the Revised 2012 Business Plan.

As indicated above, the IOS is not a new Amtrak corridor. It is the first phase of construction of a system with independent utility.

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Refer to Standard Response FB-Response-GENERAL-13.

No high-speed trains are operating in the United States, so the State of California and the federal government will have to certify the safety of a high-speed train system. The FRA and the California Public Utilities Commission (CPUC) must accomplish this certification before a high-speed train can be allowed to operate in California. Certification cannot be done without building a section of track and testing all operating and safety systems. Testing must be done where the train will be able to operate at full speed, and the Central Valley provides such a location. The test track must be long enough for the train to operate at full speed for an extended period of time. The section of the California HST System between roughly Merced and Bakersfield provides the best location for this test track.

Currently, the initial operating section (IOS) is defined as extending from Merced to the San Fernando Valley, and high-speed revenue service would only start once the full IOS is built and operable. Should ridership and revenue forecasts and financial projections demonstrate that revenue service compliant with Proposition 1A could begin earlier, with a shorter IOS, appropriate reviews would occur to consider and implement earlier service, if appropriate.

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Refer to Standard Response FB-Response-GENERAL-17.

As discussed in the Revised 2012 Business Plan (Authority 2012a), the California High-Speed Rail (HSR) Program will depend on a mix of public and private investment, the latter becoming available after the fundamental economics of the program are demonstrated. A phased approach to system development is the prudent course to build

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a foundation that allows for greater efficiency in the use of private investment once the initial segments of the system are in place.

This approach also recognizes current budgetary and funding realities. Among other things, the phased approach will help ensure the system's success by introducing Californians to HSR service and building ridership over time. At the same time, improvements can be made to regional systems that connect with HSR, resulting in the conventional and high-speed systems complementing each other.

The goals of Proposition 1A were used to develop the phasing strategy for the statewide HSR system and were guided by the following key principles:

- Divide the statewide high-speed rail program into a series of smaller, discrete projects that can stand alone, will provide viable revenue service, can be matched to available funding, and can be delivered through appropriate business models.
- Advance sections as soon as feasible to realize early benefits, especially employment, and to minimize inflation impact.
- Leverage existing rail systems and infrastructure, including connecting rail and bus services.
- Forge a long-term partnership with the federal government for program delivery.
- Develop partnerships with other transportation operators to identify efficiencies through leveraging state, regional, local, and capital program investments and maximizing connectivity between systems.
- Seek earliest feasible and best value private-sector participation and financing with appropriate risk transfer and cost containment.
- Mitigate against the risk of funding delays by providing decision points for state policy makers to determine how and when the next steps should proceed, while leaving a fully operational system and generating economic benefits at each step.

The Authority applied these principles, taking into account key factors such as cost, funding scenarios, and ridership and revenue projections, to develop an implementation strategy with the following key steps:

Step 1—Early Investments, Statewide Benefits. The first construction of dedicated high-speed infrastructure for the initial operating system (IOS) begins in the Central Valley. As with all of the steps, this initial section is being developed to deliver early benefits by

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leveraging other systems—enabling them to operate on the new high-speed tracks, which can be done without impacts on design or the integrity of the new infrastructure. Improved passenger rail service would begin upon completion of the first IOS segment by connecting the San Joaquins, ACE, Sacramento Regional Transit, and the Capitol Corridor (and potentially Caltrain). Through a new, strategic approach, there is also the opportunity for new or improved travel between Bakersfield and Sacramento, Oakland, San Jose, and San Francisco. This expanded Northern California Unified Service could begin operation as early as 2018, with the potential to provide transportation and economic benefits well before fully operational high-speed rail service is initiated. As part of this first step, complementary investments and improvements will be made to both accelerate benefits and distribute them more widely across the state. These investments will be made using the \$950 million in Proposition 1A connectivity funding, available Proposition 1A high-speed rail funds, future federal funds, and other sources, and will include the following:

Investment in the bookends: In Northern California, the long-awaited electrification of the Caltrain corridor will begin under a collaborative program between Bay Area agencies and the Authority. In addition, consistent with the Southern California Memorandum of Understanding (MOU), investments will be made in key rail corridors in the southern part of the state, such as upgrading the Metrolink corridor from Los Angeles to Palmdale.

The Northern California Unified Service described above will be initiated.

As the next step in the IOS, work to close the rail gap between Bakersfield and Palmdale through the Tehachapi Mountains will begin. Environmental clearance is possible in early 2014, and plans are being developed to move quickly to implement the improvements to close this critical gap and create the first statewide rail link between the Bay Area and the Los Angeles Basin.

Step 2—Initial High-Speed Rail Operations. Introduction of the state's (and the nation's) first fully operational high-speed rail service will begin. This service can be operated by a private entity without subsidy, will have the potential to attract private investment to expand the system from Bay to Basin, and can be completed within a decade. The service will be blended with regional/local systems. The IOS is achieved through expansion of the first construction segment into an electrified operating high-speed rail line from Merced to Palmdale and the San Fernando Valley, accessing the populous Los Angeles Basin. Following on the work discussed above, the next priority in implementing the IOS will be closing the rail gap between Northern and Southern California by

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crossing the Tehachapi Mountains with new, dedicated high-speed rail infrastructure. Prior to completion of the IOS to the San Fernando Valley, this link will tie the north to the south at Palmdale, where Metrolink commuter rail service can then provide service and connections throughout Southern California. Currently, the IOS is defined as extending from Merced to the San Fernando Valley, and high-speed revenue service would only start once the full IOS is built and operable. Should ridership and revenue forecasts and financial projections demonstrate that revenue service compliant with Proposition 1A could begin earlier, with a shorter IOS, appropriate reviews would occur to consider and implement earlier service, if appropriate.

Step 3—The Bay to Basin System. The dedicated high-speed rail infrastructure of the IOS will be expanded north and west to San Jose, providing HSR service between the state's major population centers in the north and south and providing the platform for the transition to statewide blended operations. At this stage, passengers will be able to take a one-seat ride between greater Los Angeles (San Fernando Station) and the San Francisco Transbay Transit Center using blended infrastructure in the north between San Francisco and San Jose (assuming electrification of the Caltrain corridor by 2020 as proposed by Caltrain), using dedicated high-speed rail infrastructure between San Jose and the San Fernando Station, and, in the south, connecting via Metrolink between the San Fernando Valley Station and Los Angeles Union Station and on to other points throughout Southern California.

Step 4—The Phase 1 System. For the blended approach, the dedicated high-speed rail infrastructure of the Bay-to-Basin system will be extended from the San Fernando Valley to Los Angeles Union Station, linking to a significantly upgraded passenger rail corridor developed to maximize service between Los Angeles and Anaheim while also addressing community concerns about new infrastructure impacts in a congested urban corridor that includes a number of established communities that abut the existing right-of-way. Under a Full Build scenario, dedicated high-speed rail infrastructure would be extended from San Jose to San Francisco's Transbay Transit Center and from Los Angeles to Anaheim.

Step 5—The Phase 2 System. Phase 2 will extend the high-speed rail system to Sacramento and San Diego, representing completion of the 800-mile statewide system. Travelers will be able to travel among all of the state's major population centers on high-speed rail. Phase 2 areas will see improvements in rail service well in advance of the expansion of the high-speed rail system through the combination of early investments and blended operations, as described in the Revised 2012 Business Plan.

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As indicated above, the IOS is not a new Amtrak corridor. It is the first phase of construction of a system with independent utility. Congress has provided funding for a wide variety of infrastructure projects throughout the United States. The Passenger Rail Investment and Improvement Act (PRIIA) of 2008 (www.fra.dot.gov/downloads/PRIIA%20Overview%20031009.pdf) established the framework for the national high-speed rail and intercity passenger rail program. Using PRIIA as a framework, in February 2009, Congress appropriated through the American Recovery and Reinvestment Act (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 (FY) 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 2010 funding.

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Refer to Standard Response FB-Response-GENERAL-17.

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Refer to Standard Response FB-Response-GENERAL-17.

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Refer to Standard Response FB-Response-GENERAL-17.

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Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

The procedural requirements for the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) were followed during the environmental review of the Fresno to Bakersfield Section of the HST System. The project EIR/EIS for the Fresno to Bakersfield Section is tiered from the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Statewide Program EIR/EIS considered alternatives on Interstate 5 (I-5), State Route (SR) 99, and the BNSF Railway (BNSF) corridor. The Record of Decision for the Statewide Program EIR/EIS selected the BNSF corridor as the Preferred Alternative for the Fresno to Bakersfield Section. Therefore, the project EIR/EIS for the Fresno to Bakersfield Section focuses on

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alternative alignments along the general BNSF corridor.

As discussed in Section 2.3.1, HST Project-Level Alternatives Development Process, of the Final EIR/EIS, the Authority implemented an alternatives analysis process to identify the full range of reasonable alternatives for the project, as required under Title 14 California Code of Regulations (CCR) Section 15126.6 and Title 40 Code of Federal Regulations (CFR) Section 1502.15(a). This range of alternatives was analyzed in the EIR/EIS.

The purpose of project alternatives is to minimize or avoid impacts. For the Fresno to Bakersfield Section of the HST System, alternatives were developed to reduce or avoid the impacts associated with the BNSF Alternative. In Bakersfield, the BNSF Alternative would displace six religious facilities, the Bakersfield High School Industrial Arts building, the Mercado Latino Tianguis, and 119 homes in the eastern portion of the city. In contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis; however, this alternative would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, this alternative would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

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The alternative alignments considered for the Fresno to Bakersfield Section include seven alternative alignments in the more rural area between Fresno and Bakersfield and three alternative alignments in Bakersfield. Any combination of these alternatives could comprise the complete alignment from Fresno to Bakersfield, creating a total of 72 distinct alternative alignment combinations.

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contrast to the corresponding segment of the BNSF Alternative, the Bakersfield South Alternative would not affect the Bakersfield High School campus or the Mercado Latino Tianguis. However, the alignment would displace five religious facilities, the Bethel Christian School, and 146 homes in east Bakersfield. The Bakersfield Hybrid Alternative would not affect the Bakersfield High School campus or the Bethel Christian School; however, the alignment would displace one religious facility, the Mercado Latino Tianguis, the Bakersfield Homeless Shelter, and 57 homes in east Bakersfield.

The Authority will use the information in the Revised DEIR/Supplemental DEIS and input from the agencies and public to identify the Preferred Alternative. The decision will include consideration of the project purpose and need and the project objectives presented in Chapter 1, Project Purpose and Need, as well as the objectives and criteria in the alternatives analysis, and the comparative potential for environmental impacts. The Preferred Alternative would have the least overall impact on the environment and local communities, the lowest cost, and the fewest constructability constraints of the project alternatives evaluated.

I015-150

Refer to Standard Response FB-Response-GENERAL-01.

Mitigation Measures SO-2, SO-3, and SO-4, in the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12, propose mitigations for identified effects in Bakersfield communities.

I015-151

Refer to Standard Response FB-Response-GENERAL-03.

Bakersfield's Convention Center will not be displaced by the HST project. The EIR/EIS, Volume I, Section 3.12, Mitigation Measure SO-3, states that the impacts on important facilities will be reduced, including some of the parking associated with Bakersfield's Convention Center. Because only some of the parking at the Convention Center will be affected, no tax revenue impacts are foreseeable.

I015-152

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-25.

Station-related impacts to structures in Downtown Bakersfield are discussed in Section 3.12.8, Environmental Consequences, of the Final EIR/EIS. The Bakersfield Station–North Alternative would displace and relocate 10 residential households and 12 businesses. The Bakersfield Station–South Alternative would relocate five businesses. The Bakersfield Station–Hybrid Alternative would displace 12 homes and 18 businesses in the Central district of Bakersfield. The businesses are a mix of small automobile servicing businesses, professional services (legal, insurance), and one fast-food restaurant.

The station locations are designed primarily to tie into the existing transportation network. City centers are where existing transit facilities are, and typically city centers also have good connections to the existing highway system. The Authority has not ignored the City of Bakersfield's concerns and suggestions. Input from the City of Bakersfield has been taken into consideration in project planning since the project was initiated. The Bakersfield Station was located in Downtown Bakersfield adjacent to the Amtrak station at the recommendation of the City of Bakersfield, Kern County, and the Kern Council of Governments.

I015-153

Station dimensions and footprints, at whatever phase of the project's development they were depicted, have always been sized to address the system's functional and operational service needs. The Authority has prepared technical memoranda devoted to station design that address passenger services and station operator functions. These memoranda have been applied to station design sizing throughout all project phases, inclusive of the stations depicted in the Revised DEIR/Supplemental DEIS. Keep in mind that the actual stations have not been designed at this time — the stations depicted are conceptual, based on functional and operational service needs, as explained above.

I015-154

Refer to Standard Response FB-Response-BIO-02, FB-Response-GENERAL-01, FB-Response-N&V-05.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-155

Refer to Standard Response FB-Response-GENERAL-07.

I015-156

Refer to Standard Response FB-Response-SO-06, FB-Response-GENERAL-01.

Because the Fresno to Bakersfield Section alignment alternatives extend south of the project's southern terminus at Baker Street, the impact analysis presented in this Revised DEIR/Supplemental DEIS extends through Bakersfield to Oswell Street in order to provide analysis and comparison of impacts for the full length of the alignment alternatives carried forward. Mitigation measures have been recommended for significant impacts identified within the Fresno to Bakersfield Revised DEIR/Supplemental DEIS study area. The Bakersfield to Palmdale Section EIR/EIS will assess impacts east of Oswell Street to Palmdale.

I015-157

The Authority remains committed to engaging with Kern County, the City of Bakersfield and all affected municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-158

The Authority remains committed to engaging with Kern County, the City of Bakersfield and all affected municipalities as the project progresses. Efforts to date to solicit feedback and modify the project based on that feedback resulted in the addition of the Bakersfield Hybrid Alternative. Unfortunately, not every opinion from the community on alignment alternatives can be acted upon; the intent of the introduction of the Bakersfield Hybrid Alternative was to offer an alternative with less impacts on Bakersfield.

I015-159

Pursuant to NEPA and CEQA guidelines, all public comments collected during a public

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comment period are formally responded to in the Final EIR/EIS. This includes the comments submitted prior to release of the Revised DEIR/Supplemental DEIS. Put another way, the comments received during the Draft EIR/EIS comment period are included in and responded to in the Final EIR/EIS along with the comments submitted on the Revised DEIR/Supplemental DEIS.

I015-160

Refer to Standard Response FB-Response-GENERAL-17.

I015-161

In response to question 63, as discussed in the Revised 2012 Business Plan (Authority 2012a), the California High-Speed Rail (HSR) Program will depend on a mix of public and private investment, the latter becoming available after the fundamental economics of the program are demonstrated. A phased approach to system development is the prudent course to build a foundation that allows for greater efficiency in the use of private investment once the initial segments of the system are in place.

This approach also recognizes current budgetary and funding realities. Among other things, the phased approach will help ensure the system's success by introducing Californians to HSR service and building ridership over time. At the same time, improvements can be made to regional systems that connect with HSR, resulting in the conventional and high-speed systems complementing each other.

The goals of Proposition 1A were used to develop the phasing strategy for the statewide HSR system and were guided by the following key principles:

- Divide the statewide high-speed rail program into a series of smaller, discrete projects that can stand alone, will provide viable revenue service, can be matched to available funding, and can be delivered through appropriate business models.
- Advance sections as soon as feasible to realize early benefits, especially employment, and to minimize inflation impact.
- Leverage existing rail systems and infrastructure, including connecting rail and bus services.
- Forge a long-term partnership with the federal government for program delivery.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

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- Develop partnerships with other transportation operators to identify efficiencies through leveraging state, regional, local, and capital program investments and maximizing connectivity between systems.
- Seek earliest feasible and best value private-sector participation and financing with appropriate risk transfer and cost containment.
- Mitigate against the risk of funding delays by providing decision points for state policy-makers to determine how and when the next steps should proceed while leaving a fully operational system and generating economic benefits at each step.

The Authority applied these principles, taking into account key factors such as cost, funding scenarios, and ridership and revenue projections, to develop an implementation strategy with the following key steps:

Step 1—Early Investments, Statewide Benefits. The first construction of dedicated high-speed infrastructure for the initial operating section (IOS) begins in the Central Valley. As with all of the steps, this initial section is being developed to deliver early benefits by leveraging other systems—enabling them to operate on the new high-speed tracks, which can be done without impacts on design or the integrity of the new infrastructure. Improved passenger rail service would begin upon completion of the first IOS segment by connecting the San Joaquins, ACE, Sacramento Regional Transit, and the Capitol Corridor (and potentially Caltrain). Through a new, strategic approach, there is also the opportunity for new or improved travel between Bakersfield and Sacramento, Oakland, San Jose, and San Francisco. This expanded Northern California Unified Service could begin operation as early as 2018, with the potential to provide transportation and economic benefits well before fully operational high-speed rail service is initiated. As part of this first step, complementary investments and improvements will be made to both accelerate benefits and distribute them more widely across the state. These investments will be made using the \$950 million in Proposition 1A connectivity funding, available Proposition 1A high-speed rail funds, future federal funds, and other sources, and will include the following:

Investment in the bookends: In Northern California, the long-awaited electrification of the Caltrain corridor will begin under a collaborative program between Bay Area agencies and the Authority. In addition, consistent with the Southern California Memorandum of Understanding (MOU), investments will be made in key rail corridors in the southern part of the state, such as upgrading the Metrolink corridor from Los Angeles to Palmdale. The Northern California Unified Service described above will be initiated.

I015-161

As the next step in the IOS, work to close the rail gap between Bakersfield and Palmdale through the Tehachapi Mountains will begin. Environmental clearance is possible in early 2014, and plans are being developed to move quickly to implement the improvements to close this critical gap and create the first statewide rail link between the Bay Area and the Los Angeles Basin.

Step 2—Initial High-Speed Rail Operations. Introduction of the state's (and the nation's) first fully operational high-speed rail service will begin. This service can be operated by a private entity without subsidy, will have the potential to attract private investment to expand the system from Bay to Basin, and can be completed within a decade. The service will be blended with regional/local systems. The IOS is achieved through expansion of the first construction segment into an electrified, operating high-speed rail line from Merced to Palmdale and the San Fernando Valley, accessing the populous Los Angeles Basin. Following on the work discussed above, the next priority in implementing the IOS will be closing the rail gap between Northern and Southern California by crossing the Tehachapi Mountains with new, dedicated high-speed rail infrastructure. Prior to completion of the IOS to the San Fernando Valley, this link will tie the north to the south at Palmdale, where Metrolink commuter rail service can then provide service and connections throughout Southern California. Currently, the IOS is defined as extending from Merced to the San Fernando Valley, and high-speed revenue service would only start once the full IOS is built and operable. Should ridership and revenue forecasts and financial projections demonstrate that revenue service compliant with Proposition 1A could begin earlier, with a shorter IOS, appropriate reviews would occur to consider and implement earlier service, if appropriate.

Step 3—The Bay to Basin System. The dedicated high-speed rail infrastructure of the IOS will be expanded north and west to San Jose, providing HSR service between the state's major population centers in the north and south and providing the platform for the transition to statewide blended operations. At this stage, passengers will be able to take a one-seat ride between greater Los Angeles (San Fernando Station) and the San Francisco Transbay Transit Center using blended infrastructure in the north between San Francisco and San Jose (assuming electrification of the Caltrain corridor by 2020 as proposed by Caltrain), using dedicated high-speed rail infrastructure between San Jose and the San Fernando Station, and, in the south, connecting via Metrolink between the San Fernando Valley Station and Los Angeles Union Station and on to other points throughout Southern California.

Response to Submission I015 (Jeff and Cindy Taylor, October 19, 2012) - Continued

I015-161

Step 4—The Phase 1 System. For the blended approach, the dedicated high-speed rail infrastructure of the Bay-to-Basin system will be extended from the San Fernando Valley to Los Angeles Union Station, linking to a significantly upgraded passenger rail corridor developed to maximize service between Los Angeles and Anaheim while also addressing community concerns about new infrastructure impacts in a congested urban corridor that includes a number of established communities that abut the existing right-of-way. Under a Full Build scenario, dedicated high-speed rail infrastructure would be extended from San Jose to San Francisco's Transbay Transit Center and from Los Angeles to Anaheim.

Step 5—The Phase 2 System. Phase 2 will extend the high-speed rail system to Sacramento and San Diego, representing completion of the 800-mile statewide system. Travelers will be able to travel among all of the state's major population centers on high-speed rail. Phase 2 areas will see improvements in rail service well in advance of the expansion of the high-speed rail system through the combination of early investments and blended operations, as described in the Revised 2012 Business Plan.

As indicated above, the IOS is not a new Amtrak corridor. It is the first phase of construction of a system with independent utility.

In response to question 64, the Authority has been actively working to add management resources and agency staff. As described in the Staffing Report submitted to the Legislature on October 1, 2012, the Authority filled 33 positions between July 2011 and October 2012. These positions included hiring a new Chief Executive Officer, Chief Deputy Director, Chief Counsel, Chief of External Affairs, Risk Manager, Regional Director, and others. Additionally, since that report, the Authority has hired a Chief Program Manager and Chief Financial Officer and continues to expand its other staff positions.

In response to question 65, the commenter is correct that the Peer Review Group did not recommend the sale of Proposition 1A bonds. However, the California legislature deemed it was in the best interest of the state to proceed with the project, and voted on July 6, 2012, to approve SB 1029 in order to appropriate construction funds to the Authority. The Governor signed SB 1029 on July 18, 2012.

I015-162

Refer to Standard Response FB-Response-GENERAL-17, FB-Response-GENERAL-13,

I015-162

FB-Response-GENERAL-14.

I015-163

Refer to Standard Response FB-Response-GENERAL-03.

I015-164

Pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) guidelines, all public comments collected during a public comment period are formally responded to in the Final EIR/EIS.

The Draft EIR/EIS for the Fresno to Bakersfield Section was released for public review in August 2011. Responses to comments on the Draft EIR/EIS are found in Volume IV of the Final EIR/EIS. In response to public feedback on the HST alignment alternatives, the Authority and FRA decided to revise the Draft EIR/EIS to include additional route and station options. A Revised DEIR/Supplemental DEIS was issued in July 2012. Responses to comments on the Revised DEIR/Supplemental DEIS are found in Volume V of the Final EIR/EIS. Copies of comments received during the Draft EIR/EIS comment period can be obtained on request.

Submission I016 (Dennis Tristao, October 19, 2012)

Fresno - Bakersfield (July 2012+) - RECORD #331 DETAIL

Status : Action Pending
Record Date : 10/19/2012
Response Requested : No
Stakeholder Type : CA Resident
Affiliation Type : Individual
Interest As : Individual
Submission Date : 10/19/2012
Submission Method : Website
First Name : Dennis
Last Name : Tristao
Professional Title :
Business/Organization :
Address :
Apt./Suite No. :
City : Corcoran
State : CA
Zip Code : 93212
Telephone : 559-992-8534
Email : dtristao@COMCAST.NET
Email Subscription :
Cell Phone :
Add to Mailing List :
Stakeholder Comments/Issues : I am against the High Speed Train being constructed through the City of Corcoran. Two of the proposed alignments, the BNSF Alternative (C3) and Elevated alternative (C1) will create long terms noise impacts - leading to potential health problems; long term aesthetic impacts, and will detrimentally affect the quality of life in our small rural community. As noted in the Revised Draft EIR/ Supplemental Draft EIS, none of these impacts cannot be fully mitigated.
EIR/EIS Comment : Yes
Official Comment Period : Yes

I016-1

Response to Submission I016 (Dennis Tristao, October 19, 2012)

I016-1

Refer to Standard Response FB-Response-N&V-05, FB-Response-AVR-02.

As noted by the commenter, the Revised DEIR/Supplemental DEIS identifies aesthetic impacts on the city of Corcoran to be significant.

Submission I017 (Dallas Uffman, October 18, 2012)

 CALIFORNIA High-Speed Rail Authority **Comment Card**
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section **La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**
Revised Draft Environmental Impact Report/
Supplemental Draft Environmental Impact Statement **Proyecto Revisado de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental Proyecto Suplementario**
(Revised Draft EIR/Supplemental Draft EIS) (Proyecto Revisado EIR/Proyecto Suplementario EIS)

Please submit your completed comment card at the end of the meeting, or mail to: **Fresno to Bakersfield Revised Draft EIR/Supplemental Draft EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**
Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

The comment period is from July 20 to September 20, 2012. Comments must be received electronically, or postmarked, on or before September 20, 2012.
El periodo de comentario es del 20 de Julio al 20 de Septiembre del 2012. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 20 de Septiembre del 2012.

Name/Nombre: Dallas Uffman
Organization/Organización: _____
Address/Domicilio: 13361 Grandevilla
Phone Number/Número de Teléfono: 559-584-3893
City, State, Zip Code/Ciudad, Estado, Código Postal: Hanford Ca. 93230
E-mail Address/Correo Electrónico: _____
(Use additional pages if needed/Usar paginas adicionales si es necesario)

I017-1

Has Any Thought Been Put to
Ways in Vicinity where Train
goes Underground.

I017-2

What will we do about Noise
for Animals

Will there be Ear Plugs
for noise

Response to Submission I017 (Dallas Uffman, October 18, 2012)

I017-1

Refer to Standard Response FB-Response-PU&E-03, FB-Response-HWR-01.

I017-2

Refer to Standard Response FB-Response-N&V-01, FB-Response-N&V-05.

There are no long-term health or hearing-loss issues associated with HST operations.