

CALIFORNIA HIGH-SPEED RAIL

Palmdale to Burbank Section

2014 SCOPING REPORT

APPENDICES F.1 – F.5

Scoping Comment Letters Received

Letters From:
Federal, State, Local Agencies
Elected Officials
Businesses
and Organizations

November 2014



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Appendix F Scoping Comment Letters Received

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Submission F001 (Spencer MacNeil, United States Army Corps of Engineers,
Los Angeles Division, August 29, 2014)



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
2151 ALESSANDRO DRIVE, SUITE 110
VENTURA, CALIFORNIA 93001

August 29, 2014

Stephanie B. Perez, Environmental Protection Specialist
Federal Railroad Administration
1200 New Jersey Avenue, SE
Mail Stop 20, W38-219
Washington, DC 20590

Mark A. McLoughlin, Director of Environmental Services
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Dear Ms. Perez and Mr. McLoughlin:

Thank you for the opportunity to review the *Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the California High-Speed Rail System Palmdale to Burbank Section, CA (79 F.R. 43112) ("NOI")*. Our comments represent Regulatory Division's interests in the project section associated with the proposed California High-Speed Rail System. In response to your published NOI and the Federal Family Scoping Meeting held in downtown Los Angeles on August 8, 2014, the Los Angeles District of the U.S. Army Corps of Engineers ("Corps") offers these comments pursuant to our regulatory authority promulgated under section 404 of the Clean Water Act in light of our National Environmental Policy Act (NEPA) role as a Federal cooperating agency, to aid the Federal Railroad Administration ("FRA") and the California High Speed Rail Authority ("Authority") in their early transportation planning.

Comment 1. Expanding the Study Area: The new study area for the Palmdale to Burbank Project Section shown on the *California High-Speed Rail Authority Public Scoping Meeting Notice Palmdale to Burbank Project Section Burbank to Los Angeles Project Section* (http://www.hsr.ca.gov/docs/events/2014_Palmdale_Burbank_LA_Meeting_Flyer_FINAL_072614.pdf) should be expanded to include the area east of the State Route 14 (SR-14). It appears this area has the potential to result in fewer environmental and community impacts while providing time savings to the system.

Comment 2. Evaluation of construction access to and maintenance of the tunnels: There are few permanent and/or temporary access roads through the Angeles National Forest. Impacts due to construction access and maintenance of the tunnels should be evaluated thoroughly. Impacts to aquatic resources should be avoided and minimized to the maximum extent practicable. There would also be the potential for tunnel slurry/excavated material to be generated by project section construction. The locations of staging, storage, and disposal areas should be assessed fully in the environmental document, as they would be reasonably considered part of the project section.

Submission F001 (Spencer MacNeil, United States Army Corps of Engineers,
Los Angeles Division, August 29, 2014) - Continued

Comment 3, Evaluation of avoidance and minimization measures: The technological advancements considered in any new alternatives enabling more direct alignments between Palmdale and Burbank should be incorporated into the design of the alternative alignments proposed through Soledad Canyon, if the design modifications could further avoid and minimize impacts to aquatic and biological resources.

Comment 4, Potential groundwater impacts: Some studies have shown that large tunnels can affect groundwater levels. We are concerned particularly that groundwater drawdown and ground settlements could affect aquatic resources adversely. In addition to meeting our NEPA responsibility as a Federal cooperating agency, pursuant to our regulations, we will be evaluating the proposal (and alternatives) using the Section 404(b)(1) Guidelines (40 CFR Part 230), which focus on avoiding and minimizing discharges of dredged and fill material into waters of the U.S. but also consider other potentially significant environmental consequences in identifying the least environmentally damaging practicable alternative, and we will be evaluating whether the proposal would be contrary to the public interest. As mentioned during the Federal Family Scoping Meeting, a proposed action must comply with the Guidelines and not be contrary to the public interest to be eligible for a Regulatory permit. The effects of groundwater drawdown and ground settlements on aquatic resources should be evaluated thoroughly.

Comment 5, Section 408 coordination: The Corps has constructed several dams and flood control facilities in the Los Angeles Drainage Area. Please be cognizant of potential effects to Corps Civil Works projects due to the tunnel and portal entrances and exits. It is important to be aware that coordination with the Corps on Section 408 may be required.

The Corps looks forward to continued dialogue and coordination with the FRA and the Authority on this project section. If you have any questions, please contact Crystal L.M. Huerta at 805-585-2143 or via e-mail at Crystal.Huerta@usace.army.mil. Please refer to this letter and Corps File Number SPL-2009-00933-CLH in your reply.

Sincerely,



Spencer D. MacNeil, D.Env.
Chief, Transportation and Special Projects
Regulatory Division

Submission F002 (Connell Dunning, United States Environmental Protection Agency - Region IX, August 25, 2014)



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

AUG 25 2014

David Valenstein
Federal Railroad Administration
1200 New Jersey Avenue, SE
Mail Stop 20, W38-219
Washington, DC 20590

Mark McLoughlin
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Subject: EPA Scoping Comments for the Palmdale to Burbank Section of the California High-Speed Rail System

Dear Mr. Valenstein and Mr. McLoughlin:

Thank you for the opportunity to review the Notice of Intent to prepare an Environmental Impact Statement for the Palmdale to Burbank section of the California High-Speed Rail System. We completed our review pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), Section 309 of the Clean Air Act, and Section 404 of the Clean Water.

The U.S. Environmental Protection Agency, Federal Railroad Administration, and California High-Speed Rail Authority engaged in close coordination on the statewide system during the programmatic phase of this project. In addition, EPA provided project level scoping comments on April 25, 2007 in response to the Notice of Intent for the Palmdale to Los Angeles project section. We understand that FRA and CHSRA have decided to divide the Palmdale to Los Angeles section into two distinct project sections for the purpose of project-level environmental analysis; one section extends from Palmdale to Burbank, and the other extends from Burbank to Los Angeles. Please find our detailed comments on the Palmdale to Burbank section enclosed. Our comments include, but are not limited to, recommendations to: (1) promote a robust range of alternatives; (2) integrate NEPA and Clean Water Act Section 404 processes; (3) avoid, minimize, and mitigate impacts to Waters of the U.S.; (4) closely coordinate with resource agencies on potential alignments through the Angeles National Forest; (5) fully assess impacts from tunneling, especially impacts to groundwater, (6) and avoid, minimize, mitigate, and fully disclose impacts to environmental justice communities.

EPA, U.S. Army Corps of Engineers, FRA, and CHSRA are engaging in project-level early coordination under a November 2010 agreement entitled *Integrated National Environmental Policy Act and Clean Water Act Section 404 Memorandum of Understanding* (NEPA/404 MOU). The NEPA/404 MOU lays out an early coordination strategy and specific decision points. Signatories work to reach agreement on: Purpose and Need for the project at Checkpoint A, Range of Alternatives for the Draft EIS at Checkpoint B, and the Preliminary Least Environmentally Damaging Practicable Alternative and Draft Mitigation Plan at Checkpoint C. The process is designed to facilitate early identification and resolution of potential issues through a transparent process. For the Merced to Fresno and Fresno to Bakersfield

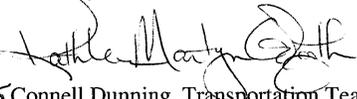
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project sections, we believe that early coordination made the environmental review process more efficient and improved environmental outcomes. We believe that lessons learned from the San Joaquin Valley sections should inform the Palmdale to Burbank section early coordination and Draft EIS processes. For example, the information that EPA and Corps need to provide agreement at Checkpoints is now listed in the *NEPA/404 Data Needs Document*, and EPA has already provided agreement on methodologies for assessing several environmental impact categories, such as environmental justice. We look forward to working through the NEPA/404 early coordination process for the Palmdale to Burbank project section.

We also continue to be available to partner with CHSRA on overall environmental sustainability, including station-area planning, as discussed in our enclosed comments. We hope to continue our quarterly meetings to address a wide range of sustainability issues, including green building, renewable energy, and promoting resilient, livable communities. We applaud the CHSRA for promoting environmental sustainability through aggressive goals and policies, which are described on their website. EPA's work on sustainability for the California HSR system is guided by a September 2011 *Memorandum of Understanding for Achieving an Environmentally Sustainable HSR System for California*.

We look forward to working with the Palmdale to Burbank and Burbank to Los Angeles project teams. We ask that CHSRA please set up an in-person NEPA/404 kickoff meeting for these sections to review the overall process, expectations of each agency, and new points of contact. We are happy to discuss our comments. Sarvy Mahdavi, the aquatic resources lead for the project, can be reached at mahdavi.sarvy@epa.gov or 213-244-1830. Jen Blonn, the NEPA lead for this project, can be reached at blonn.jennifer@epa.gov or 415-972-3855.

Sincerely,


Kathleen Mary Dunning, Transportation Team Lead
Environmental Review Section

Enclosures: EPA's Detailed Comments

Cc via email:

Spencer MacNeil, U.S. Army Corps of Engineers
Flo Gardipee, U.S. Fish and Wildlife Service
Sally Brown, U.S. Fish and Wildlife Service
Tom Contreras, U.S. Forest Service
Chuck Heffernan, City of Palmdale
Carol Barrett, City of Burbank
Susan Nakamura, South Coast Air Quality Management District
Eldon Heaston, Mojave Desert Air Quality Management District
Jan Zimmerman, Regional Water Quality Control Board

Submission F002 (Connell Dunning, United States Environmental Protection Agency - Region IX, August 25, 2014) - Continued

EPA SCOPING COMMENTS FOR THE PALMDALE TO BURBANK SECTION OF THE CALIFORNIA HIGH-SPEED RAIL SYSTEM, AUGUST 25, 2014

Range of Alternatives

California High-Speed Rail Authority prepared several Alternatives Analysis reports for the Palmdale to Los Angeles section. These reports described potential alignments and station locations for connecting Palmdale, San Fernando Valley, and Los Angeles. The Federal Railroad Administration and CHSRA recently decided to split the overall section into separate Palmdale to Burbank and Burbank to Los Angeles sections. In doing so, some alternatives that were being considered within the Palmdale to Los Angeles Alternatives Analyses are no longer being carried forward, such as the Palmdale West Station option, the State Route 14 West Alternative, the San Fernando Station option, and the Branford Street Station option. In addition, EPA sent a memo to CHSRA on July 27, 2010 stating that the State Route 14 South Alignment seemed to be eliminated without adequate data to analyze environmental impacts and determine practicability. If these alternatives are not going to be carried forward, then it is important for FRA and CHSRA to clearly provide a rationale to support their elimination. Along with other factors, the rationale should demonstrate that they do not contain the Least Environmentally Damaging Practicable Alternative because only the LEDPA can be permitted under Clean Water Act Section 404.

Recommendation for Early Coordination (Prior to the Draft EIS):

The *Integrated National Environmental Policy Act and Clean Water Act Section 404 Memorandum of Understanding (NEPA/404 MOU)* establishes Checkpoint B as the time when signatories work to reach agreement on the Range of Alternatives for the Draft EIS. During Checkpoint B, please provide data to support elimination of alternatives that were proposed through the Palmdale to Los Angeles Alternatives Analysis process and are not being carried forward. The level of information that EPA needs in order to provide agreement at Checkpoint B is described in detail in the *NEPA/404 Data Needs Document*.

Angeles National Forest Alignment

FRA and CHSRA are considering a new corridor to connect Palmdale and Burbank through the Angeles National Forest. CHSRA proposed that a new alignment within this corridor be predominately tunneled to avoid impacts to natural resources. In EPA's October 24, 2005 comments on the Final Programmatic EIS, EPA recommended that FRA and CHSRA analyze an alternative to connect Bakersfield and Los Angeles that would avoid impacts to the Santa Clara River and Soledad Canyon habitat corridor and wildlife resources and not degrade existing and proposed conservation areas. EPA continues to strongly support the avoidance of Soledad Canyon and the Santa Clara River. Information, however, should be provided to determine whether an alignment through the Angeles National Forest could be built in a way that does not degrade a conservation area.

EPA worked with FRA and CHSRA through the programmatic stage of this project and reached agreement on several corridors within the statewide system that are likely to contain the LEDPA. A corridor through the Angeles National Forest was not considered at that time, therefore EPA does not have any information to determine whether the corridor could potentially contain the LEDPA. Corridor level analyses completed at the programmatic stage required comprehensive data collection, analysis, and coordination among resource agencies. It is our understanding that corridor level work for the Angeles National Forest route is beginning now. In order to identify a potentially practicable alternative, we believe that CHSRA will need to thoroughly study the ecological systems and natural resources within the corridor before any modeling to identify specific alignments begins. This type of corridor

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study would be necessary in order to identify parameters for avoidance, which could then be used as inputs within alignment models. Early identification of issues, prior to any engineering, can make the overall process more efficient. Without identifying such parameters upfront, it is likely that important resources would not be avoided and resource agencies would be forced to raise issues later in the process.

Recommendations for Early Coordination (Prior to the Draft EIS):

- Engage EPA, U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers and other resource agencies early on in the corridor level analysis. We recommend holding a series of workgroup meetings in order to review maps and more fully understand the range of potentially sensitive resources present within the proposed Angeles National Forest corridor. This level of coordination will help to better and more quickly (1) identify key features to avoid, (2) develop inputs for modeling, and (3) inform engineering.
- When developing the alternatives through the Angeles National Forest, please analyze impacts from all supporting features, such as staging areas, access roads for safety and maintenance, power stations, and any other supporting infrastructure.
- In order to promote a robust NEPA process and informed decision making, please fully develop project-level information for all alternatives carried forward to Checkpoint B and the Draft EIS. Checkpoint B data requirements are defined in the *NEPA/404 Data Needs Document*. Information needed for this section's Draft EIS is commensurate with the level provided for the Fresno to Bakersfield section Draft EIS.
- Coordinate with the U.S. Forest Service on the feasibility of an alignment through the Angeles National Forest and likely environmental impacts. In the Draft EIS, describe coordination, evaluate whether the Forest Management Plan for the Angeles National Forest allows for HSR, and state when the Plan was last updated. If the Plan would need to be updated prior to HSR construction, please describe that process.

Tunneling and Groundwater

Tunneling has the potential to avoid or minimize significant impacts to habitat, wildlife corridors, surface waters, parklands, and many other resources. EPA appreciates FRA and CHSRA's efforts to avoid resources via tunneling. However, it is critical to ensure that a full suite of resources are evaluated in the analyses of tunnel alternatives, including short and long term impacts to groundwater. Depending on the height of the water table and the depth of the tunnel, tunneling could potentially require long term pumping at a rate that significantly harms groundwater resources. Drawdown of groundwater resources could then adversely impact surface waters protected under Clean Water Act Section 404. It is critical that such impacts are fully assessed and compared between alternatives in the Draft EIS. Impacts from the disposal of fill, including transportation hauling, are also important to evaluate when comparing alternatives.

Recommendations for the Draft EIS:

- Discuss the potential impacts of tunneling on hydrology, including the maintenance of stream flows and groundwater. Address the potential for tunneling to affect riparian habitat, the direction of lateral movement of water through the soil profile, and the recharge of shallow, unconfined aquifers.

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- Describe the proposed methodology for tunneling. Include the type of equipment, plans for transportation of tunneling equipment, and plans for storage, transport, and disposal of fill material. Quantify the amount of fill material that would be removed per mile of tunnel.
- Estimate the miles of temporary and permanent access roads for safety and maintenance, as well as the acreages and locations of staging areas, power stations, and any other supporting features.
- Describe plans for removal and re-vegetation of temporary roads and staging areas.
- Describe the maximum length of tunnels allowed, and ensure that consistent standards are used throughout the HSR system.
- Include an analysis of cost, logistics, and technology for tunneling.

Clean Water Act Section 404

The purpose of CWA Section 404 is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by prohibiting avoidable discharges of dredged or fill material, or discharges that would result in significant adverse impacts on the aquatic environment. Fundamental to the CWA Section 404(b)(1) Guidelines is the principle that dredged or fill material cannot be discharged into aquatic ecosystems, unless it can be demonstrated that no other less environmentally damaging practicable alternatives can achieve the applicant's project purpose. EPA concurred during the statewide Programmatic EIS for the Bakersfield to Los Angeles section that the high speed train corridor identified as SR-58/Soledad Canyon Corridor (Antelope Valley) was "most likely to contain" the Least Environmentally Damaging Practicable Alternative. To meet the intent of the NEPA/404 MOU, FRA and CHSRA should demonstrate in the Draft EIS that impacts to Waters of the U.S. have been avoided and minimized to the greatest extent possible within all alignments, both along SR 14 and through Angeles National Forest.

EPA has worked closely with Corps, FRA, and CHSRA on methodologies for identifying and evaluating impacts to Waters of the U.S. throughout the San Joaquin Valley EIS processes. CHSRA prepared technical papers, and EPA and Corps provided feedback. Although natural resources differ between project sections, lessons learned from these past sections can provide a valuable starting place for the Palmdale to Burbank project team.

Recommendations for the Draft EIS:

- Follow through with commitments made in the statewide Final Programmatic EIS. For example, "Avoidance and minimization measures would be incorporated into the development, design, and implementation phases at project-level environmental analysis. In addition, close coordination should occur with the regulatory agencies to develop specific design and construction standards for stream crossings, infrastructure setbacks, monitoring during construction, and other best management practices" (Final Programmatic EIS, Page 3.17-13).
- Analyze a range of alternatives in the Draft EIS that fulfills the requirements of the CWA Section 404(b)(1) Guidelines.
- Although EPA does not advocate for any particular alternative as the preferred alignment option, EPA continues to support the project objective of using existing transportation corridors, to the extent feasible, due to the high potential for indirect impacts associated with creating a new corridor through undeveloped areas. Assess the permanent and temporary impacts on Waters of the U.S. from all construction-related as well as operations-related

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activities, and incorporate design measures and modifications to avoid and minimize impacts to water resources.

- Quantify the avoidance benefits achieved by each alternative studied, for example, number of stream crossings avoided, acres of Waters of the U.S. avoided, etc.
- Quantify indirect impacts of all proposed alternatives in order to help determine the LEDPA.
- Demonstrate that all potential impacts to Waters of the U.S. have been avoided and minimized to the maximum extent practicable. If these resources cannot be avoided, the Draft EIS analyses should clearly demonstrate how cost, logistical, or technological constraints preclude avoidance and minimization of impacts.
- Identify all protected resources with special designations and all special aquatic sites and waters within state, local, and federal protected lands.
- Confirm that no alternatives will further impair water quality.
- Use methodologies from the Fresno to Bakersfield EIS process to identify, evaluate, avoid, minimize, and mitigate impacts to Waters of the U.S.

Biological Resources

Santa Clara River

The Santa Clara River is the largest river in Southern California and one of the last major rivers in the region that exists in a relatively natural state. While portions of the upper Santa Clara River have perennial flows, most of the upper watershed is dry in the absence of storms. As one of the last free flowing natural riparian systems left in southern California, the Santa Clara River supports a diversity of aquatic, semi-aquatic, and terrestrial organisms. The upper watershed and headwater streams in the planning area are largely intact, providing breeding sites, traveling routes, and other resources for wildlife; natural flood control; recharge of groundwater basins; nutrient cycling; and helping to sustain the river and estuary downstream. Maintaining and restoring watershed integrity and habitat connectivity in this aquatic and terrestrial system is essential to sustaining the flow of organisms and processes across the landscape. The riparian habitat along the 100-mile long Santa Clara is significant ecologically because it serves as “stepping stones” for migratory birds traveling between riparian areas and wetlands on the south coast.

Recommendation for the Draft EIS:

Avoid or minimize impacts to the Santa Clara River. Identify avoidance and minimization measures for each alternative that could impact the river, and quantify the specific resources avoided, for example, acres of habitat avoided, linear feet of stream avoided, number of stream crossings minimized, etc.

Wildlife

The original proposed HSR alignments, as well as the new alternative corridor, have the potential to affect a significant number of federally listed species, including federally endangered California condor, Arroyo toad, Southwestern Willow flycatcher, Least Bell's vireo, Unarmored Threespine stickleback, Braunton's milk-vetch, Nevin's barberry, and Slender-Horned spineflower, and the federally threatened California red-legged frog, Desert tortoise, Coastal California gnatcatcher, Santa Ana sucker, Thread-Leaved brodiaea. All proposed alignments also have the potential to affect designated critical habitat for the arroyo toad, Santa Ana sucker, and southwestern willow flycatcher. Newly proposed alignments placed in the foothills of the Angeles National Forest approximately northeast of the City of San

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Fernando could also affect the critically endangered California condors as well as golden eagles, which are protected under the Bald and Golden Eagle Protection Act.

EPA continues to support commitments made by FRA and CHSRA in the statewide Programmatic EIS that state, "project-level studies will identify areas where it is important to maintain connectivity and will ensure that sufficient mitigation is included to maintain movement corridors," and "wildlife underpasses or overpasses will be added to the [high speed train] at-grade alignments, where appropriate, to reduce the overall effects on wildlife corridors and movements" (Final Programmatic EIS Appendix 2, Chapter 9, Standard Response 3.15.9).

Recommendations for the Draft EIS:

- Please avoid or minimize impacts to sensitive areas and associated species and evaluate all temporary and permanent impacts from creating new transportation corridors, such as potential fragmentation, associated loss of wildlife connectivity, and all effects that may be a result of noise, light, and overhead electrification cables.
- Identify and evaluate where species ranges may be bisected by the HSR system. Additionally, evaluate project impacts to wildlife corridors and target species that use them by incorporating all existing regional habitat conservation plans and/or planning efforts, such as the South Coast Missing Linkages Project (<http://www.scwildlands.org/projects/scml.aspx>), and the California Essential Habitat Connectivity Project (http://www.dot.ca.gov/hq/env/bio/program_efforts.htm).
- Disclose how fencing the train route in any part of the new corridor could potentially affect wildlife movement and discuss how fencing for safety purposes will be integrated with proposed wildlife passages, such as culverts, bridges, viaducts, underpasses, and overpasses.
- Identify the connections that would likely remain after construction of the high speed train system and highlight these areas as "connectivity zones" for protection and preservation. In the Draft EIS, identify specific commitments for preservation of these corridors through mitigation measures and cooperative agreements.
- Work in close coordination with U.S. Fish and Wildlife Service and California Department of Fish and Wildlife to develop appropriate measures to avoid and minimize impacts to all species of special concern, including California condors, golden eagles, and migratory birds. Additionally, EPA recommends that FRA and CHSRA facilitate coordination with local experts to explore specific locations in order to ensure the Draft EIS fully analyzes sensitive habitat and open space concerns. Examples of local habitat experts include The Nature Conservancy, Coastal Conservancy, and the Upper Santa Clara Biodiversity Working Group.

Air Quality

The Palmdale to Burbank section of the California HSR system is within a region with existing air quality challenges. The South Coast Air Basin includes the cities of Burbank, San Fernando, and Santa Clarita, and is in nonattainment status for the National Ambient Air Quality Standards for ozone and particulate matter with a diameter of 2.5 microns or less (PM_{2.5}). It is also designated maintenance status for particulate matter with a diameter of 10 microns or less (PM₁₀) and carbon monoxide. The West Mojave Desert Air Basin includes the City of Palmdale and surrounding areas, and is in nonattainment status for PM₁₀ and ozone. The South Coast Air Basin has some of the worst ozone and PM_{2.5} problems in the U.S. It will, therefore, be very important for CHSRA to minimize emissions from construction to the greatest extent possible. The proposed project may be subject to general conformity and/or transportation conformity, depending on emission levels and project elements. For

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guidance on general conformity, please see EPA's website at <http://www.epa.gov/airquality/genconform/index.html>. For guidance on transportation conformity, please see EPA's website at <http://www.epa.gov/omswww/stateresources/transconf/>.

Recommendations for the Draft EIS:

- If required, the Draft EIS should include the draft general conformity determination with related mitigation commitments.
- FRA and CHSRA should work with the local air districts to ensure that anticipated emissions from the proposed project are consistent with Air Quality Management Plans.
- To the extent that the proposed train system will require modification of the existing road network and construction of parking lots and transit facilities, the Draft EIS should identify whether elements of this project will require funding or approval by the Federal Highway Administration or Federal Transit Administration. In addition, the Draft EIS should demonstrate that FHWA or FTA -funded or -approved project elements are included in a conforming transportation plan and a transportation improvement program. FRA and CHSRA should work with the local air districts and Southern California Association of Governments to ensure that applicable elements of the proposed project are consistent with future revisions of the Regional Transportation Plan.
- Identify sensitive receptors and conduct carbon monoxide and particulate matter hotspot analyses, especially where parking lots and road modifications are proposed.
- Please include all measures to mitigate construction emissions from the Fresno to Bakersfield Record of Decision, and assess whether any innovative new technologies have become available following the Fresno to Bakersfield ROD.

Environmental Justice & Community Input

Executive Order 12898 addresses environmental justice in minority and low income populations, and the Council on Environmental Quality developed guidance on how to address environmental justice in the environmental review process (<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf>). EPA worked with FRA and CHSRA on the environmental justice methodology and mitigation measures for the Merced to Fresno and Fresno to Bakersfield HSR sections. We appreciate changes to those EISs to address our concerns, and we believe the methodologies and mitigation measures from those documents can serve as a good model for the Palmdale to Burbank HSR section.

Recommendations for the Draft EIS:

- Describe opportunities to gather public input and incorporate it into decision making in order to promote context sensitive alignments and designs.
- Use the methodology from the Fresno to Bakersfield HSR Final EIS as a starting place for the Palmdale to Burbank environmental justice analysis. Ensure that the analysis identifies all low-income, minority, or linguistically isolated populations that may be affected by the proposed alignments. Within those communities, identify potential impacts to community cohesion, such as impacts to important community facilities and division of an existing neighborhood from the rail alignment and supporting infrastructure.
- Identify how the proposed alternatives may affect the mobility of low-income or minority populations in the surrounding area.

Submission F002 (Connell Dunning, United States Environmental Protection Agency - Region IX, August 25, 2014) - Continued

- Provide specific mitigation measures for any anticipated adverse impacts to community members, and include the mitigation measures from the Fresno to Bakersfield Final EIS.

Noise Impacts

The Draft EIS should address the potential noise and vibration impact to residents, businesses, and wildlife related to the construction and operation of the proposed project. Potential impacts to human health and welfare and wildlife activity are important with a project of this magnitude, particularly in light of the maximum speed and resulting sounds and vibrations that the HSR could produce.

Recommendations for the Draft EIS:

- Use the methodology for assessing noise and vibration impacts from the Fresno to Bakersfield Final EIS. Clearly indicate the threshold (noise level) which would trigger implementation of mitigation measures.
- We are concerned with impacts to Sulphur Spring Elementary school in Santa Clarita County. We recommend that the EIS describe specific noise and vibration mitigation options for that location and discuss whether trenching is an option.

Rail Stations & Induced Growth

The Palmdale to Burbank HSR section includes stations in Palmdale and Burbank. Local and regional planning is ongoing to create a transit village surrounding the Palmdale Transportation Center, which is the proposed site for the Palmdale HSR station. Plans are also underway by the City of Burbank and the Burbank-Glendale-Pasadena Airport Authority to create multimodal connections and transit-oriented development around the Bob Hope Airport, which is the proposed site of the Burbank HSR station. Both stations would be a very short trip away from downtown Los Angeles on HSR, giving HSR the potential to induce significant population growth in these areas.

CHSRA has offered grants to cities to create station-area plans. CHSRA also created reference documents, including *HST Station Area Development: General Principles and Guidelines* and *Urban Design Guidelines*, which are available on CHSRA's website. FRA created a reference entitled *Station Area Planning for High-Speed and Intercity Passenger Rail*, which is available on FRA's website.

We believe continued outreach to Palmdale and Burbank through the station area planning grant program and use of the principles outlined in FRA and CHSRA's reference documents will be critical to achieving station areas that maximize community benefits and minimize environmental impacts. EPA has technical expertise and has developed numerous resources on sustainable development and smart growth strategies. We also administer grant programs to support smart growth planning. Given the proximity of the Palmdale and Burbank stations to Los Angeles via HSR, and the resulting potential for induced growth, EPA is eager to partner with CHSRA and cities on station area planning in these areas.

Recommendations for the Draft EIS:

- Identify the locations of proposed stations, parking lots, and additional supporting infrastructure.
- Please make both the methodology and the assumptions in the growth inducing analysis as transparent as possible to the public and decision makers. Estimate induced population growth in Palmdale and the San Fernando Valley that could result from HSR stations, and analyze associated environmental impacts, such as increases in regional water demand.

Submission F002 (Connell Dunning, United States Environmental Protection Agency - Region IX, August 25, 2014) - Continued

- Describe the expected land use changes associated with station locations, and identify the associated environmental impacts of those land use changes.
- Minimize parking lots to the greatest extent possible at the stations.
- Coordinate with local and regional transit providers to maximize station access by transit.
- Design stations to be pedestrian and bicycle-friendly, in addition to linking with other modes of transit.
- Partner with Palmdale and Burbank through CHSRA's station area planning grant program to promote "smart growth" policies.
- Continue to partner with EPA and other federal and State agencies to promote smart growth, green building, and other environmentally sustainable practices.
- Discuss the close proximity of the Burbank and Los Angeles stations, and describe why both are needed.

Valley Fever

Coccidioidomycosis, commonly called valley fever, is a fungal infection with the main exposure pathway being inhalation of fungal spores. It is endemic to the soils within Southern California, and the Los Angeles County Public Health Department reports that the number of reported cases has increased in Los Angeles County over the past few years. Fungal spores can live for long periods of time in soil under harsh environmental conditions including heat, cold, and drought and can be released into the air when soil containing the fungus is disturbed, either by strong winds or activities such as farming or construction. Most people who are exposed to the fungus do not get sick, but some people develop flu-like symptoms, and on rare occasions develop more severe conditions, such as meningitis or even death. Early diagnosis and treatment is critical to preventing more serious conditions. Because this project will disturb soils during construction, EPA recognizes that valley fever is an important health consideration.

Recommendation for the Draft EIS:

Please include the same commitments to avoid, minimize, and mitigate valley fever impacts within the Palmdale to Burbank Draft EIS that were included in the Fresno to Bakersfield Record of Decision.

Public Safety

EPA toured the Palmdale to Burbank alignment in 2012 and learned of potential safety issues that could arise from HSR construction. It is our understanding that a high pressure gas main follows the alignment for "quite some distance" near Santa Clarita, and the proposed HSR alignment near the Angeles National Forest in Santa Clarita County will come close to oil fields and wells.

Recommendations for the Draft EIS:

- Fully discuss safety measures that will be put in place to avoid conflicts with the high pressure gas main in Santa Clarita.
- Include detailed information on protective measures that will be put in place to avoid impacting oil fields and wells, and include plans for cleanup in case of an accidental release of oil.

Cumulative Impact Analysis

Cumulative impacts are defined in the Council on Environmental Quality's NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or

Submission F002 (Connell Dunning, United States Environmental Protection Agency - Region IX, August 25, 2014) - Continued

non-Federal) or person undertakes such actions (40 CFR 1508.7). The cumulative impacts analysis should provide the context for understanding the magnitude of the impacts of the alternatives by analyzing the impacts of other past, present, and reasonably foreseeable projects or actions and then considering those cumulative impacts in their entirety. These actions include both transportation and non-transportation activities.

Recommendations for the Draft EIS:

- As a starting place, please use the methodologies from the Fresno to Bakersfield Final EIS as an example.
- Identify the current condition of resources as a measure of past impacts, such as the percentage of wetlands lost to date. The purpose of considering past actions is to determine the current health of resources. This information forms the baseline for assessing potential cumulative impacts.
- Identify the future condition of resources based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends.
- Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of resources. Provide a specific measure of the projected impacts from the proposed alternatives.
- Where adverse cumulative impacts are identified, disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts (CEQ's Forty Most Frequently Asked Questions #19).

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014)



In Reply Refer to:
08ESMF00-
2014-TA-0579

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
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Sacramento, California 95825-1846



SEP 09 2014

Mr. Mark McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, California 95814

Subject: Notice of Intent to Prepare a Joint Environmental Impact Report and Environmental Impact Statement for the California High-Speed Rail System, Palmdale to Burbank Section, Los Angeles County

Dear Mr. McLoughlin:

This is in response to the Department of Transportation, Federal Railroad Administration (FRA) July 24, 2014, Notice of Preparation of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California High-Speed Rail System Palmdale to Burbank Section (2014 Palmdale to Burbank NOI). The California High-Speed Rail Authority (Authority) is the FRA's designated non-federal representative and will be included in our response to the 2014 Palmdale to Burbank NOI. The 2014 Palmdale to Burbank NOI was received by the U.S. Fish and Wildlife Service (Service) on July 28, 2014. The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), Migratory Bird Treaty Act of 1918 (MBTA), as amended (16 U.S.C. 703 *et seq.*), Bald and Golden Eagle Protection Act of 1940 (BGEPA), as amended (16 U.S.C. 668-668d), and Fish and Wildlife Coordination Act (FWCA) (16 U.S.C. 661-667e).

The FRA and Authority propose to construct, operate, and maintain the Palmdale to Burbank section of the 800-mile California High Speed Rail (HSR) system, with electric propulsion and steel-wheel-on-steel-rail trains capable of operating at speeds up to 220 miles per hour on a dedicated system of fully grade-separated, access-controlled steel tracks. The following comments are offered to assist the FRA and the Authority in developing measures to avoid or minimize project-related impacts to fish and wildlife resources, and to suggest ways to mitigate for unavoidable impacts. We request that the National Environmental Policy Act (NEPA) document and state environmental document (EIR/EIS) address the following issues.

General Comments

1. Our main concern regarding the proposed project is the Alternative Corridor. The Alternative Corridor has the potential to impact populations of the Santa Ana sucker (*Catostomus sannaanae*), arroyo toad (*Anaxyrus californicus*) at Big Tujunga Creek, the California

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Mr. Mark McLoughlin

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red-legged frog (*Rana draytonii*) in Aliso Canyon, near Acton, and the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) at Soledad Canyon. The EIR/EIS should consider not only the potential for direct impacts of the rail line but also the potential dewatering effects of tunneling and changes in the natural drainage patterns on these sensitive areas and species. In addition, the EIR/EIS should consider the potential for fragmentation effects and loss of wildlife connectivity that may result from creating a new transportation corridor rather than following an existing transportation corridor in this area.

2. We are concerned regarding how the access-controlled high speed rail project (e.g., safety fence along the rail line to prevent people and wildlife from entering/crossing the rail line) will affect wildlife movement. Maintaining connectivity is important for all wildlife, but is particularly crucial for listed species, to minimize the risk of local extirpation, prevent population and habitat fragmentation, and maintain genetic diversity and fitness. We request that the EIR/EIS discuss wildlife corridors and affected species that use them throughout the project area, project impacts to these corridors, and ways to avoid or mitigate any impacts. Many corridors are identified in existing regional habitat conservation plans and/or planning efforts such as:
 - a. South Coast Missing Linkages Project
<http://www.scwildlands.org/projects/scml.aspx>
 - b. California Essential Habitat Connectivity Project
http://www.dot.ca.gov/hq/env/bio/program_efforts.htm
3. Where tunneling is proposed to accommodate the project in or adjacent to natural areas, such as the Angeles National Forest (as proposed in the Alternative Corridor), we request that geotechnical studies be conducted and incorporated into the analysis to ensure that tunnel construction does not result in the dewatering of the groundwater table or of naturally occurring springs and seeps, as occurred during construction of tunnels for the Inland Feeder Project.
4. Include all aspects of the proposed project in your analysis of effects and mitigation including fuel modification zones, borrow and fill locations, access roads, and utility relocation areas.
5. Evaluate effects of noise and lighting to wildlife from the construction, operation, and maintenance of the proposed project.
6. The Service met with the FRA and the Authority on August 26, 2013, regarding BGPEPA and MBTA responsibilities, potential effects of the HSR project to the California condor (*Gymnogyps californianus*), bald eagles (*Haliaeetus leucocephalus*), golden eagles (*Aquila chrysaetos*), and other migratory bird species. We submitted a follow-up letter regarding these issues on January 15, 2014 (enclosed). Please evaluate whether the project may result in the injury or death of wildlife from project-related sources, such as collision with trains and vehicles, electrocution, and entrapment. The presence of injured wildlife or carcasses within the track area could be an attractant for other species of wildlife that are predators and scavengers (e.g., California condors, golden eagles, turkey vultures [*Cathartes aura*], common ravens [*Corvus corax*], etc.), which could result in further wildlife mortality and injury to these species.

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Mr. Mark McLoughlin

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7. Evaluate impacts from the proposed project to aquatic, wetland, riparian habitats and associated sensitive species and how these impacts would be avoided and minimized. Please discuss any proposed monitoring or mitigation. These habitats have been largely destroyed or degraded in southern California by past and ongoing human use, leaving few remaining habitats that are essential for wildlife persistence. We recommend avoiding actions in streams and other waters in the action area that would degrade or destroy aquatic, wetland, and riparian habitats. This approach would avoid impacts to riparian-dependent species and their rare habitats. If avoidance is not possible, we recommend that the FRA and Authority consult with the Service under the Fish and Wildlife Coordination Act. This law applies to federal agencies that construct or authorize development projects in streams and other waterways (e.g., waters of the United States). It authorizes the Service to make mitigation and enhancement recommendations to the involved Federal agency (46 FR 7656). It establishes fish and wildlife conservation as receiving equal consideration with other project features and requires federal agencies to consult with the Service prior to project approval and implementation.
8. We are concerned about the potential for negative effects that may result from the construction activities and use of access roads to construct, operate, and maintain the proposed project by project workers. We encourage the FRA and Authority to identify measures to avoid and minimize potentially negative effects, and monitor the effectiveness of implemented avoidance measures.

Specific Comments

1. Endangered Species Act:

The proposed HSR Alignments and Alternative Corridor have the potential to affect several listed species, including the Federally listed as endangered arroyo toad, California condor, least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), unarmored threespine stickleback, Quino checkerspot butterfly (*Euphydryas editha quino*), Braunton's milk-vetch (*Astragalus brauntonii*), Nevin's barberry (*Berberis nevinii*), and slender-horned spineflower (*Dodecabea leptoceras*); the Federally threatened California red-legged frog, coastal California gnatcatcher (*Polioptila californica californica*), Santa Ana sucker, thread-leaved brodiaea (*Brodiaea filifolia*), and Mojave desert tortoise (*Gopherus agassizii*); and the Federally proposed as threatened western yellow-billed cuckoo (*Coccyzus americanus occidentalis*).

The proposed HSR alignment alternatives for the Palmdale to Burbank section have the potential to affect designated critical habitat for the coastal California gnatcatcher and the arroyo toad. The Alternative Corridor has the potential to affect designated critical habitat for the arroyo toad, Santa Ana sucker, and southwestern willow flycatcher. We recommend avoiding these species and their habitats.

In the foothills of the Angeles National Forest northeast of the City of San Fernando is a location known as Big Bear Divide where large numbers of California condors congregate. We are concerned about the following potential effects of the project:

- a. Electrocution from power sources and overhead catenary structures.
- b. Collision with elevated structures and sections of the HST.

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Mr. Mark McLoughlin

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- c. Exposure to construction debris, and ingestion of micro-trash (small man-made materials such as washers, bolts, nails, screws, nuts, metal wire fragments, plastic objects, bottle caps, and glass fragments).
- d. Habituation to man-made structures such as poles, elevated structures, outbuildings, and other structures that may provide potential roosting sites.
- e. Attraction to the High-Speed Train rails by the presence of train-killed carcasses, which may lure these birds into harm's way.
- f. Entrapment by overhead lines and safety fences (as displayed in track profile cross sections)
- g. Condors rely on updrafts and wind currents for flight; therefore, any effects from elevated sections of the HSR or operation of trains on currents that may influence condor flying behavior should be addressed.

We recommend early coordination with our Condor Recovery Team for technical guidance and pre-construction surveys for California condor nests and roost sites that may be present or adjacent to the route. If detected, designating a buffer zone, where no construction activities would occur, within a radius of 1.5 miles around historic or active condor nest sites and 0.5 mile-wide buffer zone around active condor roost sites would be appropriate during construction activities. We further recommend that post-construction monitoring of California condors be conducted if roosting or nesting sites are in the vicinity of the route to determine whether operation and maintenance activities may lead to injury or mortality of California condors.

Please evaluate project impacts to the desert tortoise in the Palmdale area, and whether the project construction activities and structures would attract a greater number of common ravens (*Corvus corax*) to areas used by the desert tortoise. Common ravens are highly attracted to human activity and the proposed project could potentially provide subsidies to them in the form of food and sites for nesting, roosting, and perching that are not currently present in the area. In addition to food waste and animal carcasses that may be generated during construction, operation, and maintenance of the project, common ravens may also use various structures in the project area for shade, perching, roosting, or nesting. Common ravens prey on young and adult desert tortoises (*Gopherus agassizii*) and can fly up to 30 miles on a daily basis when foraging among various areas that provide them with food, water, and shelter. Any increase in the availability of resources may result in a local increase in the number of common ravens, which may have detrimental effects on desert tortoises, at both near and distant locations.

If your evaluation of the project indicates a potential for increases in local common raven populations, we recommend that the FRA and Authority review the Regional Common Raven Management Program and consider implementation of measures outlined in the plan to minimize the potential for attracting common ravens to work areas and avoid adverse effect to desert tortoises. A summary of the regional plan can be found on the Desert Managers Group web-site, <http://www.dmg.gov/wg-rm.php>.

2. Bald and Golden Eagle Protection Act:

The proposed project has the potential to impact golden eagles. The BGEPA provides for limited issuance of permits that authorize take of eagles when such take is associated with otherwise lawful activities, cannot practicably be avoided, and is compatible with the goal of

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mr. Mark McLoughlin

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stable or increasing eagle breeding populations. This law also affords eagles additional protections beyond those provided by the MBTA, in particular, by making it unlawful to "disturb" eagles.

Based on current data, golden eagle populations are declining in portions of their range in the contiguous United States due to a combination of habitat loss, loss of prey base, anthropogenic disturbances, and low fecundity. In addition, declines in counts of migrating golden eagles have been reported in some areas in the western United States including the Mojave Desert. Due to the species declining populations, the Service is concerned with any project that could result in take of the species, such as portions of the HSR Project, which traverse golden eagle foraging and occupied nesting habitat.

To help determine the extent of impacts to the golden eagle from the proposed project, we recommend that nest surveys be conducted from the proposed linear project to a distance of 4 miles. The survey results would help us assess risks to eagles from the project, and allow the development of appropriate measures to avoid and minimize impacts to golden eagles.

During construction, disturbance of nesting golden eagles would be the primary concern, particularly if there is blasting to create tunnels or to level the grade for the tracks and related facilities. We would recommend establishing appropriate buffers around nests that are determined to be active during the construction period. Generally, we recommend a 1-mile buffer, but buffer zones may need to be extended to further distances during blasting because of potentially greater decibel levels. However, blasting and other construction activities that have the potential to disturb nesting eagles could be scheduled outside of their nesting season to avoid negative effects and provide the ability to conduct work while using smaller buffer zones.

There may be risks to golden eagles during operation and maintenance. For example, eagles are vulnerable to electrocution at power lines, and depending on how electricity is supplied to the train, there may be similar risks. There is also a risk of trains colliding with eagles that may be scavenging along the tracks if there are carcasses present. We would recommend that any animal injured or killed by the train be removed in a timely manner. In addition, post-construction monitoring may be appropriate if there are any nests in the vicinity of the project to determine whether operation and maintenance are resulting in mortalities to golden eagles.

3. Migratory Bird Treaty Act and Executive Order 13186

The Service is the principal Federal agency administering the MBTA. The purposes of the MBTA include protecting and ensuring healthy populations and habitat of migratory bird species (e.g., waterfowl, shorebirds, birds of prey, songbirds) that spend all or part of their lives in the United States. Currently, the list of federally-protected migratory birds includes more than 1000 species (50 CFR Part 10.13). Under Executive Order [13186](#) - Responsibilities of Federal Agencies to Protect Migratory Birds, some of this responsibility for protecting migratory birds was extended to other federal agencies.

The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically authorized and permitted by the Department of the Interior (16 U.S.C. 703). "Take" under MBTA is

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mr. Mark McLoughlin

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defined as "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention ... for the protection of migratory birds ... or any part, nest, or egg of any such bird." (16 U.S.C. 703). Authorization for take can only occur by the Department of the Interior through issuance of a permit. However, neither the MBTA nor its implementing regulations (50 CFR 21) provide for the issuance of permits for the incidental take of migratory birds that may be killed or injured as a result of otherwise lawful activities.

Executive Order 13186 directs federal agencies to implement several actions including: (1) integrating bird conservation principles, measures, and practices into agency activities and avoiding or minimizing, to the extent practicable, adverse impacts on migratory bird resources when conducting agency actions; restoring and enhancing the habitat of migratory birds, as practicable; (2) identifying where unintentional take reasonably attributable to agency actions is having, or is likely to have, a measurable negative effect on migratory bird populations, focusing first on species of concern, priority habitats, and key risk factors; (3) developing and using principles, standards, and practices to lessen the amount of unintentional take and monitoring their effectiveness; and (4) monitoring bird habitat and populations within the agency's capabilities and authorities to the extent feasible to facilitate decisions about the need for, and effectiveness of, conservation efforts.

The proposed project would result in the removal of vegetation used by migratory birds for nesting, feeding, cover, and stopping over during migration. For example, the act of destroying active nests constructed by any protected migratory bird listed under 50 CFR 10.13 through vegetation removal would be a violation of the MBTA. Because "incidental take" of migratory birds cannot be authorized with a permit under current regulations, we recommend implementing avoidance and minimization measures. The most effective solution for ground disturbance that involves removal of vegetation and not inadvertently causing take of MBTA species is through seasonal clearing. Removal of vegetation during the non-breeding season is the easiest solution to implement to help avoid take; however, we recognize that this may not always be practicable within a given transportation project. If vegetation removal must occur during the breeding season, the Service strongly recommends that the FRA and Authority use qualified avian field biologists to survey for bird nests in advance of clearing activity. If active nests are located, the Service recommends that appropriately-sized no-activity buffers be established around these nests for the remaining duration of the bird's nesting cycle.

We can provide examples of nesting bird survey protocols to assist the FRA and Authority in its compliance with MBTA. We encourage you to work closely with Service biologists to identify available protective measures when developing project plans, to identify bird conservation strategies and/or eagle conservation plans, and to implement those measures during construction, operation, and maintenance of transportation project facilities and equipment.

With respect to avoiding take by electrocution of birds that are protected under the ESA, BGEPA, and MBTA, the Avian Power-line Interaction Committee (APLIC) has published

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mr. Mark McLoughlin

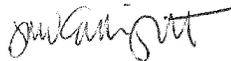
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several guidance documents including "Suggested Practices for Avian Protection on Power Lines" (APLIC 2006) and "Reducing Avian Collisions with Power Lines" (APLIC 2012). These guidance documents are helpful for planning the construction and operation of live electrical lines (such as overhead catenary wires) where birds of prey or other migratory birds may use them for perching, nesting, or flying around them in search of food or in the course of daily and seasonal movements. These guides also provide state of the art information on retrofitting existing power lines and support structures to reduce bird electrocutions and collisions.

We appreciate the opportunity to comment on the 2014 Palmdale to Burbank NOI and to participate in the transportation planning process.

If you have any questions regarding this letter, please contact Florence Gardipee, Senior Fish and Wildlife Biologist, (Flo_Gardipee@fws.gov), or Thomas Leeman, San Joaquin Valley Division Chief, of this office at (916) 414-6600, or by email.

Sincerely,



Jennifer M. Norris
Field Supervisor

Enclosure:

cc:

David Valenstein, Federal Railroad Administration, Washington, D.C.
Stephanie Perez, Federal Railroad Administration, Washington, D.C.
Frank Vacca, California High-Speed Rail authority, Los Angeles, California
Sarvy Mahdavi, U.S. Environmental Protection Agency, Los Angeles, California
Veronica Chan, U.S. Army Corps of Engineers, Los Angeles County, California
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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
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In Reply Refer To:

JAN 15 2014

Mark McLoughlin
Director of Environmental Services
California High Speed Rail Authority
770 L Street
Sacramento, California 95814

Dear Mr. McLoughlin:

The U.S. Fish and Wildlife Service (Service) has been coordinating with the California High Speed Rail Authority (Authority and the Federal Rail Authority) for Federal Endangered Species Act (ESA) and Fish and Wildlife Coordination Act (FWCA) compliance on the planning and development of the High Speed Rail Project (HSR Project), San Jose to Merced, Merced to Fresno, Fresno to Bakersfield and Bakersfield to Palmdale Sections, located in the Central Valley of California. We appreciated the August 26, 2013 meeting for the Service arranged by the Authority to discuss potential effects of the HSR Project to California condors, bald and golden eagles and other migratory birds. We are providing this coordination letter to summarize our concerns from the August 26, 2013 coordination meeting.

The purpose of this letter is to further inform the Authority of their responsibilities and potential liabilities associated with the development of the current HSR Project, and any future proposed high speed rail development projects, under the natural resource protection laws administered by the Service. The Service holds certain resources in trust for the American people, including migratory birds, inter-jurisdictional fishes, federally listed threatened and endangered species, and units of the National Wildlife Refuge System. The Service administers natural resource protection laws germane to development projects that may affect these public trust resources. These statutes include the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 *et seq.*), the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d), the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), FWCA (16 U.S.C. 661-667e), and the National Environmental Policy Act (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, *et seq.*).

It is well documented in published studies that wildlife can be negatively affected by transportation development. For example, birds can collide with trains or catenary overhead electrical wires, and sensitive wildlife species can become disoriented or displaced by altering or removing key components of their habitat. Such impacts could be reduced or avoided by strategic placement of railway tracks and associated infrastructure (e.g., access roads and catenary overhead electrical lines), as well as implementation of other best management practices.

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The Service can provide technical assistance to the Authority for making informed planning decisions for siting, construction, operation, and maintenance of the HSR Project. Engaging in technical assistance with the Service will also ensure that the Authority is aware of the potential liability associated with unpermitted take of wildlife, including take that results in harassment and habitat alteration or destruction. We hope the Authority will continue to coordinate with the Service early throughout the entire planning process, including design, construction, operation and maintenance of the HSR Project to assess whether wildlife resources would be affected, and if so, to plan collaboratively with the Service to minimize or otherwise mitigate such impacts.

Migratory Birds and Eagles

The Service is the principal Federal agency whose responsibilities include protecting and ensuring healthy populations and habitat of migratory bird species (e.g., waterfowl, shorebirds, birds of prey, songbirds) that spend all or part of their lives in the United States. Currently, the list of federally-protected migratory birds includes more than 1000 species (50 CFR Part 10.13).

The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically authorized and permitted by the Department of the Interior (16 USC 703). Authorization by the Department of the Interior would consist of a permit. However, neither the MBTA nor its implementing regulations (50 CFR 21) provide for the issuance of permits authorizing the incidental take of migratory birds that may be incidentally killed or injured as a result of otherwise lawful activities. For example, native birds and their nests may be adversely affected through vegetation removal and ground disturbance activities associated with construction, operation and maintenance of the high speed rail project. The act of destroying active nests constructed by any protected migratory bird listed under 50 CFR 10.13 would constitute a violation of the MBTA. Since "incidental take" of migratory birds cannot be authorized with a permit, we recommend implementation of avoidance and minimization measures. The most effective solution for ground disturbance that involves removal of vegetation and not inadvertently causing take [take under MBTA is defined as "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird." (16 U.S.C. 703)] of MBTA species is through seasonal clearing. Removal of vegetation during the non-breeding season is the easiest solution to implement to help avoid take; however, we recognize that this may not always be practicable within a given transportation project. Should vegetation require removal during the breeding season, the Service strongly recommends that the Authority utilize qualified avian field biologists to survey for bird nests in advance of clearing activity. Should active nests be located, the Service recommends appropriately-sized no-activity buffers be established around these nests for the remaining duration of the bird's nesting cycle. Examples of nesting bird survey protocols can be provided by the Service.

An individual may legally destroy (i.e. wash down, knock down) a nest of a migratory bird protected by MBTA, but not if it is also protected by ESA and/or BGEPA, if the nest is deemed inactive – such as when birds, eggs or fledglings are no longer present. However, please note

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mark McLoughlin

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that if an individual destroys a nest that was mistakenly deemed inactive, and in turn was active, regardless of intent, they may be found responsible under the provisions of the MBTA, as described above. The Authority is encouraged to work closely with Service biologists to identify available protective measures and in developing project plans, such as bird conservation strategies and/or eagle conservation plans, and to implement those measures during construction, operation, and maintenance of transportation project facilities and equipment.

The BGEPA does provide for very limited issuance of permits that authorize take of eagles when such take is associated with otherwise lawful activities, cannot practicably be avoided, and is compatible with the goal of stable or increasing eagle breeding populations. This law also affords eagles additional protections beyond those provided by the MBTA, in particular, by making it unlawful to "disturb" eagles.

Golden eagle populations are believed to be declining in portions of their range in the contiguous United States due to a combination of habitat loss, loss of prey base, anthropogenic disturbances and low fecundity. In addition, declines in counts of migrating golden eagles have been reported in some areas in the western United States. Due to the species declining populations, the Service is concerned with any projects that could result in take of the species, such as portions of the HSR Project, which traverse golden eagle foraging and occupied nesting habitat.

Threatened and Endangered species

Under section 9 of the ESA, it is unlawful for any person to "take" federally-listed threatened or endangered fish or wildlife species, and their respective habitats, without special exemption. Take is defined in Section 3 of the ESA as follows: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct. [§ 3 ESA -16 USC 1532(3) (19)]. Harass, in this definition, means an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering (50 CFR 17.3). Harm is defined as an act which actually kills or injures wildlife. Such acts may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding or sheltering (50 CFR 17.3). Consequently, unauthorized take of endangered species is a violation of Federal law, even if take is incidental (e.g., mortality as a result of collision with a man-made object such as overhead catenary electrical lines or trains).

Specific to California condors, you invited the participation of our Condor Recovery Coordinator and team as a part of the August 26, 2013 coordination meeting. As was noted in the discussion, avoidance and minimization strategies will have to be developed as a part of your planning process to avoid and ensure that no California condors will be incidentally taken in those stretches of the high speed rail where condors are present. As we discussed, our records show that the number of condors are increasing, their ages are advancing, they are demonstrating greater independence, and are increasingly utilizing their historic range, which includes both the Sierras and coastal mountains of California. More specifically, condors have been monitored in the Tehachapis and increasingly in the Southern Sierras, and will have to cross over any high speed rail in that area. Further, their current range includes the coastal mountains from the San Gabriel Mountains to north of San Jose, and on the coast from San Simeon to Monterey; a rail line in the vicinity of the San Luis Reservoir will be within the currently occupied area.

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mark McLoughlin

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As you consider potential interactions with condors, we believe you should include the possibility of attracting scavengers, including condors, as a result of carrion created by the rail line. In addition to addressing that concern, we also discussed the history of interaction of condors with power-lines and poles, and the potential for both electrical exposure and collisions with catenary overhead electrical lines and poles. You will need to assess bird diversion systems as a part of your design process, including avoidance of both perching and electrocution threats. As your design/build plans are developed and finalized we can provide a more detailed explanation of avoidance mechanisms that can be utilized in these systems.

Finally, we discussed the ways in which condors use wind currents and any effect that operation of the rail line will have on currents that may influence condor flying behavior. Further discussion of this issue is warranted as you develop your biological impacts assessment.

Other Resources:

The Avian Power-line Interaction Committee (APLIC) has published several guidance documents including "Suggested Practices for Avian Protection on Power Lines" (APLIC 2006) and "Reducing Avian Collisions with Power Lines" (APLIC 2012). These guidance documents are helpful for planning the construction and operation of live electrical lines (such as overhead catenary wires) where birds of prey or other migratory birds may utilize them for perching or nesting or flying around them in search of prey or in the course of daily and seasonal movements. These guides also provide state of the art information on retrofitting existing power lines and support structures to reduce bird electrocutions and collisions.

Service Recommendations:

The Service has summarized below some of the preliminary recommendations that we discussed with the Authority at the August 26, 2013 meeting including range, electrical and wind related issues.

- 1) Continue to coordinate with the Service (including the Condor Recovery Team and the BGEPA and MBTA Team) throughout the HSR Project planning, design, construction, operations and maintenance activities
- 2) Conduct pre-construction surveys for condors/eagles and other migratory birds 1 to 2 months before ground disturbance begins to determine if nest buffers and limited operation areas need to be established to avoid and minimize the potential for take of nesting birds.
- 3) Report all avian mortalities, collisions and electrocutions immediately to the Service's R8 Migratory Bird Program for species protected under ESA, BGEPA and MBTA.
- 4) Wherever possible, construct the fence that parallels the train corridor higher than the train height to encourage perching birds to fly over the train.
- 5) Leave no gap below the fence in areas used by California condors to reduce potential for carcasses on the tracks that could attract this species.

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014) - Continued

Mark McLoughlin

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- 6) Monitor the tracks for carcasses and remove them from tracks as often as possible to avoid attracting scavenger bird species.
- 7) Build overhead catenary structures (overhead wires and electrical lines) greater than 10 feet apart and insulate the lines that may pose an electrocution risk to condors and eagles.
- 8) Determine the extent of any wind effects which may disrupt normal air flows utilized by soaring birds, such as condors.

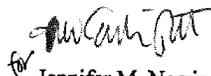
We would like to continue to coordinate, update and develop additional recommendations with the Authority throughout the planning, design, construction, operations and maintenance phases of the Project.

Service Contacts:

We offer technical assistance in evaluating impacts on our nation's trust wildlife and habitat resources from the HSR Project in order to avoid or minimize such impacts. Service personnel from the Ecological Services and Migratory Bird programs are available to meet and discuss these issues further.

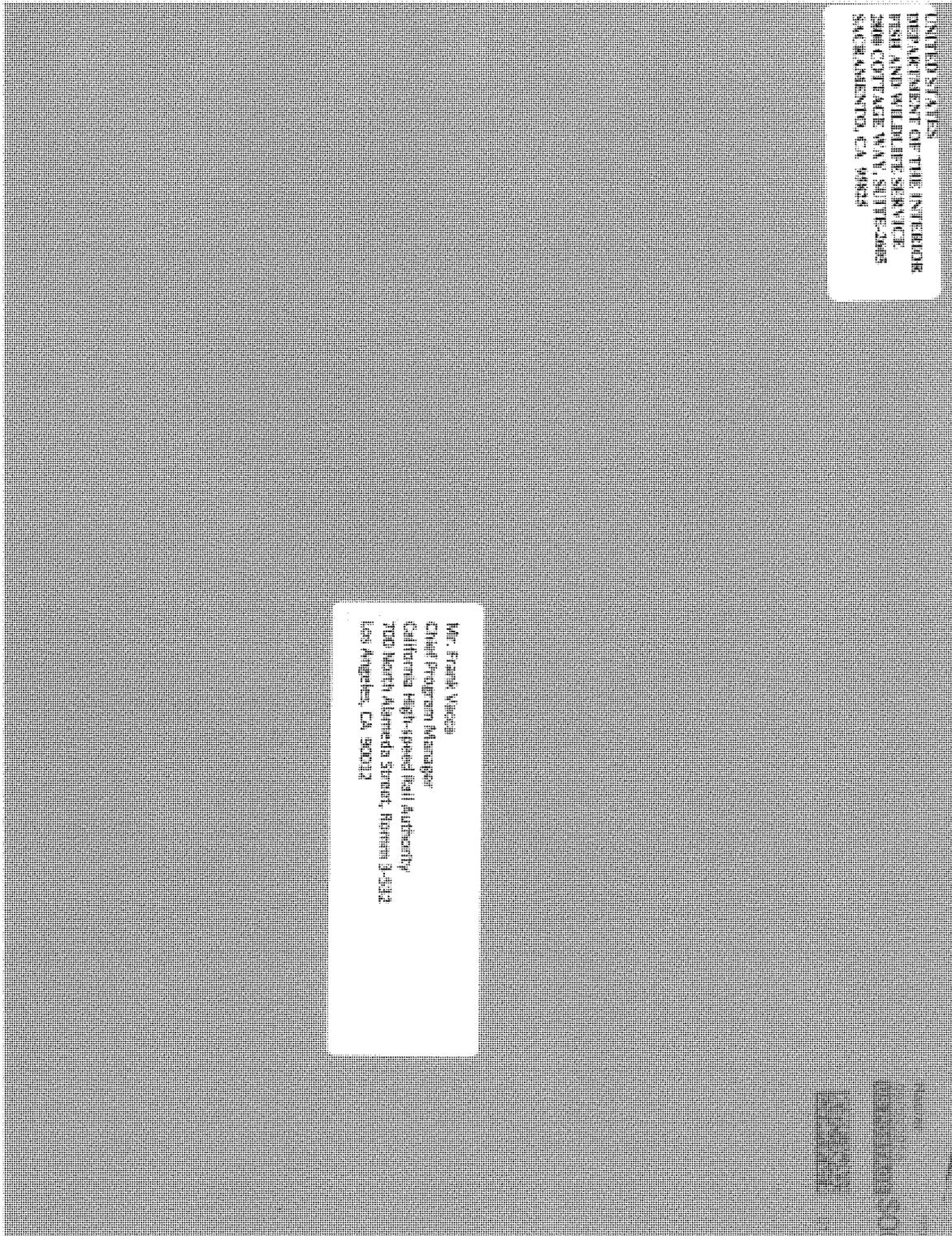
If you have any questions please feel free to contact any of the following individuals for further information or to arrange a meeting: Rob Doster, Migratory Bird Biologist, (916) 414-6721, Deborah Giglio, Special Assistant for Renewable Energy and Migratory Birds (916) 414-6591, Florence Gardipee, Senior Fish and Wildlife Biologist (916) 414-6526, and John McCamman, California Condor Coordinator, (916) 414-6636.

Sincerely,


for
Jennifer M. Norris
Field Supervisor

cc:
Clifton Meek, Environmental Protection Agency, San Francisco, CA
Julie Vance, Department Fish and Wildlife, Fresno, CA
Sarvy Mahdavi, Environmental Protection Agency, Los Angeles, CA
Stephanie Parsons, Parson Brinkerhoff, Sacramento, CA
Stephanie Perez, Federal Railroad Administration, Washington, DC

Submission F003 (Jennifer Norris, US Fish and Wildlife Service, September 10, 2014)



Appendix F.2

State Agency Letters

Agency	Submission Number	Page Number
California Department of Conservation	S001	F.2-1
California Department of Conservation	S002	F.2-4
California Department of Fish and Wildlife	S003	F.2-7
California Department of Fish and Wildlife, South Coast Region 5	S004	F.2-19
California Department of Transportation	S005	F.2-20
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Native American Heritage Commission	S008	F.2-33
State Water Resources Control Board, Division of Water Quality - 401 Certification and Wetlands	S009	F.2-38

Submission S001 (Kathleen Andrews, California Department of Conservation,
August 29, 2014)

NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

Division of Oil, Gas, & Geothermal Resources

5816 CORPORATE AVENUE • SUITE 200 • CYPRESS, CALIFORNIA 90630-4731

PHONE 714 / 816-6847 • FAX 714 / 816-6853 • WEB SITE conservation.ca.gov

August 29, 2014

Mark A. McLoughlin
California High Speed Rail Authority
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

Subject:
California High-Speed Rail System Palmdale to Burbank Section
SCH # 2014071074

Dear Mr. McLoughlin:

The Department of Conservation's (Department) Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Department offers the following comments for your consideration.

Based on information provided in the Notice of Preparation, in part, the project is located north of Highway 5 as it passes through the cities of Sun Valley and Burbank. Plugged and inactive oil wells may be located in close proximity to the project alignment. Plugged and inactive oil wells may be located along this alignment. Division information can be found at: www.conservation.ca.gov. Individual well records are available by making an appointment with our Records Clerk.

If any structure is to be located over or in close proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the Public Resources Code (PRC) authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in close proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

Furthermore, if any plugged, abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements and approval to perform remedial operations.

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.

Submission S001 (Kathleen Andrews, California Department of Conservation,
August 29, 2014) - Continued

Mark A. McLoughlin
California High-Speed Rail System Palmdale to Burbank Section
Page 2 of 2

The Division also recommends the wells within or in close proximity to project boundaries be accurately plotted on all future maps of this project, and a legible copy of the final project map be submitted to the Division. Please notify and transmit to this office more detailed alignment maps, station maps, etc. when they are finalized.

The possibility for future problems from oil and gas wells that have been plugged and abandoned, or reabandoned, to the Division's current specifications are remote. However, the Division suggests that a diligent effort be made to avoid building over any plugged and abandoned well.

To ensure proper review of projects, the Division has available an informational packet entitled, "Construction-Site Plan Review Program". This document is available on the Division's website at www.conservation.ca.gov, go to "Oil, Gas, and Geothermal", then go to "Construction Site Review".

Prior to commencing operations, the project applicant should consult with our office for information on the wells located in the project area.

Thank you for the opportunity to comment. If you have any questions, please contact me at (714) 816-6847 or via email at Kathleen.Andrews@conservation.ca.gov.

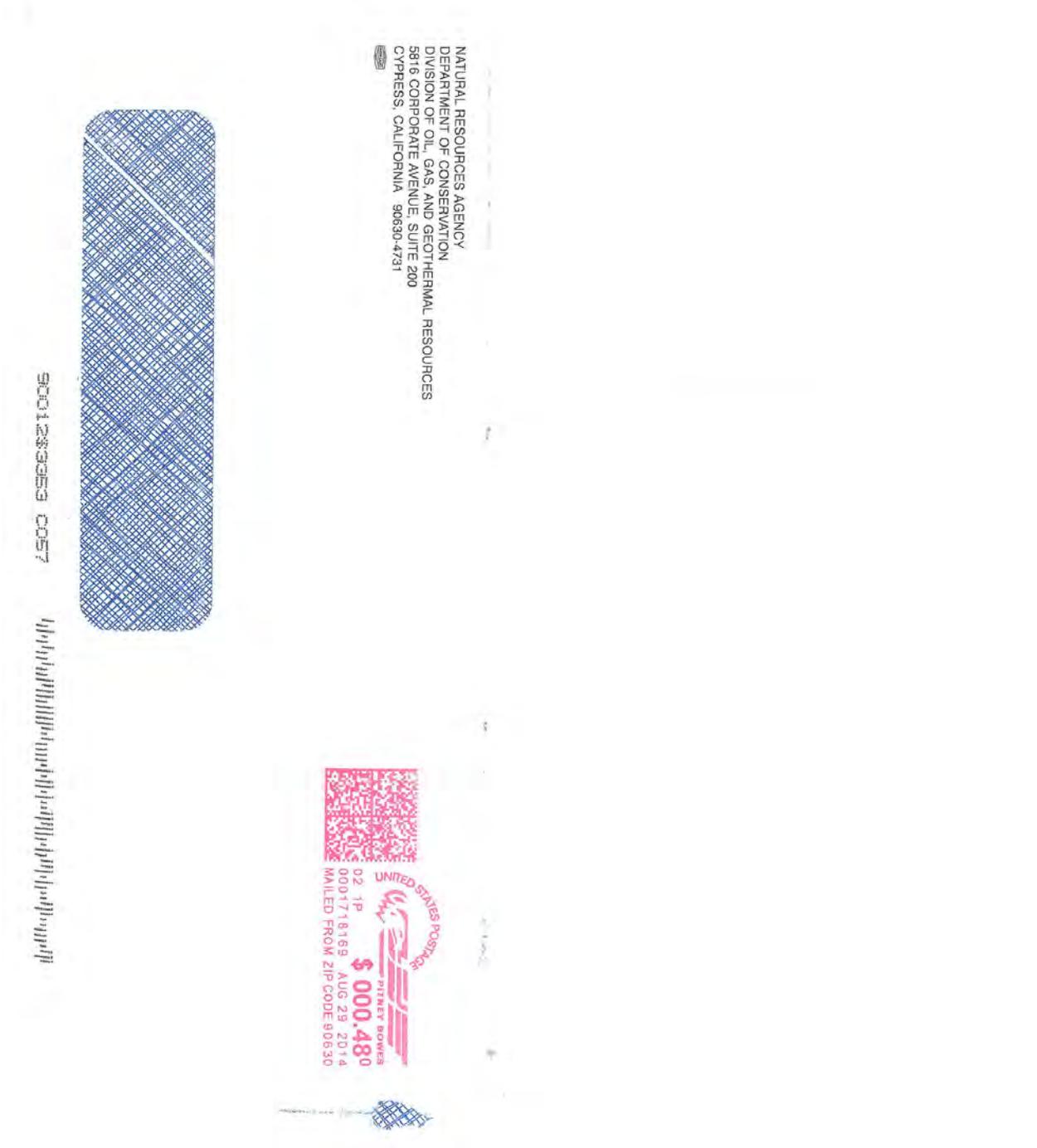
Sincerely,



Kathleen Andrews
Associate Oil and Gas Engineer - Facilities

cc: DOGGR- HQ, Adele Lagomarsino
Kenneth Carlson, Environmental and Facilities Supervisor - Cypress 

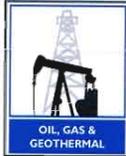
Submission S001 (Kathleen Andrews, California Department of Conservation,
August 29, 2014)



Submission S002 (Bruce H. Hesson, California Department of Conservation,
August 28, 2014)

STATE OF CALIFORNIA, RESOURCES AGENCY

EDMUND G. BROWN, JR., GOVERNOR



DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

1000 S. Hill Road • Suite 116 • Ventura, CALIFORNIA 93003

PHONE 805 / 654-4761 • FAX 805 / 654-4765 • WEBSITE conservation.ca.gov

August 27, 2014

Mark A. McLoughlin
California High Speed Rail Authority
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

Subject:
California High-Speed Rail System Palmdale to Burbank Section
SCH # 2014071074

Dear Mr. McLoughlin:

The Department of Conservation's (Department) Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The Department offers the following comments for your consideration.

Based on information provided in the Notice of Preparation, in part, the project is located along Highway 14 as it passes through the City of Santa Clarita and Los Angeles County. Located within close proximity and within the right-of-way of Highway 14 are numerous plugged and oil wells as well as active oil production operations in the Placerita oil field.

Well records are available on the Division's website at www.conservation.ca.gov, go to "Oil, Gas, and Geothermal", then go to "Online Well Record Search". Also, the well locations can be obtained from the link "Well Finder" and entering the API Number in "Find".

If any structure is to be located over or in close proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the Public Resources Code (PRC) authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in close proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.

Submission S002 (Bruce H. Hesson, California Department of Conservation,
August 28, 2014) - Continued

California High-Speed Rail System Palmdale to Burbank Section
SCH # 2014071074

Page 2 of 2

Furthermore, if any plugged or abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

The Division also recommends the wells within or in close proximity to project boundaries be accurately plotted on all future maps of this project, and a legible copy of the final project map be submitted to the Division.

The possibility for future problems from oil and gas wells that have been plugged and abandoned, or reabandoned, to the Division's current specifications are remote. However, the Division suggests that a diligent effort be made to avoid building over any plugged and abandoned well.

To ensure proper review of projects, the Division has available an informational packet entitled, "Construction-Site Plan Review Program. This document is available on the Division's website at www.conservation.ca.gov, go to "Oil, Gas, and Geothermal", then go to "Construction Site Review".

Prior to commencing operations, the project applicant should consult with our office for information on the wells located in the project area.

Thank you for the opportunity to comment. If you have any questions, please contact me at (805) 654-4761 or via email at Bruce.Hesson@conservation.ca.gov.

Sincerely,



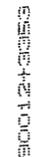
Bruce H. Hesson, P.E.
District Deputy - Ventura

cc: DOGGR- HQ, Adele Lagomarsino

Submission S002 (Bruce H. Hesson, California Department of Conservation,
August 28, 2014)



State of California-Resources Agency
Department of Conservation
Division of Oil, Gas, and Geothermal Resources
1000 S Hill Road, Ste. 116
Ventura, CA 93003-4458



Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
August 21, 2014)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



August 21, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
700 N. Alameda Street, Rm 3-532
Los Angeles, CA 90012
Palmdale_burbank@hsr.ca.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report/Environmental Impact Statement for the California High-Speed Rail System for the Palmdale to Burbank, Various Jurisdictions, Los Angeles County (SCH #2014071074)

Dear Mr. McLoughlin:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the California High-Speed Rail (HSR) System for the Palmdale to Burbank Section (Project) Draft Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS) prepared by the California High-Speed Rail Authority (Authority) acting as the Lead Agency under the California Environmental Quality Act (CEQA).

The Project area includes urbanized, suburban, and rural areas over a distance of approximately 48 miles starting near Avenue O in the City of Palmdale, where it would connect to the rest of the northward High-Speed Rail corridor. The Project corridor would run south of the City of Palmdale, generally following State Route (SR) 14 through the San Gabriel Mountains. Then it would follow the existing Antelope Valley line rail corridor to the San Fernando Valley, following the Metrolink right-of-way (ROW) from Sylmar to Burbank, and terminating near West Magnolia Boulevard in the City of Burbank. There are two proposed stations: the Palmdale Transportation Center Station in the City of Palmdale and the Burbank Airport Station in the City of Burbank.

The proposed Project includes electrically powered, high-speed, steel-wheel-on-steel-rail technology. The trains would be capable of operating at speeds of up to 220 miles per hour over fully grade-separated, dedicated tracks. The proposed infrastructure and systems are composed of trains (rolling stock), tracks, grade-separated rights-of-way, stations, train control, power systems, and maintenance facilities. Design includes a double-track ROW to accommodate operational needs for uninterrupted rail movement. The Project requires grade-separated overcrossings for roadways or roadway closures, and modifications to existing systems that do not span planned ROW in order to be grade-separated from any other transportation system.

Proposed alternatives to be evaluated in the DEIR/DEIS include the SR 14 East and Hybrid Alignment Options in the Palmdale Subsection and the Santa Clarita North and South Alignment Options in the Santa Clarita Subsection. An Alternative Corridor Subsection, which spans about 35 miles long through the Angeles National Forest from the City of Palmdale to the City of

Conserving California's Wildlife Since 1870

Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
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Mr. Mark A. McLoughlin
California High Speed Rail Authority
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Page 2 of 12

Burbank, would be evaluated as well. The NOP also proposes to evaluate two Station Options: the Palmdale Transportation Center Station and the Burbank Airport Station.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project, (CEQA Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.*

Specific Comments

1. Wildlife Movement Passage - The Department has previously commented on several projects for the HSR system including the HSR Program EIR/EIS sent on August 31, 2004. The Department is concerned with the potential biological impacts on regional wildlife movements and connections between habitats, especially the Santa Clara River corridor and the wildlife linkage between San Gabriel Mountains and Interstate 5 and Highway 14. Construction of access controlled rail lines has the potential to disrupt fully functional wildlife passages, such as the east-west wildlife movement along the Santa Clara River, as well as already restricted corridors with existing obstacles. The Project could fully compromise or reduce permeability. The barriers to movement of wildlife could cut them off from important food, shelter, or breeding areas, creating isolated sub-populations. The isolation of sub-populations limits the exchange of genetic material and puts populations at risk of local extinctions through genetic and environmental factors.
 - a) Elevated Rail Alternative – The Department recommends the DEIR/DEIS analyze all segments of the ROW that are not using existing rail to be elevated. Elevation of the rails could reduce the impacts the Project would have on open space connectivity by allowing wildlife to pass freely underneath the entire length of the railway, while providing the access controlled tracks that are required for the Project. Elevated railways would be more effective in facilitating natural wildlife movement instead of strategically placed underpasses and overpasses, which may not be successful. Elevated tracks enable animals to visually see through to the opposite side of the tracks, which they would more likely walk underneath the tracks than through a tunnel or vegetated overpass where the view of the other side would be visually obstructed and the substrate and ground slope would vary from the surrounding areas.
 - b) Wildlife Connectivity Study – The Department recommends the DEIR/DEIS analyze Project wildlife connectivity impacts to three primary categories of focused species: 1) area-sensitive species, 2) barrier-sensitive species, and 3) less mobile species. The analysis should include the needs of the species and their ecological processes. The Project should ensure the ecological functions and values are met within the wildlife corridors.

If underground or above-ground wildlife movement corridors are proposed instead of elevated tracks, the Department recommends extensive research to be conducted to determine the appropriate locations, numbers, and types of such structures. Methods to determine the best locations for wildlife corridors should include at a minimum: 1) track count surveys, 2) ditch crossing surveys, 3) monitoring trails with infrared or Trailmaster

Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
August 21, 2014) - Continued

Mr. Mark A. McLoughlin
California High Speed Rail Authority
August 21, 2014
Page 3 of 12

cameras, and 4) Global positioning system (GIS) habitat modeling to identify likely wildlife travel corridors and anthropogenic barriers (e.g., as highways, canals, and reservoirs) at the landscape level. In addition, wildlife habitat linkages should be identified using habitat models, information from the movement studies, GIS analyses, and Department expertise. The DEIR/DEIS should identify specific locations along the alignments where wildlife corridors, such as underpasses, overpasses, elevating the alignment and tunnels may not be suitable.

2. Santa Clara River corridor – There are an estimated 17 species listed as fully protected, threatened, or endangered under CESA and the federal Endangered Species Act (ESA)¹ within the Santa Clara River corridor. The Department is concerned with the Project's potential to adversely affect biological resources within the Santa Clara River corridor. The Department recommends extensive surveys be conducted by a qualified biologist along the Santa Clara River and downstream from the Project site. The survey results should be fully described in the DEIR/DEIS. Appropriate avoidance, minimization, and mitigation measures should be included to protect biological resources within the Santa Clara River corridor. A notification for a Lake and Streambed Alteration Agreement pursuant to Fish and Game Code section 1600 *et seq.* will be necessary for the Project.
3. Wildlife Crossings via Interstate 5 and Highway 14 – The Project proposes to cross the Santa Clarita Valley through an important wildlife linkage between the San Gabriel Mountains and the Santa Susana Mountains, Simi Hills, and Santa Monica Mountains². One such linkage, Vasquez Rocks is the only crossing for large mammals under the freeway in the area. Currently wildlife crossings are highly constrained due to Interstate 5 and Highway 14 acting as barriers to animal movements between the major montane regions. Further development from the Project has the potential for significant adverse impacts to important wildlife movement, exacerbating the already limited wildlife crossing. The Department recommends extensive research and analysis on all current wildlife passage structures and their effectiveness.
4. Impacts to Already Conserved Lands – The Project has the potential to impact lands which were acquired and conveyed in fee title or conservation easements to mitigate impacts of other projects. The Project as proposed would cross the Wagoner/Santa Clarita Advance Mitigation property (Wagoner Property), which the City of Santa Clarita placed in a conservation easement with the Santa Monica Mountains Conservancy for the Cross-Valley Connector Gap Closure Project. In addition, the proposed Alternative Corridor Subsection as proposed would impact the 210 acre-Big Tujunga Wash Mitigation Area (BTWMA), owned by the County of Los Angeles, located downstream of the Interstate 210 Freeway near the City of Los Angeles' Sunland community³. The Department recommends the

¹ Anderson, I., et al. 2006. *Santa Clara River Upper Watershed Conservation Plan*. The Nature Conservancy, San Francisco, California.

² Henrickson, James. 1993. *Examination of Potential Animal Corridors Between the San Gabriel Mountains and the Santa Susana Mountains with Emphasis on the Crossing Through State HWY 14 and Interstate 5 and Los Pinetos Road*. Independent Environmental Consultants, Los Angeles, California.

³ ECORP Consulting, Inc. 2013 *Annual Report for the Big Tujunga Wash Mitigation Area Los Angeles County, California*. Prepared for County of Los Angeles Department of Public Works.
http://www.dpw.lacounty.gov/wrd/Projects/BTWMA/Annual/Annual_2013.pdf

Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
August 21, 2014) - Continued

Mr. Mark A. McLoughlin
California High Speed Rail Authority
August 21, 2014
Page 4 of 12

Project avoid the Wagoner Property and BTWMA and identify another alternative to avoid impacts and condemnation of prior conserved land including the Wagoner Property and BTWMA properties. The Department also recommends the DEIR/DEIS include a fee title and/or conservation easement search to avoid impacts to other parcels with fee titles and/or conservation easements.

5. Drainage Pattern Assessment – The Project has the potential to adversely affect drainage patterns throughout the Project site, especially in the desert area. The desert ecosystem has greater variability in stream function and formation compared to its temperate-region counterpart, which can be difficult to identify for dryland streams. For example, several streams in desert ecosystems may have low flow channels, active channels, banks associated with secondary channels, floodplains, and stream-associated vegetation occurring within the bounds of a single, larger channel⁴. Thus, a science-based approach should be used to identify dryland streams and associated sensitive habitats including alkali flats, dry lakes, and sand dunes pursuant to Fish and Game Code section 1600 *et seq.* The Department recommends a thorough assessment of dryland streams with hydrologic and geomorphologic studies conducted. The DEIR/DEIS should include analysis of channel hydrologic and morphologic characteristics for ephemeral and intermittent streams and provide a clear map that identifies all desert features and habitat types.
6. Fully Protected Species – Five fully protected species are known to occur within the Project area including the CESA-listed and fully protected golden eagle (*Aquila chrysaetos*) and bald eagle (*Haliaeetus leucocephalus*), the fully protected white-tailed kite (*Elanus caeruleus*), American peregrine falcon (*Falco peregrinus anatum*), and the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). The Department has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Except as provided in the Fish and Game Code (e.g. for necessary scientific research), Take of any fully protected species is prohibited, and cannot be authorized by the Department. The Department recommends avoiding all impacts to fully protected species.
7. Special Status Plant Species – CEQA provides protection not only for CESA- and ESA-listed species, but for any species that can be shown to meet the criteria for State listing, which includes State Species of Special Concern (SOC) and California Native Plant Society (CNPS) Lists 1A, 1B, and 2, which consist of plants that, in a majority of cases, would qualify for listing (CEQA Guidelines Sections 15380(d), 15065(a)). A preliminary California Natural Diversity Database (CNDDDB) search conducted by the Department indicates the potential for special status plant species to occur on the Project site including the CESA-listed slender-horned spineflower (*Dodecahema leptoceras*), San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*), California Orcutt grass (*Orcuttia californica*), and Nevin's barberry (*Berberis nevinii*). The CNDDDB search also indicated sensitive plant species designated as Rare or with CNPS List 1A, 1B, or 2 potentially occurring on the Project site including southern tarplant (*Centromadia parryi* ssp. *Australis*), Great's aster (*Symphotrichum greatae*), San Gabriel manzanita (*Arctostaphylos glandulosa* ssp.

⁴ Vyverberg, Kris. December 2010. *A Review of Stream Processes and Forms in Dryland Watersheds*. California Department of Fish and Game. Sacramento, California.

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gabrielensis), round-leaved filaree (*California macrophylla*), slender mariposa-lily (*Calochortus clavatus* var. *gracilis*), Davidson's bush-mallow (*Malacothamnus davidsonii*), San Gabriel linanthus (*Linanthus concinnus*), spreading navarretia (*Navarretia fossalis*), Parry's spineflower (*Chorizanthe parryi* var. *parryi*), San Gabriel bedstraw (*Galium grande*), alkali mariposa-lily (*Calochortus striatus*), California satintail (*Imperata brevifolia*), chaparral ragwort (*Senecio aphanactis*), lemon lily (*Lilium parryi*), Mason's neststraw (*Stylocline masonii*), Mt. Gleason paintbrush (*Castilleja gleasoni*), Newhall sunflower (*Helianthus inexpectatus*), Palmer's mariposa-lily (*Calochortus palmeri* var. *palmeri*), Piute Mountains navarretia (*Navarretia setiloba*), Rock Creek broomrape (*Orobanche valida* ssp. *valida*), Ross' pitcher sage (*Lepechinia rossii*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), Santa Susana tarplant (*Deinandra minthornii*), and short-joint beavertail (*Opuntia basilaris* var. *brachyclada*). Additional endangered, rare, or threatened species may also be present in the region that the Project may impact.

The Department recommends focused, repeated surveys be conducted by a qualified botanist multiple times during the appropriate floristic period(s) and results fully disclosed in the DEIR/DEIS. The surveys should not be deferred to the pre-construction period and should not be limited to areas within public (ROWs) that contains potential habitat for special status plant species. Full disclosure in the DEIR/DEIS allows adequate CEQA review for potential Project-related impacts. Surveys should be no more than two years old and surveys periods should be verified with a known reference site because blooming periods are easily missed with a single survey, and blooming periods can shift with changes in climatic conditions such as during drought years. The Department recommends plant survey be conducted using the Department protocol⁵.

8. **Joshua Tree Habitat** – The Project has the potential to impact Joshua tree (*Yucca brevifolia*) woodlands, a sensitive biological resource protected by the California Desert Native Plants Act (California Food and Agriculture Code § 80000 *et seq.*). The Department recommends that Project impacts to Joshua tree woodlands be avoided. If impacts to Joshua tree woodlands cannot be avoided, appropriate mitigation measures should include off site habitat acquisition of habitat supporting Joshua trees. Mitigation lands should be preserved and managed in perpetuity under a conservation easement and managed by a local land conservancy. The Department recommends a mitigation ratio of no less than 2:1, and the proposed specific mitigation location should be identified in the environmental document for the Project. A Mitigation and Monitoring Plan (MMP), including a funding commitment, should be developed to protect the existing biological functions and values. The MMP should outline biological resources on the site, provide for monitoring of biological resources, address potential impacts to biological resources, and identify actions to be taken to eliminate or minimize those impacts.
9. **Special Status Avian Species** – The potential exists for the Project to reduce populations or restrict the range of the following endangered, rare, or threatened species (as defined in Section 15380 of CEQA), which are present within the region. A CNDDDB search indicates special status species having the potential to occur on the Project site including, but not limited to, the golden eagle, bald eagle, white-tailed kite, American peregrine falcon, and

⁵ http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf

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CESA-listed Swainson's hawk (*Buteo swainsoni*) and , CESA and ESA-listed California condor (*Gymnogyps californianus*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), least Bell's vireo (*Vireo bellii pusillus*), willow flycatcher (*Empidonax traillii*) and ESA-listed coastal California gnatcatcher (*Polioptila californica californica*). California Species of Special Concern (SOC) include western burrowing owl (*Athene cunicularia*), black swift (*Cypseloides niger*), California spotted owl (*Strix occidentalis occidentalis*), grasshopper sparrow (*Ammodramus savannarum*), gray vireo (*Vireo vicinior*), Le Conte's thrasher (*Toxostoma lecontei*), loggerhead shrike (*Lanius ludovicianus*), mountain plover (*Charadrius montanus*), northern goshawk (*Accipiter gentilis*), northern harrier (*Circus cyaneus*), olive-sided flycatcher (*Contopus cooperi*), purple martin (*Progne subis*), short-eared owl (*Asio flammeus*), summer tanager (*Piranga rubra*), tricolored blackbird (*Agelaius tricolor*), Vaux's swift (*Chaetura vauxi*), yellow warbler (*Setophaga petechial*), yellow-breasted chat (*Icteria virens*), and yellow-headed blackbird (*Xanthocephalus xanthocephalus*) have the potential to occur within the Project area. Additional endangered, rare, or threatened species may also be present in the region that the Project may impact.

The Department has jurisdiction over actions that may result in the disturbance or destruction of nests, or the unauthorized take of CESA-listed avian species. The pertinent sections of the Fish and Game Code that protect avian species, their eggs, and nests include 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame birds). Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act of 1918 (50 C.F.R. § 10.13) and Fish and Game Code Section 3513. The Department recommends focused surveys be conducted with a qualified avian biologist throughout the Project site with presence or absence of sensitive species fully disclosed in the DEIR/DEIS. The recommended survey protocols for several special status species, including golden eagle, Swainson's hawk, burrowing owl, least Bell's vireo, and willow flycatcher can be found at https://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html.

10. Desert Tortoise – The Project has the potential to impact desert tortoise (*Gopherus agassizii*), which is CESA- and ESA-listed. The Department recommends a qualified biologist with desert tortoise survey experience conduct focused surveys using U.S. Fish and Wildlife Service (USFWS) and/or Department protocol. The study area should include as far south as Highway 138. Results of the focused desert tortoise surveys should be fully described in the DEIR/DEIS. The Field Survey Protocol for Any Federal Action that May Occur within the Range of the Desert Tortoise (January 1992) provides the appropriate survey protocols and information, which can be found at http://www.dfg.ca.gov/wildlife/nongame/docs/desert_tortoise_focused_survey_protocol.pdf
11. Noise and Vibration – The Project has the potential to negatively affect the way wildlife use their habitat due to noise and/or vibrational impacts, such as nest abandonment by birds nesting near the train tracks during construction and operation of the Project. Noise and vibration also have the potential to injure or kill aquatic species, such as frogs and fish⁶.

⁶ Vandenberg LN, Stevenson C, Levin M (2012) *Low Frequency Vibrations Induce Malformations in Two Aquatic*

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Burrowing animals and insects can be especially sensitive to noise and vibration. The Department recommends the DEIR/DEIS develop a noise and vibration impact study to examine noise, below surface vibration, and surface vibration impacts on wildlife. The study should analyze aversion, displacement, and behavioral modification effects and include noise and vibration ranges expected to impact wildlife. The Department recommends including information on physiologic, population, and reproductive effects to wildlife before and after Project implementation.

General Comments

The Department provides the following comments for general issues and concerns regarding Project impacts to biological resources.

1. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. The Department opposes any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, Project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the DEIR/DEIS and must compensate for the loss of function and value of a wildlife corridor.
 - a) The Project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the DEIR/DEIS. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.⁷ Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.
 - b) The Department also has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed. For any such activities, the Project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department

Species in a Frequency-, Waveform-, and Direction-Specific Manner. PLoS ONE 7(12): e51473.
doi:10.1371/journal.pone.0051473

⁷ Cowardin, Lewis M., et al. 1979. *Classification of Wetlands and Deepwater Habitats of the United States.* U.S. Department of the Interior, Fish and Wildlife Service.

⁸ A notification package for a LSA may be obtained by accessing the Department's website at www.wildlife.ca.gov/habcon/1600.

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determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSA for a Project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the Project. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.⁸

2. The Department considers adverse impacts to a species protected by the CESA, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085.) Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
3. To enable the Department to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the DEIR/DEIS.
 - a) A complete discussion of the purpose and need for, and description of, the proposed Project, including all staging areas and access routes to the construction and staging areas.
 - b) A range of feasible alternatives to ensure that alternatives to the proposed Project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources particularly Joshua tree woodlands, alkali flats, wetlands, and other locally rare resources (as the proposed Project would result in significant impacts to wetland/riparian habitat within Santa Clara River as well as habitat within the desert area). Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

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Biological Resources within the Project's Area of Potential Effect

4. To provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. The DEIR/DEIS should include the following information.
 - a) Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis should be placed on resources that are rare or unique to the region.
 - b) A thorough, recent floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plant/>). The Department recommends that floristic, alliance- and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
 - c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base (CNDDB) in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. The CNDDB should be used to generate an initial list of potential species occurrence and not as evidence of non-occurrence. A lack of records in CNDDB does not mean that rare plants or animals do not occur in a Project area. Field verification for the presence or absence of sensitive species, by a qualified biologist, is necessary to provide a complete biological assessment for adequate CEQA review.
 - d) An inventory of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

5. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR/DEIS.

Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
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- a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: Project-related changes on drainage patterns on and downstream of the Project site; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
- b) Discussions regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR/DEIS.
- c) The zoning of areas for development Projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
- d) A cumulative effects analysis should be developed as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future Projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

6. The DEIR/DEIS should include measures to fully avoid and otherwise protect Rare Natural Communities from Project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
7. The DEIR/DEIS should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
8. For proposed preservation and/or restoration, the DEIR/DEIS should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

Submission S003 (Edmund Pert, California Department of Fish and Wildlife,
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9. If the nesting season cannot be avoided and construction or vegetation removal occurs between March 1st to September 15th (January 1st to July 31st for Raptors), the Permittee will do one of the following to avoid and minimize impacts to nesting birds⁹:
 - a) Implement a 300 foot minimum avoidance buffers for all passerine birds and 500 foot minimum avoidance buffer for all raptors species. The breeding habitat/nest site shall be fenced and/or flagged in all directions. The nest site area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project.
 - b) Develop a project specific Nesting Bird Management Plan. The site-specific nest protection plan shall be submitted to the lead agency for review and CDFW. The Plan should include detailed methodologies and definitions to enable a CDFW qualified avian biologist to monitor and implement nest-specific buffers based upon the life history of the individual species; species sensitivity to noise, vibration, and general disturbance; individual bird behavior; current site conditions (screening vegetation, topography, etcetera), ambient levels of human activity; the various project-related activities necessary to construct the project, and other features. This Nesting Bird Management Plan shall be supported by a Nest Log which tracks each nest and its outcome. The Nest Log will be submitted to the lead agency and CDFW at the end of each week.
 - c) The Permittee may propose an alternative plan for avoidance of nesting birds for the lead agency's review and submittal to CDFW.
10. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
11. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

⁹ Qualified avian biologist shall establish the necessary buffers to avoid take of nest as defined in FGC 3503 and 3503.5.

NOTE: Buffer area may be increased if any endangered, threatened, or CDFW species of special concern are identified during protocol or pre-construction presence/absence surveys.

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The Department requests further consultation with the Lead Agency to discuss potential Project impacts on biological resources. We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Victoria Chau, Environmental Scientist at Victoria.Chau@wildlife.ca.gov or (562) 430-5082.

Sincerely,



Edmund Pert
Regional Manager
South Coast Region

ec: Ms. Betty Courtney, CDFW, Santa Clarita
Ms. Erinn Wilson, CDFW, Los Alamitos
Ms. Victoria Chau, CDFW, Los Alamitos
Ms. Kelly Schmoker, CDFW, Mission Viejo
Mr. Matt Chirdon, CDFW, Ojai
Mr. Brock Warmuth, CDFW, Ventura
Mr. Scott Morgan, State Clearinghouse, Sacramento

Submission S004 (Victoria Chau, California Department of Fish and Wildlife,
South Coast Region 5, August 18, 2014)

Palmdale - Burbank - RECORD #134 DETAIL

Status : Pending
Record Date : 8/18/2014
Response Requested : No
Submission Date : 8/18/2014
Affiliation Type : State Agency
Interest As : State Agency
Submission Method : Email
First Name : Victoria
Last Name : Chau
Professional Title : Environmental Scientist
Business/Organization : California Department of Fish and Wildlife, South Coast Region 5
Address : 4665 Lampson Avenue
Apt./Suite No. :
City : Los Alamitos
State : CA
Zip Code : 90720
Telephone : 909.455.8443
Email : Victoria.Chau@wildlife.ca.gov
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : Dear Mr. Mark McLoughlin:

The California Department of Fish and Wildlife (Department) is currently working on comments for the Notice of Preparation (NOP) for the California High-Speed Rail (HSR) System Palmdale to Burbank Section as well as the HSR System Burbank to Los Angeles Section. The Department would like to request extensions to review and comment for both NOPs Sections (Palmdale to Burbank and Burbank to Los Angeles) of the HSR. The Department would appreciate an extension to provide comments by September 5, 2014 for the proposed projects. Please feel free to contact me should you have any questions or concerns. Thank you for your consideration.

Victoria Chau
Environmental Scientist
CA Dept. of Fish and Wildlife
South Coast Region 5
4665 Lampson Avenue
Los Alamitos, CA 90720
909-455-8443

EIR/EIS Comment : Yes
Need PI response : Yes- Individual Response
General Viewpoint on Project :

Submission S005 (Dianna Watson, California Department of Transportation,
August 19, 2014)

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7—OFFICE OF TRANSPORTATION PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov



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August 18, 2014

Mark A. McLoughlin
California High Speed Rail Authority
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

RE: California High Speed Rail System
Palmdale to Burbank Section
Notice of Preparation (NOP)
Vicinity: I-5, SR-14, SR-134, I-210
SCH #2014071074; IGR #140754DW

Dear Mr. McLoughlin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above mentioned project. The proposed project would connect the Antelope Valley and the San Fernando Valley to the mega-regions of California. It proposes several potential alignments linking the cities of Palmdale and Burbank to a HSR System on fully grad-separated, dedicated tracks.

The proposed alignments traverse several State Highways. Caltrans suggests that the portion of the HSR System approaching the Burbank Airport, crossing the I-5, I-210, and possibly SR-118, be constructed underground. Constructing this portion of the system underground may lessen the impacts to local streets.

This project may encroach on State right-of-way at several locations and therefore may require a Master Cooperative Agreement or other Caltrans Permits. We recommend early consultation and coordination with Caltrans Office of Permits to determine the necessary permits for the project.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods. In addition, a truck/traffic construction management plan will be necessary for this project.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability."*

Submission S005 (Dianna Watson, California Department of Transportation,
August 19, 2014) - Continued

Mr. McLoughlin
August 18, 2014
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If you have any questions or concerns regarding these comments, please feel free to call me at
(213) 897-9140 or dianna_watson@dot.ca.gov.

Sincerely,



DIANNA WATSON
Branch Chief
Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability."*

Submission S005 (Dianna Watson, California Department of Transportation,
August 19, 2014)

Caltrans District 7
Office of Transportation Planning
IGR/CEQA Review Branch
100 S. Main Street, MS 16
Los Angeles, CA 9000

Mark A. McLoughlin
California High Speed Rail Authority
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

CA S005
100 S. Main Street, MS 16
Los Angeles, CA 9000

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Submission S006 (David Samson, California Department of Water Resources,
August 22, 2014)

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



August 21, 2014

Mark A. McLoughlin
California High Speed Rail Authority
Southern California Regional Office
700 N. Alamenda Street, Rm 3-532
Los Angeles, CA 90012

SCH2014071074, Notice of Preparation for Environmental Impact Report for the Proposed Palmdale-to-Burbank High Speed Rail Segment, Los Angeles County, Southern Field Division, California Aqueduct, Milepost 348.36

Dear Mr. McCloughlin:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for the proposed Palmdale-to-Burbank segment of the High Speed Rail System. The proposed alignment would cross the Department of Water Resources' (DWR) California Aqueduct right of way, part of the State Water Project, in the vicinity of the Soledad Siphon south from the City of Palmdale. The document describes two alternative alignments through DWR right of way, with both alignments involving tunneling under the California Aqueduct.

As discussed in the April 1, 2014 meeting with HSR staff at our office, we advised that any construction activity affecting DWR facilities and right of way will require review and approval by DWR.

We have reviewed the Notice of Preparation and have the following comments regarding the proposed project:

1. A temporary entry permit from DWR Southern Field Division is required for accessing DWR right of way for preliminary site study. Contact Jaime DeSantiago of DWR Southern Field Division at (661) 944-8574 to coordinate any site visits (surveying, potholing, etc.) required for further investigation of your project.
2. Tunneling under the open aqueduct will require coordination between DWR's Division of Engineering, including a review of any geo-technical survey for the respective alternative routes.
3. Any construction work within DWR right of way will require an Encroachment Permit prior to the start of any work.

Submission S006 (David Samson, California Department of Water Resources,
August 22, 2014) - Continued

Mark A. McLoughlin
August 21, 2014
Page 2

Information regarding forms and guidelines for submitting an application for an Encroachment Permit can be found at the following DWR web address:

http://www.water.ca.gov/engineering/Services/Real_Estate/Encroach_Rel/

We are concerned that neither the NOP or advance notice of the public scoping sessions about the change to this segment did not come directly from the HSR. We were not aware of the public scoping meetings on this rail segment until we researched the circulated NOP for the Environmental Impact Report. DWR received the NOP only because we are part of the Natural Resources Agency checklist for environmental document distribution through the State Clearinghouse. We discovered this week that a copy of the NOP was sent to a retired annuitant staff member with DWR via FedEx, however that copy was routed throughout our offices until arriving at a staff person's desk who was familiar with the scope of the HSR projects. This mailing gave us no significant opportunity to provide in-depth comments. Further, DWR commented on the previous iteration of this HSR segment (SCH2007031066) and it was our expectation that, having engaged in the NOP process for that earlier document, we would be incorporated into the process for the new environmental document. In our April meeting we discussed the necessity for open communication and designated Mr. Bahadur Mann, of DWR's Division of Engineering Real Estate Branch, as the single point of contact to manage all circulations by HSR, to prevent the potential for date-sensitive material to go unaddressed because of general distribution within DWR. In order for DWR to effectively participate in, and contribute to, the development of the various segments of the HSR alignment that will impact DWR right of way, we need assurance that future HSR document circulation will reach us in the most direct and expeditious manner possible.

Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review. Please send all future correspondence to both:

Bahadur Mann
Real Estate Branch
Division of Engineering
1416 Ninth Street, Room 425
Sacramento, CA 95814

Leroy Ellinghouse
SWP Encroachment Section
Division of Operations and Maintenance
1416 Ninth Street, Room 641-2
Sacramento, CA 95814

Submission S006 (David Samson, California Department of Water Resources,
August 22, 2014) - Continued

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Page 3

If you have any questions, please contact Scott Williams at (916) 653-5746, or Leroy Ellinghouse of my staff at (916) 653-7168.

Sincerely,



for David M. Samson, Chief
State Water Project Operations Support Office
Division of Operations and Maintenance

cc: Jeff Morales, CEO
High Speed Rail Authority
770 L St, Sacramento, CA 95814

Elisabeth Rosenson, Consensus, Inc.
1933 S. Broadway, Suite 1100
Los Angeles, CA 90007

Lupe Jimenez, High Speed Rail Authority
Southern California Regional Office

Michelle Boehm, High Speed Rail Authority
Southern California Regional Office

Robert Rosas, High Speed Rail Authority
Southern California Regional Office

Rick Simon, High Speed Rail Authority
Southern California Regional Office

Submission S006 (David Samson, California Department of Water Resources,
August 22, 2014) - Continued

DEPARTMENT OF WATER RESOURCES
P.O. BOX 942838
SACRAMENTO, CALIFORNIA 95828-0001

4500 6566321006

Lupe Jimenez, High Speed Rail Authority
Southern California Regional Office
700 N. Alameda Street, Rm 3-532
Los Angeles, CA 90012



Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014)

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

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Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

August 22, 2014

File Ref: SCH # 2014071074

Mark A. McLoughlin
California High-Speed Rail Authority
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

**Subject: Notice of Preparation (NOP) for an Environmental Impact
Report/Environmental Impact Statement (EIR/EIS) for the California
High-Speed Rail System Palmdale to Burbank Section, Los Angeles
County**

Dear Mr. McLoughlin:

The California State Lands Commission (CSLC) staff has reviewed the subject NOP for an EIR/EIS for the California High-Speed Rail System Palmdale to Burbank Section (Project), which is being prepared by the California High-Speed Rail Authority (HSRA) and the Federal Railroad Administration (FRA). The HSRA, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The FRA is the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). The CSLC is a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, the CSLC is a trustee of school lands and monitors projects that could directly or indirectly impact these lands. If the Project involves work on sovereign or school lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction

Sovereign Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All

Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014) - Continued

Mark McLoughlin

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August 22, 2014

tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

School Lands

In 1853, the United States Congress granted to California nearly 5.5 million acres of land for the specific purpose of supporting public schools. In 1984, the State Legislature passed the School Land Bank Act (Act), which established the School Land Bank Fund (SLBF) and appointed the CSLC as its trustee (Pub. Resources Code, § 8700 et seq.). The Act directed the CSLC to develop school lands into a permanent and productive resource base for revenue generating purposes. The CSLC manages approximately 469,000 acres of school lands still held in fee ownership by the State and the reserved mineral interests on an additional 790,000± acres where the surfaces estates have been sold. Revenue from school lands is deposited in the State Treasury for the benefit of the Teachers' Retirement Fund (Pub. Resources Code, § 6217.5).

Please be advised that use of any sovereign or school lands for any part of the Palmdale to Burbank section of the High-Speed Rail System requires that the applicant first obtain a lease from the CSLC. Based on the information and maps provided in the NOP, it is impossible to determine if any sovereign lands or school lands lie within the Project area. Therefore, CSLC staff requests that more detailed Project maps be provided for review as they become available. Please contact Cheryl Hudson (see contact information below) for information concerning the CSLC's lease requirements.

Project Description

The HSRA and FRA propose to construct, operate, and maintain an electric powered steel-wheel-on-steel-rail high-speed rail system between Palmdale and Burbank to meet its objectives and needs as follows:

- Plan, design, build, and operate the California high-speed rail system.

From the Project Description, CSLC staff understands that the Project would include the following components:

Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014) - Continued

Mark McLoughlin

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- Construction. Construction of a high-speed rail system from Palmdale to Burbank. The EIR/EIS will analyze reasonable and feasible alignment alternatives and station options; and
- Operation and Maintenance. Operation and maintenance of a high-speed rail system from Palmdale to Burbank.

Environmental Review

CSLC staff requests that the following potential impacts be analyzed in the EIR/EIS.

General Comments

1. Project Description: A thorough and complete Project Description should be included in the EIR/EIS in order to facilitate meaningful environmental review of potential impacts, mitigation measures, and alternatives. The Project Description should include habitats the proposed and alternative alignments are expected to cross and whether any river crossings are required. Additionally, the Project Description should be as precise as possible in describing the details of all allowable activities (e.g., types of equipment that may be used, maximum area of impact or volume of sediment disturbed for grading, seasonal work windows, locations for material disposal, ongoing activities associated with operation, etc.), as well as the details of the timing and length of activities. Thorough descriptions will facilitate CSLC staff's determination of the extent and locations of its leasing jurisdiction, make for a more robust analysis of the work that may be performed, and minimize the potential for subsequent environmental analysis to be required.

Biological Resources

2. Special Status Species: The EIR/EIS should disclose and analyze all potentially significant effects on sensitive species and habitats in and around the Project area, including special-status wildlife, fish, and plants, and if appropriate, identify feasible mitigation measures to reduce those impacts. The HSRA and FRA should conduct queries of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) and U.S. Fish and Wildlife Service's (USFWS) Special Status Species Database to identify any special-status plant or wildlife species that may occur in the Project area. Additionally, CSLC staff recommends early consultation with CDFW and USFWS regarding special status species to identify impacts and appropriate mitigation measures. The EIR/EIS should also include a discussion of consultation with the CDFW and USFWS, including any recommended mitigation measures and potentially required permits identified by these agencies.
3. Aquatic Resources: The EIR/EIS should evaluate and disclose any impacts to aquatic resources that may occur during construction and operation of the Project. For portions of the alignment crossing rivers, the EIR/EIS should evaluate noise and vibration impacts on wildlife and fish from construction activities in the water, and on the levees. Mitigation measures could include species-specific work windows as defined by CDFW, USFWS, and the National Oceanic and Atmospheric

Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014) - Continued

Mark McLoughlin

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August 22, 2014

Administration's Fisheries Service (NOAA Fisheries). Again, staff recommends early consultation with these agencies to minimize the impacts of the Project on sensitive species.

Additionally, if any in-water equipment is required for alignment construction, please consider the potential impacts of introducing invasive species to the Project area through hull fouling. CSLC staff requests that the EIR/EIS consider a range of options to prevent or slow the introduction of invasive species into sensitive habitats. Mitigation measures could include hiring construction vessels from nearby, or requiring hull cleaning from contractors prior to Project construction. Please consider current and proposed aquatic invasive species prevention programs in the area as models for invasive species prevention during the Project.

Climate Change

4. Greenhouse Gases: A greenhouse gas (GHG) emissions analysis consistent with the California Global Warming Solutions Act (Assembly Bill [AB] 32) and required by the State CEQA Guidelines should be included in the EIR/EIS. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of construction and operation of the Project, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to less than significant.

Cultural Resources

5. Title to Resources: The EIR/EIS should also mention that the title to all archaeological sites and historic or cultural resources on or in the submerged lands and school lands of California is vested in the State and under the jurisdiction of the CSLC. CSLC staff requests that the HSRA and FRA consult with Assistant Chief Counsel Pam Griggs (see contact information below), should any cultural resources on state lands be discovered during construction of the proposed Project.

Additional Review

6. Deferred Mitigation: In order to avoid the improper deferral of mitigation, mitigation measures should either be presented as specific, feasible, enforceable obligations, or should be presented as formulas containing "performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way" (State CEQA Guidelines, §15126.4, subd. (b)).

Thank you for the opportunity to comment on the NOP for the Project. As a potentially responsible agency, the CSLC will need to rely on the EIR/EIS for the issuance of any new lease as specified above and, therefore, we request that you consider our comments both as you develop the EIR/EIS and prior to certification of the EIR/EIS. Please send additional information on the Project to the CSLC as plans become finalized.

Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014) - Continued

Mark McLoughlin

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Please send copies of future Project-related documents, including electronic copies of the Draft and Final EIR/EIS, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Assistant Chief Counsel Pam Griggs at (916) 574-1854 or via email at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Cheryl Hudson, Public Land Management Specialist, at (916) 574-0732, or via email at Cheryl.Hudson@slc.ca.gov.

Sincerely



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
Cheryl Hudson, LMD, CSLC
Holly Wyer, DEPM, CSLC
Kathryn Colson, Legal, CSLC

Submission S007 (Cy R Oggins, California State Lands Commission, August 22, 2014)



CALIFORNIA STATE LANDS COMMISSION
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Sacramento, CA 95825-8202

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California High Speed Rail Authority
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Los Angeles, CA 90012

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Submission S008 (Gayle Totton, Native American Heritage Commission, July 30, 2014)

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net



July 30, 2014

Mr. Mark McLoughlin

California High Speed Rail Authority

700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

RE: SCH# 2014071074 CEQA Notice of Preparation; draft Environmental Impact Report (DEIR) for the **“California High Speed Rail System Palmdale to Burbank Section”** project located in the Cities of Burbank and Palmdale, Los Angeles County, California

Dear Mr. McLoughlin:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant

Submission S008 (Gayle Totton, Native American Heritage Commission, July 30, 2014) - Continued

to California Government Code Section 6254.10.

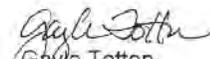
A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People... with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,


Gayle Totton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Submission S008 (Gayle Totton, Native American Heritage Commission, July 30, 2014) - Continued

**Native American Contacts
Los Angeles County, California
July 30, 2014**

Beverly Salazar Folkes 1931 Shadybrook Drive Thousand Oaks CA 91362 folkes9@msn.com (805) 492-7255 (805) 558-1154 Cell	Chumash Tataviam Fernandeño	San Fernando Band of Mission Indians John Valenzuela, Chairperson P.O. Box 221838 Newhall , CA 91322 tsen2u@hotmail.com (661) 753-9833 Office (760) 885-0955 Cell (760) 949-1604 Fax	Fernandeño Tataviam Serrano Vanyume Kitanemuk
San Manuel Band of Mission Indians Lynn Valbuena, Chairwoman 26569 Community Center Drive Highland , CA 92346 (909) 864-8933 (909) 864-3724 Fax (909) 864-3370 Fax	Serrano	Gabrielino/Tongva San Gabriel Band of Mission Anthony Morales, Chairperson P.O. Box 693 San Gabriel , CA 91778 GTTribalcouncil@aol.com (626) 483-3564 Cell (626) 286-1262 Fax	Gabrielino Tongva
Fernandeno Tataviam Band of Mission Indians Larry Ortega, Chairperson 1019 - 2nd Street, Suite #1 San Fernando CA 91340 (818) 837-0794 Office (818) 837-0796 Fax	Fernandeno Tataviam	Randy Guzman - Folkes 4676 Walnut Avenue Simi Valley , CA 93063 ndnRandy@yahoo.com (805) 905-1675 Cell (805) 520-5915 Fax	Chumash Fernandeño Tataviam Shoshone Paiute Yaqui
Tongva Ancestral Territorial Tribal Nation John Tommy Rosas, Tribal Admin. tattnlaw@gmail.com (310) 570-6567	Gabrielino Tongva	San Manuel Band of Mission Indians Daniel McCarthy, M.S., Director-CRM Dept. 26569 Community Center Drive Highland , CA 92346 dmccarthy@sanmanuel-nsn.gov (909) 864-8933 Ext 3248 (909) 862-5152 Fax	Serrano

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#20140710/77; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the California High Speed Rail System Palmdale to Burbank Section Project; located in the Cities of Burbank and Palmdale; Los Angeles County, California.

Submission S008 (Gayle Totton, Native American Heritage Commission, July 30, 2014) - Continued

**Native American Contacts
Los Angeles County, California
July 30, 2014**

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower CA 90707
gtongva@verizon.net
(562) 761-6417 Voice/Fax

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
P.O. Box 180 Gabrielino
Bonsall CA 92003
palmsprings9@yahoo.com
(626) 676-1184 Cell
(760) 636-0854 Fax

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina CA 91723
gabrielenoindians@yahoo.com
(626) 926-4131

Gabrielino /Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles CA 90086
samdunlap@earthlink.net
(909) 262-9351

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#2014071077; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the California High Speed Rail System Palmdale to Burbank Section Project; located in the Cities of Burbank and Palmdale, Los Angeles County, California.

Submission S008 (Gayle Totton, Native American Heritage Commission, July 30, 2014)



Submission S009 (Clifford Harvey, State Water Resources Control Board,
Division of Water Quality - 401 Certification and Wetlands, August 29, 2014)



State Water Resources Control Board

TO: Mark A. McLoughlin, Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS and
Burbank to Los Angeles Section EIR/EIS
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Email: palmdale_burbank@hsr.ca.gov and
burbank_los.angeles@hsr.ca.gov

FROM: Cliff Harvey,
Environmental Scientist
**DIVISION OF WATER QUALITY,
401 CERTIFICATION AND WETLANDS UNIT**

DATE: August 28, 2014

**SUBJECT: COMMENTS REGARDING A NOTICE OF PREPARATION (NOP) FOR THE
PROPOSED CALIFORNIA HIGH-SPEED TRAIN (HST) PROJECT –
PALMDALE TO BURBANK (SCH NO. 2014071074) AND BURBANK TO LOS
ANGELES SECTIONS (SCH NO. 2014071073)**

M E M O R A N D U M

State Water Resources Control Board (State Water Board) staff received a Notice of Preparation (NOP) of a project-level environmental document for the proposed High Speed Train Palmdale to Burbank and Burbank-to-Los Angeles Projects (Project(s)) on July 28, 2014. The NOP was circulated in order to solicit input on Project alternatives and the potential impacts that should be considered in the preparation of a joint Environmental Impact Report (EIR) and Environmental Impact Statement (EIS). The EIR/EIS each of these two projects under separate project-level environmental reviews. The High Speed Rail Authority is the lead agency under the California Environmental Quality Act (CEQA) and the Federal Railroad Association is the lead agency under the National Environmental Protection Act (NEPA).

State Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov



Submission S009 (Clifford Harvey, State Water Resources Control Board,
Division of Water Quality - 401 Certification and Wetlands, August 29, 2014)
- Continued

Mr. Mark McLoughlin

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August 28, 2014

Based on our review of the limited information provided, we recommend that several issues be considered in the preparation of the EIR/EIS, particularly:

- 1) alternatives that **avoid** wetland impacts should be considered with higher priority over others;
- 2) the water quality and hydrology analyses should include a discussion of beneficial uses and potential impacts with respect to those beneficial uses; and
- 3) established numerical and narrative water quality objectives and standards should be used when evaluating thresholds of significance for Project impacts.

Although we recognize the importance of the HST project, we nevertheless note that it has the potential to adversely impact water quality and beneficial uses during construction as well as over the life of the project. Because of these potential effects, the State Water Board requests that the following concerns be addressed in the forthcoming Draft Environmental Impact Report/Environmental Impact Statement (DEIR/EIS).

The proposed Project alignments would cross portions of two California Water Quality Control Regions: Lahontan and Los Angeles.

We note that the size and scope of the proposed HST Project does not allow a comprehensive review of all on-the-ground details for all of the possible routes. This review, therefore, covers several general topics of concern and provides examples of classes of specific concerns that will need to be addressed in a DEIR/EIS and in development of subsequent project implementation plans.

The water quality considerations discussed below should be included in all project plans, including plans to repair or modify existing railway infrastructure, as well as project plans to build new infrastructure. In addition, all comments provided by the Regional Water Quality Control Boards should be given equal consideration.

Staff of the State and Regional Water Boards look forward to collaboration with HSRA in the development of the DEIR/EIS, to ensure that full disclosure, adequate analysis, adequate mitigation measures and accurate findings of significance are provided for all potential Project impacts to waters of the state.

STATE AND REGIONAL WATER BOARDS JURISDICTION

For projects that involve “dredge or fill” activities that may result in a discharge to surface waters of the U.S., including wetlands – and the HST sections under study would cause such discharges - a Clean Water Act section 404 permit, as administered by the U.S. Army Corps of Engineers, is required.

Section 401 of the Clean Water Act states that anyone proposing to conduct a project that requires a federal permit or license must obtain certification from the State that the permitted or licensed activity would meet state water quality standards. Therefore, a section 401 Water

Submission S009 (Clifford Harvey, State Water Resources Control Board,
Division of Water Quality - 401 Certification and Wetlands, August 29, 2014)
- Continued

Mr. Mark McLoughlin

- 3 -

August 28, 2014

Quality Certification (Certification) would be required for those portions of the proposed projects that may affect waters of the U.S.

The proposed projects also may affect waters of the state that are not waters of the U.S. (i.e., "non-federal waters"). Waters of the State, as defined by the Porter Cologne Water Quality Control Act are: *any surface water or groundwater, including saline waters, within the boundaries of the state*" (Water Code section 13050(e)). Impacts to non-federal waters of the state are protected under orders for Waste Discharge Requirements (WDRs).

The State Water Board and Regional Water Boards have responsibility for all waters of the State including waters of the United States as a subset. Any stormwater discharge or discharge of any pollutant, including dredge and fill material, shall be regulated under State and Regional Water Board permits.

The Palmdale to Burbank Section of the High Speed Rail System falls within the jurisdiction of two Regional Water Boards, the Lahontan and Los Angeles Water Boards. That portion of the Project area that is within the Antelope Valley watershed is under the jurisdiction of the Lahontan Water Board. Since the overall HST project spans more than one Regional Water Board, the State Water Board's Division of Water Quality is responsible for any Certifications or WDRs that may be issued for any sections of the HST, including Palmdale to Burbank and Burbank to Los Angeles.

The State Water Board has consulted with staff of the affected Regional Water Boards and have incorporated their comments into this letter. The State Water Board will consult with Regional Water Board staff on all conditions of any Certification or WDRs that may be issued. Any additional comments that may be submitted by the Regional Boards should be considered equally with the comments in this memorandum

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) LEAD AND RESPONSIBLE AGENCY CONSULTATION

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

In particular, Water Boards staff should be consulted in the formulation of all mitigation measures that may pertain to water quality. Consultation at the earliest stages of document preparation will help ensure that statutory and regulatory requirements for protection of water quality and beneficial uses are appropriately addressed in the impact descriptions and mitigation proposals.

CONSIDERATION OF REGIONAL WATER QUALITY CONTROL PLANS ("Basin Plans")

The *Water Quality Control Plan for the Lahontan Region* and the *Water Quality Control Plan for the Los Angeles Region* (Basin Plans) contains policies that the Water Boards use with other laws and regulations to protect the quality of waters of the State within those regions. The

Submission S009 (Clifford Harvey, State Water Resources Control Board,
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Mr. Mark McLoughlin

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Basin Plans set forth water quality standards for surface water and groundwater of the Regions, that include designated beneficial uses as well as narrative and numerical objectives that must be maintained or attained to protect those uses. The Basin Plans can be accessed via the Water Boards' web sites at

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml

and

http://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/

The DEIR/EIS to be prepared should, when discussing potential impacts to, or mitigations for impacts to, waters of the state and waters of the U.S., provide analysis of those impacts in the context of the existing Regional Water Quality Control Plans (commonly referred to as "Basin Plans") for the affected water quality control regions. Basin Plans for all of California's water quality control regions, including Lahontan and Los Angeles, are based on designation of beneficial uses and identification of pollutants of concern as they occur in mapped hydrologic units as found in the Basin Plans.

All project activities should be examined in the DEIR/EIS to determine what, if any, impacts those activities might have for all designated beneficial uses of waters.

Note that basin plan hydrologic units are often based on watersheds, but are *not* analogous to U.S. Geological Survey Hydrologic Unit Codes (HUCs).

State and Regional Water Boards staff is available to consult with HSRA to facilitate this important component of project impact analysis.

CHARACTERIZATION AND ASSESSMENT OF PROJECT IMPACTS

The State Water Board recommends that analysis of Project impact and mitigation effects to surface waters of the state be conducted using methods that in compliance with California Senate Bill 1070 (Kehoe, 2006) and that are consistent with guidance provided by the California Water Quality Monitoring Council.¹ In particular, we recommend application of the Monitoring Council's *Tenets of a State Wetland and Riparian Monitoring Program (WRAMP)*² to the assessment of project impacts to streams, wetlands, and other surface waters, and to development of mitigation proposals for those impacts. State Water Board staff is prepared to collaborate with HSRA staff and consultants in the implementation of this approach, which we believe will compliment, and facilitate, concurrent consideration of mitigation requirements through the Corps' Standard Operating Procedure for Determination of Mitigation Ratios.³

¹ See http://www.mywaterquality.ca.gov/monitoring_council/index.shtml

² See: http://www.mywaterquality.ca.gov/monitoring_council/wetland_workgroup/docs/2010/tenetsprogram.pdf

³ US Army Corps of Engineers, South Pacific Division. 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, October 21, 2013. See: <http://www.spd.usace.army.mil/Portals/13/docs/regulatory/qmsref/ratio/12501.pdf>

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PROVISION FOR ANALYSIS OF A FULL RANGE OF ALTERNATIVES

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

PROVISION OF FULL INFORMATION ON ALTERNATIVES

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

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Avoidance and minimization of project effects to waters of the State should be a fundamental environmental strategy for the proposed project. For all project alternatives, construction and maintenance activities should be proposed that will avoid disturbance to riparian and wetland areas, streams, drainage channels, or to any landforms that, if disturbed, might affect water quality or the beneficial uses of waters. Avoidance measures should include site configurations that minimize the number of stream crossings and require natural channel design for all relocated segments of streams. Construction BMPs should protect stream channels, wetlands and adjacent riparian areas.

Project design should also include scientifically based buffers between wetlands and streams and any impervious surface. When avoidance is infeasible, construction and maintenance measures should be specified that would minimize disturbance to the fullest extent possible.

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

COMMUNICATIONS

Successful environmental compliance on any large, complex project is possible only with clearly defined communication channels that identify roles and responsibilities of all project personnel, including regulatory staff. Every person assigned to the Projects should have a clear pathway for communication relating to any given environmental question or issue that may arise during construction and operation of the project.

To this end, project mitigation measures should require the establishment of clear communication channels for all project compliance reporting, including reporting of problems, violations, and project modifications. These measures should also require that the list of

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assigned persons within the communication plan be maintained and updated in a timely manner.

INSPECTION AND MONITORING FOR ENVIRONMENTAL COMPLIANCE

Provision for inspecting and monitoring the project for environmental compliance should be included in the DEIR/EIS. This monitoring effort would be active for the time required to achieve post-construction mitigation success. Qualified, independent inspectors who would have experience and expertise in all pertinent environmental disciplines and mitigation methods should conduct this inspection and monitoring effort. In particular, compliance monitors for water quality measures should have specific qualifications in those resource areas. Biological monitors alone are not sufficient to meet this need.

Mitigation measures presented in the DEIR/EIS should require that inspection teams:

- Be assigned, funded, and equipped to cover the entire project area for all hours and days of operation.
- Be led and/or staffed by qualified persons with experience and training in natural resources, geology, soils, hydrology, ecology, and related disciplines.
- Include persons qualified in storm water management, erosion prevention, and erosion control (as evidenced by work experience or certifications such as Qualified Stormwater Practitioner, or Qualified Stormwater Designer).
- Include persons with experience and skill that is pertinent to the terrain traversed by the proposed project. Inspectors with urban construction experience, for example, may not be skilled or qualified for inspection of activity in agricultural, backcountry forest or rangeland settings.

Mitigation Measures should clearly require that compliance monitors be readily accessible to regulatory agency staff, and should make regular and timely reports to all agencies.

AVOIDANCE OF SPECIAL AREAS

The proposed Projects should avoid impacts to wetlands and waters of the state, with special focus on areas where ecosystem integrity is relatively high: i.e., areas such as California State Parks, designated Wilderness, Wilderness Study Areas, Areas of Critical Environmental Concern, and similar sites. These areas typically contain waters of the State for which important habitat, recreation and other beneficial uses are designated.

STORMWATER DISCHARGES

Construction of the proposed HST sections would be subject to CGP (Order No. 2009-0009-DWQ as modified by Order No. 2010-0014-DWQ, NPDES No. CAS000002, adopted September 2, 2009, effective July 1, 2010) (State Water Board, 2009) for construction of the High Speed Train System. The relevant regulations related to stormwater quality are promulgated by the State Water Board and the Regional Water Quality Control Boards. Pursuant to California Water Code section 13160, the State Water Board is:

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Mr. Mark McLoughlin

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(a) authorized to give any certificate or statement required by any federal agency pursuant to any such federal act that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards, and

(b) authorized to exercise any powers delegated to the state by the Federal Water Pollution Control Act (33 United States Code sections 1251, et. seq.)

The State Water Board will therefore administer the Section 402 post-development NPDES discharge permit for all sections and facilities of the High Speed Train System.

The pollutants of concern in runoff from High Speed Train facilities will be substantially similar to those in runoff from other statewide transportation facilities, while pollutant concentrations may vary. Pollutants expected from High Speed Train elements include nutrients, metals, sediments, pesticides and herbicides, and oils and grease. Fugitive dust from the surrounding agricultural areas might contribute additional minor amounts of pollutants such as pesticides and herbicides. Maintenance facilities might contribute metals, oils, grease, solvents, and cleaning agents.

HYDROLOGY

Potential significant effects to aquatic resources should be evaluated using a watershed approach. The loss of functions and services of impacted water bodies, including wetlands, should be evaluated in light of the condition and abundance of aquatic resources in affected watersheds.

To protect existing hydrologic systems in the affected watersheds, every effort should be made to incorporate Low Impact Development" (LID) design techniques such as limiting impervious surfaces and controlling runoff through ground infiltration methods. For any proposed change to existing flow volume, channel location, channel size and shape, or rate of discharge, an evaluation should be made of the effects on current patterns, water circulation, normal water fluctuation, and salinity. Consideration should also be given to the potential diversion or obstruction of flow, alterations of bottom contours, or other significant changes in the hydrologic regime. Any potential surface and ground water effects should be evaluated in the DEIR/EIS.

BIOLOGICAL RESOURCES

Development associated with construction and operation of the proposed HST Project would contribute to the on-going loss or degradation of natural and agricultural lands. These lands currently provide habitat for a variety of federal and State listed special status species, as well as other valuable wildlife and plant resources.

Of particular concern are riparian and wetland habitats. The proposed projects could cause impacts to these habitats through land development, erosion and sedimentation, noise and other indirect effects, and discharges of pollutants that reduce water quality.

The water quality requirements of wildlife pertain to the water directly ingested, the many attributes of the aquatic and riparian habitat itself, and the effect of water quality on the production of food materials. The Project could substantially reduce or degrade these habitats and restrict the movement of several species. The DEIR/EIS should fully describe the potential project related impacts to animal and plant species habitat, including wetlands and riparian

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areas and commit to habitat preservation measures that protect water quality, species movement and habitat needs in the context of the impacted watersheds.

CUMULATIVE EFFECTS:

Existing and proposed new rail lines and other linear projects may occur in the project area. In addition, new rail services on existing lines may exist.⁴ A full discussion of the cumulative effects of the proposed project in the context of these existing and proposed new projects and services should be included in the DEIR/EIS. The HST Project should incorporate design modifications that reestablish or improve on current environmental conditions and ecological processes and functions to lessen cumulative effects.

CONCLUSION

Thank you for the opportunity to comment. Water Boards Staff look forward to working with the High Speed Rail Authority to ensure that impacts to water quality and beneficial uses of water are avoided and minimized to the greatest practicable extent. If you have any questions regarding this letter, please contact me at (916) 558-1709 (cliff.harvey@waterboards.ca.gov) or Bill Orme, 401 Program Manager, at (916) 341-5464(bill.orme@waterboards.ca.gov).

cc: See next page.

⁴ See Draft California Rail Plan, prepared by California Department of Transportation (Caltrans), Division of Rail, February, 2013.

Submission S009 (Clifford Harvey, State Water Resources Control Board,
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Mr. Mark McLoughlin

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cc: State Clearinghouse (SCH 2014071074)
(state.clearinghouse@opr.ca.gov)

Paul Amato, Wetlands Regulatory Office (WTR-8), USEPA,
Region 9
(Amato.Paul@epamail.epa.gov)

Daniel Swenson, US Army Corps of Engineers
(Daniel.P.Swenson@usace.army.mil)

Jan Zimmerman, Lahontan Regional Water Quality Control Board
(jan.zimmerman@waterboards.ca.gov)

LB Nye, Los Angeles Regional Water Board
(LB.Nye@waterboards.ca.gov)

Ed Pert, Regional Manager, California Department of Fish and
Wildlife, South Coast Region, 3883 Ruffin Road,
San Diego, CA 92123

Kimberly Nicol, Regional Manager, California Department of Fish
and Wildlife, Inland Deserts Region
3602 Inland Empire Blvd., Su. C,
Ontario, CA 91764

Appendix F.3

Local Agency Letters

Agency	Submission Number	Page Number
Acton-Agua Dulce Unified School District	L001	F.3-1
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City of Burbank City Council	L004	F.3-13
City of Los Angeles, Department of City Planning	L005	F.3-21
City of Los Angeles, Department of Transportation	L006	F.3-63
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County of Los Angeles, Department of Parks and Recreation - Planning and Development Agency	L010	F.3-76
County of Los Angeles, Department of Public Works - Land Development Division, Subdivision Mapping	L011	F.3-80
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Los Angeles County Metropolitan Transportation Authority	L016	F.3-98
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Sulphur Springs Union School District	L018	F.3-102

Submission L001 (Brent Woodard, Acton-Agua Dulce Unified School District,
September 12, 2014)



September 11, 2014

To: Mark A. McLoughlin,
Director of Environmental Services
Attn: Palmdale to Burbank
California High-Speed Rail Authority
Southern Californian Regional Office
700 North Alameda, Room 3-532
Los Angeles, CA 90012

Supervisor Michael D. Antonovich
500 West Temple Street, Room 869
Los Angeles, CA 90012
fifthdistrict@lacbos.org

Re: High-Speed Rail Community and Safety Risk Impacts

Vasquez High School
33630 Red Rover Mine Road, Acton, CA 93510
APN 3208-042-900

High Desert School
3620 Antelope Woods Road
Acton, CA 93510

Dear Mr. Mark A. McLoughlin and Supervisor Antonovich,

The Superintendent and Board of Trustees of the Acton-Agua Dulce Unified School District are alarmed and gravely concerned about the proposed construction by the California High-Speed Rail Authority of a high-speed rail project within the District and area boundaries. The proposed track alignment encumbering the Vasquez High School and High Desert School properties will surely impact the health and safety of students, staff and the related school community.

The District is currently under construction on a thirty-one million dollar high school that will replace the existing temporary Vasquez High School campus. Continued evaluation of this campus by District and state representatives has resulted in a recommendation that a Rail Safety Study Risk Assessment be conducted to evaluate the proposed development by the California High-Speed Rail Authority of an elevated high-speed rail line on or adjacent to the school sites. Since the proposed high-speed rail line(s)

32248 Crown Valley Road, Acton, CA 93510 | 661-269-0750 | FAX 661-269-0849 | www.aadusd.k12.ca.us

Submission L001 (Brent Woodard, Acton-Agua Dulce Unified School District, September 12, 2014) - Continued

are within 1,500 feet of the school sites, a Rail Safety Study Risk Assessment (“RSS”) prepared for the District covering the above referenced project sites shall be conducted by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track, the need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, derailment risk, EMF exposure, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, and preparation of an evacuation plan. In addition to the analysis, possible mitigation measures addressing air quality, noise including but not limited to sound pressure level and ground vibration must be identified. Mitigation measures could include noise barriers, sound walls, screening material shielding and vibration-dampening design features. Investigations of this type are necessary in order to provide recommendations pertinent to suitable site development which are a required element to insure the ultimate structural integrity and student safety of the school project consistent with California Department of Education and Education Code 17213 et.seq., Public Resource Code 21151.8 and California Code of Regulations (CCR), Title 5, Section 14010(d).

The District expects that California High-Speed Rail Authority will be financially responsible for all costs associated with preparing the RSS. Furthermore, the District expects that California High-Speed Rail Authority will pay for all recommended mitigations necessary to protect the health and safety of students, staff and the related school community.

In addition to the aforementioned concerns relating specifically to the impact of our current and proposed schools, the Board of Trustees holds additional concerns for the greater community. It is for the reasons listed below that all potential impacts must be thoroughly evaluated and appropriately mitigated.

- The law, sound public policy, and sound governance dictate that with a project of this far reaching scope and nature, that care, study, consideration, and due diligence must be used in the planning and engineering of a high speed rail system such as the one being proposed. It is our belief that not nearly enough study and consideration have gone into what impact that such a rail system is going to have on the Acton community.
- The School Board must be mindful of issues that extend beyond the mere statutory and regulatory issues associated with the schools themselves, and must look at the how the rail project could potentially affect the way parents and children perceive our schools.
- In all likelihood, parental and student perception about the safety and the physical educational environment will be impacted in regard to Vasquez High School and High Desert Middle School. The probable and even imminent outcomes will be the loss of enrollment at these schools and corresponding reduction in state funds to the District; thus resulting in a compromising of the District’s ability to provide the funding necessary to support quality education across the broad spectrum of the District.
- The mere length, height and overall scope of the rail system, to include the sound generation and air displacement by it will undoubtedly change the community’s Master Plan. The future development in Acton will be changed permanently and will severely alter the ability of the School District to study and determine what the future student population will be. It will render the School District’s own Master Plan as null and void.
- Already, the District has received information that one residential developer is altering a plan to develop residential homes along the Antelope Freeway corridor due to the proposed paths of the

Submission L001 (Brent Woodard, Acton-Agua Dulce Unified School District,
September 12, 2014) - Continued



rail line. With a rail line slated to rise thirty five to forty five feet into the air in some places, no residential developer will follow through with the construction of new homes along this elevated train corridor. A loss of new housing development, as stated prior, will severely alter the School District's own Master Plan.

It is important to note that in addition to the California Education Code and the California Code of Regulation statutes cited above, the Board of Trustees is in full agreement and support of the Acton Town Council's concerns as enumerated in their own letter of objections as it relates to the California Environmental Quality Act (CEQA) and the violation of the Acton Community Standards District. Additional proposals have been provided to the Los Angeles to Palmdale route that we believe will mitigate the impact on our community and we urge the Rail Authority to exercise proper diligence in viewing these alternatives.

We appreciate the opportunity to express our concerns and would like to continue our dialogue with both the High Speed Rail Authority and County Supervisor Michael Antonovich. It is extremely important these issues are addressed in a timely manner and strongly considered prior to implementation or HSR board approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Woodard".

Brent Woodard Ph.D.
AADUSD Superintendent

A handwritten signature in black ink, appearing to read "Mark W. Distaso".

Mark Distaso
AADUSD Board President

Submission L002 (Don Henry, Agua Dulce Town Council, September 12, 2014)

AGUA DULCE TOWN COUNCIL

33201 Agua Dulce Canyon Road * Box Number 8 * Agua Dulce, CA 91390
Website: www.adtowncouncil.com

September 12, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Palmdale to Burbank Section Project Level EIR/EIS
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Via Email to: palmdale_burbank@hsr.ca.gov

**RE: Palmdale to Burbank CA High-Speed Rail Scoping
Comments**

Dear Mr. McLoughlin:

The Agua Dulce Town Council appreciates the opportunity to comment on the Palmdale to Burbank Section of California High Speed Rail Project Scoping. We also appreciate the California High-Speed Rail Authority extending the comment period.

The Agua Dulce Town Council is a local entity representing approximately 5,000 residents in the unincorporated community of Agua Dulce in northern Los Angeles County. Our community is semi-rural and is composed of small family-owned ranches and homesteads.

The Council has reviewed the Notice of Preparation, and while we do not consider ourselves to be experts in the complexities of the project, we do have a number of comments relating to the routing of the Proposed HSR Alignments, the alternative corridor, and a potential tunneled alternative alignment. The proposed project directly impacts our community of Agua Dulce.

- **Proposed HSR Alignments:** Both of the proposed HSR alignments that parallel the 14 Freeway will adversely impact the most residents, cause the greatest and most extensive negative human environmental impacts, and result in loss of property rights and potentially the condemnation of property and homes with the threat of eminent domain. The impacts that these proposed alignments would have on the community of Agua Dulce are large, and in our estimation, unmitigable. We ask that the proposed HSR alignments be eliminated from further review and be replaced with reasonable alternatives that will affect far fewer improved properties.
- **Alternative Corridor-New Study Area:** This alternative area is a far better choice than the original proposed alignments. However, because this is a new study area, the exact routing is vague, unclear, and poorly defined. It is impossible to be supportive of this alignment without a more detailed, narrowed route.

- Don Henry, President
(661) 268-1731
BH33605@aol.com
- Mary Johnson, Secretary
(661) 268-8804
marvjohnson767@gmail.com
- Troy Fosberg, Treasurer
(818) 854-0031
damaqes22@gmail.com
- Steve Cummings, Clerk
(661)433-3234
hasaranch1@yahoo.com
- Scott Keller, Member
(661)317-5355
scottwilliamkeller@aol.com
- Ed Porter, Member
(661) 992-3692
porteredward@msn.com
- Lou Vince, Member
(310) 597-7154
Lou@LouVince.com

Page 1 of 2

Submission L002 (Don Henry, Agua Dulce Town Concil, September 12, 2014) -
Continued

- **Potential Tunneled Alternative:** We propose a Tunneled Alternative within the Angeles National Forest that is outside of both the Acton and Agua Dulce Community Standards District Boundaries that is to the far eastern and southern edges of the Alternative Corridor-New Study Area. Additionally, the route should avoid any improved properties to the greatest extent possible.

We encourage the California High-Speed Rail Authority to explore the Potential Tunneled Alternative as a reasonable alternative for the Palmdale to Burbank Section.

We ask that our comments and those of our constituents be given serious consideration. We appreciate the opportunity to present our concerns and hope those concerns are kept in mind during the preparation of the Environmental Impact Report. If any of our comments need clarification or further explanation, please do not hesitate to contact us.

Sincerely,

Don Henry

Don Henry, President
Agua Dulce Town Council – 2014

Cc: Ms. Rosalind Wayman, 5th District Deputy rwayman@jacbos.org

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority,
August 26, 2014)



August 25, 2014

Mark A. McLoughlin
Director of Environmental Services
Attn: Palmdale to Burbank Project Section
California High-Speed Rail Authority
700 North Alameda, Room 3-532
Los Angeles, CA 91102

Re: Palmdale to Burbank Project Section

Dear Mr. McLoughlin:

The Burbank-Glendale-Pasadena Airport Authority ("Airport Authority"), owner and operator of the Bob Hope Airport ("Airport"), is appreciative of the opportunity to provide comments regarding the scope of the Environmental Impact Report / Environmental Impact Statement ("EIR / EIS") for the Palmdale to Burbank Project Section of the California High-Speed Rail ("HSR") Project.

The Airport Authority has organized its scoping comments based primarily on the Notice of Preparation ("NOP") and the Initial Study and Checklist dated July 25, 2014 with supplemental comments based on the Notice of Intent ("NOI") published in the Federal Register on July 24, 2014.

Comments Based on the NOP

Section 2.0: Project Description

The EIR / EIS should provide a description of the alternative alignments of the HSR in the vicinity of the Airport. This description should include the segments of the alignments that are underground, on the surface, and elevated. The Airport Authority is concerned about the alignments in the vicinity of the Airport complying with all Federal Aviation Administration ("FAA") safety and design criteria with respect to runway safety areas, runway obstacle free zones, runway object free areas, runway protection zones, and Federal Aviation Regulation Part 77 ("Part 77"). These alignments should identify what easements or land acquisitions are required.

The EIR / EIS should include additional information regarding the location and size of parking envisioned for the Burbank Airport Station. Of particular interest to the Airport Authority is a better understanding of the relationship between the Burbank Airport Station and the potential replacement 14-gate airport terminal that the Airport Authority is considering southwest of the intersection of Hollywood Way and San Fernando Road. The Airport Authority has been working with the City of Burbank on planning for this potential replacement airport terminal as well as mixed-use development between this facility and Hollywood Way.

2627 Hollywood Way • Burbank, California 91505 • (818) 840-8840 • Fax: (818) 848-1173

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority, August 26, 2014) - Continued

Mr. Mark McLoughlin
August 25, 2014
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The EIR / EIS should include a discussion of the placement of the proposed Burbank Airport Station in terms of whether it would be underground, on the surface, or elevated. An explanation of how the Burbank Airport Station would be accessed should be included. This access should include pedestrians, bicyclists, and motorists.

The EIR / EIS should include a discussion of the size of the Burbank Airport Station and a discussion of any change in the size of the station if it is underground, on the surface, or elevated. If the Burbank Airport Station is proposed to be underground, the EIR / EIS should include a description of where the excavated soils would be placed and whether any projects in the vicinity of the HSR would be able to accommodate the excavated soils.

The EIR / EIS should identify the length of the Burbank Airport Station platform. If the Burbank Airport Station is proposed to be underground, does this change the necessary length of the platform?

If the Burbank Airport Station is proposed to be underground, the EIR / EIS should identify the emergency egress that would be needed from an underground station and identify the locations where emergency egress would occur.

The EIR / EIS should identify the preferred location of the Burbank Airport Station (east or west of San Fernando Road) and describe any proposed connections between the Burbank Airport Station and the existing and proposed replacement airport terminal. The connections should discuss any proposed pedestrian, shuttle bus, or any other conveyance systems to facilitate access between the Burbank Airport Station and the existing and proposed replacement airport terminal. Will the California High Speed Rail Authority's document titled "HSR Station Area Development: General Principles and Guidelines" be used in assessing potential impacts of alternative station locations along with assessing potential impacts?

The EIR / EIS should identify the locations of any proposed maintenance facilities for HSR in the vicinity of the Burbank Airport Station. The size and configuration of these facilities should be identified.

The EIR / EIS should identify any needed facilities associated with the power source and system requirements for operating HSR. The EIR should indicate whether any of these facilities need to be located in the vicinity of the Burbank Airport Station.

The EIR / EIS should describe the need for and methods to acquire property in vicinity of Burbank Airport Station. The location of any acquisition and the size of the property should be identified. In addition, an analysis of any relocation of businesses and/or residences should be identified.

The EIR / EIS should identify all assumptions being used with respect to the number of passengers on the HSR that would use the Burbank Airport Station for access to and from the Airport. A description of how these passenger numbers may change as a result of connectivity between the Burbank Airport Station and the airport terminal should be provided.

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority,
August 26, 2014) - Continued

Mr. Mark McLoughlin
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The EIR / EIS should identify the assumptions being made regarding infrastructure investments in the Antelope Valley Line Corridor (e.g., Brighton to Broxton double track, Raymer to Bernson second track, Van Nuys second platform, and Hollywood Way Metrolink Station).

The EIR / EIS should identify the assumptions being made regarding the physical relationship of the proposed HSR alignment to the physical improvements occurring along the Interstate 5 corridor in the vicinity of the Burbank Airport Station.

Section 3.0, I, Aesthetics

The EIR / EIS should discuss whether the operation of the HSR would have any light or glare impacts and whether any such impacts would affect the operation of aircraft at the Airport.

Section 3.0, III, Air Quality

The EIR / EIS should provide a detailed analysis of construction-related air pollutant emissions. These emissions should be detailed in terms of the source of the emissions, the duration of the emissions, and an identification of any measures to be used to reduce the emissions.

The EIR / EIS should disclose the change in air pollutant emissions that would occur with the operation of the HSR project and explain how the project conforms with air quality plans for the South Coast Air Quality Management District.

The EIR / EIS should analyze the project's conformity with Clean Air Act.

The EIR / EIS should identify the construction methods to be used for building the Burbank Airport Station, especially if there is an underground component to this station. To assist in the cumulative air quality impact analysis for the EIR being prepared for the proposed replacement airport terminal, the Airport Authority will need to obtain the construction-related air quality analysis prepared for the HSR project. It is assumed that this analysis will identify the duration of various construction phases and the types of equipment to be used during each construction phase. Of critical importance to the Airport Authority will be any "overlap" in construction activities that could occur. These "overlapping" periods may not be with the proposed new terminal but may be with other development being proposed on property in the vicinity of the Airport.

Section 3.0, VII, Greenhouse Gas Emissions

The EIR / EIS should provide a detailed analysis of the change in greenhouse gas emissions that would occur as a result of project implementation.

Section 3.0, VIII, Hazards and Hazardous Materials

The EIR / EIS should include a health risk assessment associated with the construction of the HSR.

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority,
August 26, 2014) - Continued

Mr. Mark McLoughlin
August 25, 2014
Page 4

Section 3.0, IX, Hydrology and Water Quality

The EIR / EIS should identify the change in impervious surfaces that would occur with the development of the Burbank Airport Station. In addition, the EIR should identify any drainage improvements that would be required in the vicinity of Burbank Airport Station.

If there is an increase in runoff associated with the development of the Burbank Airport Station, the EIR / EIS should identify this increase and whether the existing storm drainage system in the vicinity of the Burbank Airport Station would accommodate this increase. The EIR / EIS should identify and improvements to the storm drainage system that would be needed as a result of the development of the Burbank Airport Station.

If drainage system improvements will include infiltration of storm water into the construction site, the EIR/EIS should evaluate the impact of such infiltration on the migration of any in-situ soil contamination into the on-going remediation of ground water in the Burbank Operable Unit Superfund site.

Section 3.0, X, Land Use and Planning

The EIR / EIS should discuss how the proposed HSR line and the Burbank Airport Station will conform with the FAA-approved Airport Layout Plan ("ALP") of the Airport. Of particular concern to the Airport Authority is whether the proposed HSR or the Burbank Airport Station would violate any standards promulgated by the FAA for the safe operation of the Airport. These design standards include runway safety areas, runway protection zones, object free areas, obstacle free zones, Part 77 surfaces, etc.

The EIR / EIS should include all assumptions associated with the development of the 540 acres of land east and south of the Airport that is currently being studied by the City of Burbank and analyze the compatibility of the proposed land uses with the development of the Burbank Airport Station.

Section 3.0, XII, Noise

The EIR / EIS should identify all construction equipment that would be used to construct the HSR and the Burbank Airport Station and the duration for which this equipment would be used. In addition, the EIR / EIS should discuss the impacts associated with construction-related noise in the vicinity of the HSR line and the Burbank Airport Station.

The EIR / EIS should discuss the noise associated with the operation of the HSR line, especially for residential uses located near the HSR line that are also subject to noise from Airport operations. That analysis should be additive of Airport and HSR induced noise, to ensure that the noise impacts do not create incompatible residential uses. The EIR/ EIS should identify any proposed noise mitigation measures, including whether any noise barriers would be needed to mitigate impacts associated with the HSR. Of particular concern to the Airport Authority is the placement of any needed noise barriers in the vicinity of the Airport and whether the noise barriers would meet all FAA design standards for the safe operation of the Airport.

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority, August 26, 2014) - Continued

Mr. Mark McLoughlin
August 25, 2014
Page 5

Section 3.0, XIV, Public Services

The EIR / EIS should include an analysis of the impacts to local service providers and identify any cooperation agreements that would be required to provide public services to the Burbank Airport Station.

Section 3.0, XVI, Transportation / Traffic

The EIR / EIS should provide a detailed analysis of impacts associated with construction traffic. This analysis should identify the duration of various construction phases and the number of construction-related trips anticipated. An analysis of roadways in the vicinity of the Airport during construction periods should be included in the EIR / EIS. To assist in the cumulative surface traffic impact analysis for the EIR being prepared for the proposed replacement airport terminal, the Airport Authority will need to obtain the construction-related traffic analysis prepared for the HSR project.

In a similar manner, the EIR / EIS should provide a detailed analysis of impacts associated with surface traffic upon the completion of the HSR project and the operation of the Burbank Airport Station. The assumptions used in the surface traffic analysis for roadways in the vicinity of the Burbank Airport Station should be consistent with assumptions and the traffic model being used for the EIR being prepared for the proposed new terminal at the Airport.

The EIR / EIS should identify all transportation improvements that will be constructed as part of the HSR project. Examples of transportation improvements include roadway improvements, transit connections, rail improvements for Metrolink, bicycle facilities, and pedestrian facilities.

The EIR/ EIS should identify if the information contained in the Bob Hope Airport Ground Access Transportation and Land Use Study will be used in preparation of the EIR / EIS.

Section 3.0, XVII, Utilities and Service Systems

The EIR should include an analysis of demands on existing utilities in vicinity of Burbank Airport Station, identify the providers of these utilities, and describe any modifications or upgrades to utilities that would be required. In addition, any facilities that would be required to accommodate an increase in utility or service systems demands should be identified.

Section 3.0, XVIII, Mandatory Findings of Significance

The EIR/ EIS should include an analysis of cumulative impacts in the vicinity of the Burbank Airport Station. This analysis should include the development of a new terminal building and associated components at the Airport, the mixed-use development of the property adjacent to the new terminal building, and all other projects identified by the Cities of Los Angeles and Burbank in the vicinity of the Burbank Airport Station. Airport Authority staff is available to assist in identifying projects at the Airport that may be implemented in the future.

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority,
August 26, 2014) - Continued

Mr. Mark McLoughlin
August 25, 2014
Page 6

The EIR/ EIS should include an analysis of growth that could be induced (or reduced) as a result of the proposed project. This growth inducement (or reduction) could include an increase (or decrease) in enplanements at the Airport and an increase in development around the Burbank Airport Station.

Comments Based on the NOI

Electromagnetic Interference / Fields (EMI / EMF)

The EIR / EIS should identify any EMI / EMF impacts that could affect navigation equipment used at the Airport.

Safety and Security

The EIR / EIS should provide an analysis of safety and security measures to be used for passengers on HSR. Will security measures similar to those used at the Airport for screening airline passengers be used to screen rail passengers?

Thank you for the opportunity to provide these scoping comments. The Airport Authority looks forward to reviewing the Draft EIR / EIS.

Sincerely,


Dan Feger
Executive Director

cc: Commissioners, BGPAA

Submission L003 (Dan Feger, Burbank-Glendale-Pasadena Airport Authority,
August 26, 2014)

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Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014)

CITY OF BURBANK
OFFICE OF THE CITY COUNCIL

August 27, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

**RE: City of Burbank Comments on Notice of Preparation of a Project
Environmental Impact Report / Environmental Impact Statement for the
California High Speed Rail System – Palmdale to Burbank and Burbank to
Los Angeles Sections**

Dear Mr. McLoughlin,

We want to thank you for allowing the City to comment on the Notice of Preparation (NOP) for a Project Level EIR/EIS for the Palmdale to Burbank and Burbank to Los Angeles segment of the California High Speed Train System. As the City of Burbank is located along the proposed corridor and would have a station located within the city, we are very eager to work with the Authority as it further refines the project through the Project Level EIR/EIS phase. As communicated to the Authority during the Program EIR/EIS phase in 2004, the first NOP period in 2007, and to the Authority Board via a letter in 2010, the City has several concerns relating to the proposed project that should be studied in the EIR/EIS. As part of this updated NOP, the Authority intends to split the environmental analysis of the corridor in Burbank into two separate EIR/EIS's. As Burbank is affected by both project segments, the comments in this letter are intended to apply to both project segments, unless the comment refers to a particular characteristic of the project (such as station location) that applies only to one of the project segments.

Below are the issues that the City believes should be included in the EIR/EIS for both High Speed Rail project segments in Burbank:

Station Location

The Authority has prepared several Alternatives Analysis Reports studying the alignment of the project between Palmdale and Burbank, completing the most recent Supplemental Alternative Analysis report in May 2014. This most recent report has

Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014) - Continued

identified the Burbank - Bob Hope Airport Station location as the preferred station location for the San Fernando Valley, and has identified a general location for the station to be along San Fernando Boulevard at approximately Ontario Street (former Burbank / Buena Vista Station Alternative). The City believes that the Draft EIR should include a more detailed study of the actual station location to determine project-level impacts to land use, transportation and traffic, aesthetics, and to identify specific right-of-way needs from adjoining land uses. In particular, station locations should be analyzed that maximize transit connectivity to other transit modes, provide for complementary non-motorized connections to nearby land uses, and support convenient access to the adjacent Burbank - Bob Hope Airport while minimizing traffic impacts of the station. The EIR/EIS should investigate alternative station locations within the Airport area that minimize impacts and maximize connectivity, as well as alternative configurations of the station (e.g. below-grade) that minimize right-of-way requirements.

Project Alignment and Cross Section

From past communication with Authority staff, the City understands that the cross section requirements for High Speed Rail at station locations, as proposed, includes provision for six tracks within the corridor – two tracks for high speed rail through service, two tracks for high speed rail local service, and two tracks for Metrolink/freight service. The City is concerned about the right of way impacts of such a wide cross section at the proposed station (and potentially extending for up to 6000 feet around the station platform), particularly the effects on adjacent businesses and roadways within the station area. The EIR/EIS should document the right-of-way requirements for high speed rail near the proposed station, and analyze cross section alternatives that minimize the additional right of way needed to accommodate this six-track cross section.

The most recent Supplemental Alternatives Analysis report identifies the preferred project alignment and cross section in Burbank, consisting (from north to south) of a below-grade trench alignment transitioning to an elevated viaduct alignment in Burbank from approximately Buena Vista Street to Olive Avenue. This general cross section potentially conflicts with existing and future rail crossings at Buena Vista Street, Empire Avenue, Burbank Boulevard, and Magnolia Boulevard. The EIR/EIS should analyze how the proposed cross section will impact existing transportation facilities. In addition, the City is concerned that this elevated viaduct will have significant land use, noise, and aesthetic impacts on the surrounding community, especially if this viaduct is constructed to minimize impacts on existing rail crossings. The EIR/EIS should include an analysis of alternative alignment cross sections that minimize impacts to surrounding land uses, including consideration of extending the trench alignment from Sun Valley into Burbank. A trench or cut-and-cover alignment, utilizing the San Fernando Boulevard right-of-way, could be one solution for minimizing property acquisition for right of way and maintaining the local street system near the corridor.

Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014) - Continued

Palmdale to Burbank Alternative Corridor

The Authority's NOP indicates that the EIR/EIS will analyze an alternative corridor that would carry the high speed rail alignment more directly between Palmdale and Burbank via the Angeles National Forest, rather than utilize the existing Metrolink railroad right of way. The City requests that the EIR/EIS analyze how this alternative corridor might affect existing land uses and increase right-of-way requirements for the project, especially with regard to how this alternative corridor would transition back into the existing railroad right of way near Burbank - Bob Hope Airport.

Burbank Airport Station as an Interim Terminus

The 2014 Business Plan and the most recent Supplemental Alternatives Analysis report indicates that the Authority will be pursuing a phased implementation of the project that proposes the Burbank station to become the southern terminus of the system between the projected opening of the Initial Operating Section in 2022 and completion of the system to Union Station in 2029. The City requests that the EIR/EIS study the environmental effects of this interim condition on Burbank, particularly with regard to transportation and traffic impacts as well as the possible need to construct interim station and terminal facilities that would later not be needed once the system was completed to Union Station. Consideration should be given to how existing local and regional transit will need to be improved to support this interim terminus. This analysis should also account for the possibility of increased vehicle trips at this interim terminus attributable to regular commuters who may use a private vehicle for last-mile connections between high speed rail and nearby employment centers.

An analysis should also be included that identifies the feasibility of temporarily conveying high speed trains from Burbank to Union Station within the existing Metrolink corridor in lieu of creating an interim terminus condition. Given the funding uncertainties of completing the system within the deadlines proposed by the Authority, and the extreme challenges of building high speed rail into Union Station, the City is concerned that this "interim" condition – with the potential for higher environmental impacts – may exist for longer than the seven years estimated in the Authority's business plan.

Relation to Burbank - Bob Hope Airport

The EIR/EIS should identify the effects that high speed rail service will have on air passenger activity at the adjacent Burbank – Bob Hope Airport. The high speed rail system may operate as a 24-hour service, while commercial airlines at the airport currently operate under a voluntary curfew between 10 pm and 7 am, and could achieve a permanent curfew in the future. The EIR/EIS should study if these disparate operating hours could affect airline passenger travel at the airport, or if a 24-hour high speed rail service could increase pressure for airlines to disregard the voluntary curfew to remain competitive with high speed rail.

Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014) - Continued

In addition, the EIR/EIS should analyze the effect that high speed rail could have on either reducing or shifting air passenger activity at the airport, which could lead to negative economic impacts on the City and region in terms of reduced parking tax, transit occupancy tax, or other economic factors.

The EIR/EIS should evaluate alternatives that minimize travel time and distance for rail-to-air passengers travelling between the proposed high speed rail station and the Burbank – Bob Hope Airport terminal. This analysis should analyze this relationship to both a relocated terminal on the former Lockheed B-6 site as well as the current terminal on the southeast quadrant of the airport.

Transportation and Traffic

Traffic caused by passengers arriving to and departing from the proposed station has the potential to create significant traffic impacts on Burbank streets, particularly within the station area as well as streets like Hollywood Way and Buena Vista Street that connect the station to the regional freeway system. The City requests that the EIR/EIS include a comprehensive traffic study that quantifies the effects the proposed station would have on adjoining street intersections. The City requests that the Authority consult with City staff to ensure that local transportation impact thresholds and criteria are used to evaluate traffic impacts, and that mitigations for any impacts be developed consistent with the Burbank2035 General Plan. The City's traffic impact study guidelines, including the City's CEQA transportation impact thresholds, can be provided to the Authority upon request.

As part of the traffic analysis, the projected share of trips arriving to the station via alternative transportation modes should be realistically estimated, particularly given the low service levels of local bus service and the directional, commuter-oriented Metrolink service in the area that may not be conducive to transporting high speed rail riders. Project traffic mitigation strategies should include improved connections to interchanges to Interstate 5 at Buena Vista Street and Hollywood Way, local street intersection improvements, and transit system improvements including provision for expanded bus service, increased Metrolink frequency, and/or extensions of regional transit lines (such as the Orange Line) to serve the high speed rail station. In addition, the EIR/EIS should include a study of projected parking needs as a result of the high speed train, and how parking supply and price could impact trip generation. Finally, the EIR/EIS should evaluate how the proposed station supports pedestrian and bicycle connections to adjoining land use and transit facilities to maximize integration of the station with the surrounding commercial, office, and industrial uses.

The City requests the Authority utilize the Burbank Travel Demand Model to distribute and assign project vehicle trips on the City transportation network. The Burbank Travel Demand Model is a focused, land use model based on the Southern California Association of Governments travel demand model, but includes more transportation network and land use detail for the City of Burbank. Land use assumptions for the traffic analysis should be consistent with the Burbank2035 General Plan and also

Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014) - Continued

include reasonable development assumptions for the land uses surrounding the station that will likely intensify as a result of high speed rail.

Land Use

The proposed station location would be located within the Golden State / Airport area of Burbank, a traditionally industrial area that has also attracted office, studio, and technology businesses in the last 15 years. The City of Burbank, along with the Burbank-Glendale-Pasadena Airport Authority, are finalizing the LinkBurbank study, which identifies transportation projects and land use changes that can strengthen the relationship between the Airport, transit, and the commercial and industrial uses in the area to reduce travel by car while providing an opportunity for economic development. While this study did not explicitly analyze high speed rail, many of the recommendations in the study could apply to development near high speed rail. In addition, in 2013 the City adopted the Burbank2035 General Plan, which prescribes goals, policies, and land use density limitations for development in the Golden State / Airport area. The EIR/EIS should analyze how the presence of a high speed rail station could either support or conflict with the City's Burbank2035 General Plan and the findings of the LinkBurbank study. The EIR/EIS should also analyze how the high speed rail alignment could exacerbate the way in which the existing rail corridor divides built-out communities on either side of the proposed alignment. This area of Burbank is already divided by several rail lines and Interstate 5. Introducing a high speed rail corridor could further divide existing commercial and industrial neighborhoods as well as isolate the existing single- and multi-family neighborhood located within the Golden State / Airport area.

Parking for the proposed station could require extensive property acquisition and/or greatly affect the existing or planned land uses in the Golden State / Airport area, and the EIR/EIS should identify potential land use impacts caused by the parking requirements needed to serve expected rail passengers. The EIR/EIS should investigate methods to consolidate or combine high speed rail parking with existing airport parking to minimize the land footprint needed while still providing necessary parking supply.

The Project EIR/EIS should analyze how the proposed alignment through Downtown Burbank will affect the City's investment in its Downtown Metrolink Station, which will remain an important part of the Metrolink system even after high speed rail is built. In particular, the Burbank2035 General Plan and the Burbank Center Plan both identify Downtown Burbank as an opportunity to focus new transit-oriented commercial development that can take the advantage of the local and regional bus and commuter rail that serves the Downtown. The EIR/EIS should analyze how the high speed rail alignment will affect the Downtown Burbank Station and the pedestrian and transit connections necessary to connect to Downtown Burbank. Mitigations to maintain transportation and land use linkages between Downtown Burbank and the areas west of Interstate 5 should be identified if the project is expected to further divide the community in this area.

Submission L004 (David Kriske, City of Burbank City Council, August 27, 2014) - Continued

The City owns a large land parcel immediately west of the Metrolink Station currently occupied by an abandoned cold-storage plant, and intends to work with the private development community to identify appropriate re-uses of this parcel. The EIR/EIS should identify how high speed rail may affect the ability for the City to redevelop this transit-adjacent parcel.

Noise and Vibration

The Program EIR/EIS identified areas in the City of Burbank that could experience "high" or "medium" noise and vibration impacts. The City requests that the project EIR/EIS include a more detailed analysis of the location of these impacts and their relation to sensitive land uses such as residential neighborhoods, schools, parks, and sensitive commercial businesses (such as sound recording studios, etc.). Any areas of "high" or "medium" impact should include mitigation measures to reduce exposure to these sensitive land uses. Special consideration should be given to land uses adjacent to any proposed elevated sections. The City is greatly concerned that any elevated structures that extend above existing rail and roadway infrastructure would create significant and unavoidable noise impact, as well as create unacceptable aesthetic impacts (see below). The Authority should consider changes to the project cross-section to ameliorate noise and vibration impacts, such as reducing or eliminating viaduct structures and/or placing the tracks below-grade. Consideration of reduced train speeds should also be considered as mitigation for noise impacts.

Aesthetics

While the proposed project would be located within an existing rail and freeway transportation corridor, the EIR/EIS should include an analysis of the aesthetic impacts of any large, elevated structures on the existing visual character or quality of the project area, particularly where elevated structures are proposed to pass in close proximity to residential or commercial neighborhoods and where these proposed structures may rise above the current elevation of existing facilities. Any aesthetic impacts of the proposed station on adjoining land uses should also be studied in the EIR/EIS.

Construction Impacts

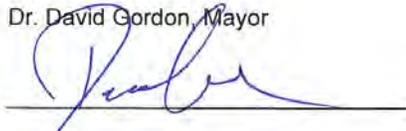
In addition to the impacts caused by the completion and operation of the proposed project, the EIR/EIS should also conduct careful analysis of construction impacts caused by building this large, expansive infrastructure project. Particular attention should be given to temporary noise, air quality, and traffic impacts caused by construction. Mitigation measures, if required, should include requirements for detailed construction detour plans, traffic mitigation during construction, means and methods of construction that minimize dust, noise, and vibration, and other factors. Care should also be taken in analyzing construction activities on nearby sensitive uses such as residences, schools, and sound-sensitive commercial uses.

Submission L004 (David Kriske, City of Burbank City Council, August 27,
2014) - Continued

Thank you again for providing an opportunity to comment on the NOP for both high speed rail project segments located in the City of Burbank. If you have any questions regarding the contents of this letter, please feel free to contact David Kriske, Deputy City Planner with the Community Development Department, at 818.238.5269 or via email at dkriske@burbankca.gov.

Sincerely,

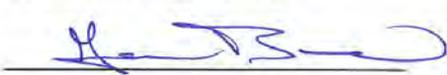
Dr. David Gordon, Mayor



Bob Frutos, Vice Mayor



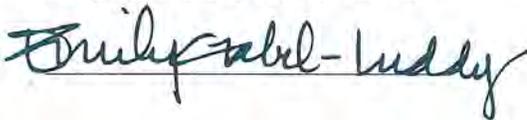
Gary Bric, Council Member



Jess Talamantes, Council Member



Emily Gabel-Luddy, Council Member



Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014)

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August 28, 2014

Mr. Mark A. McLoughlin,
Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin,

The City of Los Angeles appreciates the opportunity to comment on the Notice of Preparation of a Project EIR/EIS for the California High-Speed Rail System Palmdale to Burbank Section. For many years, representatives of various City departments have worked with staff and consultants of the California High Speed Rail Authority (CHSRA) to discuss and address the issues raised by the proposed high-speed rail line within the City of Los Angeles. The City commends the CHSRA for its dedication, innovation, and outreach efforts over the many years of the high-speed rail planning process.

As a result of these discussions and meetings, three letters were prepared and submitted to the CHSRA providing City comments. These letters, prepared in 2009, 2010 and 2012, provide a broad, although still preliminary, discussion of the City's goals, concerns and recommendations with regard to the proposed project. Although most of the points raised in these letters apply primarily to the Burbank to Los Angeles Section, we are submitting these comments for the Palmdale to Burbank Section because we believe that some of the comments apply to both sections. Accordingly, please find attached the City's comment letters dated August 4, 2009, March 24, 2010 and November 7, 2012.

City staff Staff also prepared draft comments to proposed San Fernando Valley grade separations, initially proposed by CHSRA in September 2013. Please find attached a copy of the City's draft comments, dated March 20, 2014, to these proposed grade separations.

1

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Scoping Comments for High Speed Rail Project
Palmdale to Burbank Section EIR/EIS

August 28, 2014

City Staff is particularly interested in having the EIR/EIS explore additional alternatives for the rail project along San Fernando Road, including below grade and at grade configurations that could have the potential to minimize environmental impacts. In addition, we hope the study will analyze tunnel alignments that surface away from residential neighborhoods and nearer to industrial areas along the existing rail corridor.

Once again, we commend the CHSRA for its efforts toward dramatically advancing transportation infrastructure with what will likely be the nation's first major high-speed rail project. We look forward to continuing to work with the CHSRA toward our mutual goals of greatly expanded transportation opportunities within the region.

If you have any questions, please contact Anita Cerna of my staff at (818) 374-5042 or anita.cerna@lacity.org.

Sincerely,



MICHAEL LOGRANDE
Director of Planning

Attachments

Letter to Calif. High Speed Rail Authority dated November 7, 2012
Letter to Calif. High Speed Rail Authority dated March 10, 2010
Letter to Calif. High Speed Rail Authority dated August 4, 2009
Draft comments to Proposed Grade Separations dated March 20, 2014

c:

Councilmember Gilbert Cedillo, Council District 1
Councilmember Paul Krekorian, Council District 2
Councilmember Tom La Bonge, Council District 4
Councilmember Nury Martinez, Council District 6
Councilmember Felipe Fuentes, Council District 7
Councilmember Mike Bonin, Council District 11
Councilmember Mitch O'Farrell, Council District 13
Councilmember Jose Huizar, Council District 14
Borja Leon, Director, Transportation Services, Office of the Mayor
Seleta J. Reynolds, General Manager, Department of Transportation
Gary Lee Moore, City Engineer, Department of Public Works
Arthur T. Leahy, CEO, Metro
Don Sepulveda, Executive Officer, Regional Rail, Metro

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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INFORMATION
www.planning.lacity.org

November 7, 2012

Jeff Morales
Chief Executive Officer
Calif. High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Dear Mr. Morales:

Additional Comments on Los Angeles to Palmdale Section Alternatives and Request to Resume Working Group Meetings with the City of Los Angeles

Since 2009, the City of Los Angeles has participated in technical working group meetings with the California High Speed Rail Authority, Metro, and other key agencies to provide ongoing input to the development of the high speed rail project, and also provided written correspondence responding to the release of various Alternatives Analyses reports. The City requests that the technical working group resume regular meetings as soon as possible in order to continue discussing a number of important issues and develop refinements to the alternative alignments as they are proceeding in the EIR phase.

In the City's letter dated March 24, 2010, the City expressed concerns about sections of the various alignments being considered in the Los Angeles to Palmdale section, including a number of areas where the project intersects with the City's Los Angeles River Revitalization Master Plan (LARRMP). Productive discussions with the Authority resulted in the inclusion of a below-grade alternative to be studied for the project segment between State Route 2 and Los Angeles Union Station. The City appreciates that the Authority has been responsive to local concerns by including this tunnel option, but City Staff would like to continue discussing refinements to the tunnel and surface alignments that remain under consideration in this area.

In particular, the surface alternative being studied has the potential to negatively impact each of the following:

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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- Albion Dairy Park, a new park in Lincoln Heights that is currently under development by the City;
- Downey Pool, an existing Lincoln Heights recreational facility undergoing renovation;
- Lincoln Heights Jail, a City Historic Cultural Monument which is being considered for new uses;
- Sonia Sotomayor Learning Academy, a new school located near Rio de Los Angeles State Park on the site of the former Taylor Yard;
- The Los Angeles River, including the planned ecosystem restoration projects at the "bowtie" parcel (at Taylor Yard) and at the Arroyo Seco confluence;
- The Cornfield Arroyo Seco Specific Plan Area, including the William Mead housing development, where a viaduct structure is planned over or along Main Street.

The tunnel alternative, which avoids a number of these impacts, also presents matters for ongoing discussion, including the placement of a ventilation structure near a planned pedestrian bridge across the Los Angeles River at Dorris Place in Elysian Valley, and the location and design of the south tunnel portal in the Cornfield Arroyo Seco Specific Plan Area.

Given recent changes to the phasing of the high speed rail project, the City also would like to collaborate with the High Speed Rail Authority and the Metropolitan Transportation Authority (Metro) on "early investment projects" and how these may be designed to complement the City's ongoing efforts related to the revitalization of the Los Angeles River. In particular, new grade separation projects over waterways in the Los Angeles River Watershed should be planned to anticipate and accommodate planned pedestrian and bicycle pathways under new bridge structures. Additionally, grade separation projects near planned ecosystem restoration areas, such as Doran Street at the Verdugo Wash confluence, should be designed to accommodate and complement such improvements. The City also needs to better understand the implications of the design of the Doran Street crossing early investment project on surrounding land uses.

Improved renderings are needed in order to ensure that new high speed rail infrastructure and early investment projects are appropriately addressing the interface with pedestrian circulation and the surrounding communities. Attached please also find a list of potential mitigation measures that the City submitted as part of a comment letter on alternatives analyses for both the Los Angeles to Anaheim and Los Angeles to Palmdale Sections, released in 2009.

In order to continue providing meaningful input on such issues, the City is requesting that regular meetings of the technical working group resume as soon as possible. We appreciate having the opportunity to collaborate on this important project and look forward to working with you as the environmental review process continues. If you have any questions regarding this request, please contact Nick Maricich of my staff at (213) 978-1240.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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Sincerely,



MICHAEL LOGRANDE
Director of Planning

Attachment: Potential Mitigation Measures for High Speed Rail Project in the City of Los Angeles
Based on Range of Options Outlined in June 2009 Alternatives Analysis

CC:

Council President Pro Tempore Ed Reyes, Council District 1
Councilmember Tom LaBonge, Council District 4
Councilmember Eric Garcetti, Council District 13
Councilmember Jose Huizar, Council District 14
Matthew Karatz, Deputy Mayor for Economic and Business Policy
Borja Leon, Deputy Mayor for Transportation
Nat Gale, Mayor's Office of Transportation
Jaime De La Vega, General Manager, Department of Transportation
Gary Lee Moore, City Engineer, Department of Public Works
Arthur T. Leahy, CEO, Los Angeles County Metropolitan Transportation Authority
Don Sepulveda, Executive Officer, Regional Rail, Los Angeles County Metropolitan Transportation Authority

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

ATTACHMENT: Potential Mitigation Measures for Consideration for High Speed Rail Project in the City of Los Angeles Based on Range of Options Outlined in June 2009 Alternatives Analysis

SR-134 to Rio de Los Angeles State Park

- Street, pedestrian and bicycle connections over/under rail tracks between industrial area west of San Fernando Road and Glendale to the east, to ensure viability of industrial land; in particular, the proposed closure of Doran Street is problematic; if Doran Street closure is unavoidable, nearest access point (Brazil/Broadway) should be expanded to provide for an enhanced and higher capacity entrance to the industrial tract
- Sound attenuation and green screen near all residential buildings
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)

Rio de Los Angeles State Park to Union Station

- Sound attenuation and green screen near all residential buildings; visual and noise impacts may especially affect the William Mead housing site due to its proximity to potential alignments
- Consolidation of rail facilities in a single trench north of I-5 through Rio de Los Angeles State Park to SR-2
- Consolidation of rail facilities into a single alignment on the east side of the river, including placing the maximum amount of tracks into a trench starting from the Arroyo Seco confluence continuing south of the Main Street Bridge; alternatively, consolidate all track at-grade on east bank with contribution of funds to new, elevated Main Street viaduct (HSR funds that would otherwise be used for aerial structure through this corridor) that crosses over existing and new rail tracks allowing them to remain at grade in the immediate vicinity of the current Main Street crossing
- Installation of multipurpose pathway along east bank of river, from Rio de Los Angeles State Park to south of the Main Street Bridge; pathway could be aerial in segments where the rail is at grade, possibly in vicinity of Broadway, Spring, and Main Street bridges; this could mitigate visual impacts by affording pedestrians and bicyclists elevated views of the downtown skyline and river corridor
- Development of confluence area park at Arroyo Seco
- Trenches should be covered in substantial portions with surface developed as park area and in ways to facilitate access to park areas between rails and river
- Avoid impacts to San Antonio Winery; if high speed rail tracks are aerial adjacent to winery, provide for pedestrian access to river under rail bridge
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)
- Leverage funding for river restoration demonstration project at "Bowtie" parcel (G1) as feasible
- Leverage funding to implement LARRMP at G2 parcel for use as expanded river channel and riverfront open space (extensive cleanup required) as feasible

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

ATTACHMENT: Potential Mitigation Measures for Consideration for High Speed Rail Project in the City of Los Angeles Based on Range of Options Outlined in June 2009 Alternatives Analysis

Union Station Area

- Station design and new mixed-use shared parking/loading/drop-off facility (not stand-alone parking)
- Maximize multimodal connectivity
- Maximize development opportunities through station design by providing access to a number of adjacent sites, incorporating circulation improvements and ensuring visual access and connectivity
- Design all new facilities to be sensitive to historic structures including Union Station and Terminal Annex
- Minimize adverse impacts on buildings proximate to Union Station complex
- Recapture River frontage and access through this corridor as feasible through consolidation and trenching of rail tracks

South of Union Station (Los Angeles to Anaheim segment: included for reference)

- Metrolink/Amtrak Run-through tracks should be included in the high speed rail track guideway south from Union Station to south of 1st Street Bridge to minimize impacts on neighborhood south of Union Station/US-101
- Facilitate "Park101" freeway cap park project over US-101 and river linkage along Commercial Street
- Create series of pedestrian and bicycle connections to the west and east banks of the River, over the tracks, between 1st St and Olympic Blvd. Bridges
- Pickle Works Building at 1st Street Bridge has potential to be transformed into a river and rail museum; creation of public viewing area on rooftop could help to mitigate visual impacts of aerial HSR tracks crossing over 1st Street Bridge
- Support acquisition of sites along west bank of river, between 4th and 6th Street bridges, to provide opportunities for cleantech development and new open space
- Sound attenuation near residential and institutional buildings in the Arts District
- Mitigations for under aerial tracks (open space, pedestrian connectivity, art, allowance for jobs-producing business occupancies, etc.)
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)

General

- Wherever HSR is grade separated, existing rail tracks should be grade separated as opportunities exist
- Where HSR Authority requires full acquisition of impacted parcels, unused fragments should be leveraged for economic development potential or developed as public open space
- Wherever displacements of existing uses are necessary, business relocation efforts should be aggressively pursued, with a focus on relocating businesses within the City of Los Angeles
- Pursue establishment of mitigation bank to fund ongoing and future open space and river revitalization efforts in the corridor

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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March 24, 2010

Mr. Mehdi Morshed, Executive Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

**RE: Comments on Draft Alternatives Analysis Report for Los Angeles to SR-134
Segment of the California High Speed Rail Project**

Dear Mr. Morshed,

Thank you for the opportunity to comment on the draft Alternatives Analysis (AA) Report for the Los Angeles to Palmdale section, Los Angeles Union Station to SR-134 segment (LAP1). On December 2, 2009, the Los Angeles City Council adopted a report by the Department of City Planning that presented an initial assessment of potential impacts of the state high speed rail project on the City's adopted plans, which express official policy objectives for the areas adjacent to and surrounding the project corridor. The City Council also directed City Staff to provide the California High Speed Rail Authority (Authority) with written comments regarding the project so that the City's goals and policies can be taken into consideration as you refine alternatives for further environmental analysis. A copy of the Department's full report to the City Council is attached to this correspondence for your reference.

In summary, City Staff recommend that the Authority continue to explore additional possible vertical and horizontal alignments between Los Angeles Union Station and State Route 134. This recommendation has been drawn from a careful review of the City's goals and objectives for the corridor as well as close collaboration with other City departments, including Transportation and Public Works/Engineering, as well as the Community Redevelopment Agency of the City of Los Angeles. The alternatives identified in the AA Report have raised concerns about how the project will enable the City to plan for and meet its policy objectives, with respect to the City's efforts to improve local mobility and transportation connectivity, promote economic development, and revitalize and improve access to the Los Angeles River. Each of these broad policy objectives and its relationship to the proposed project is described in more detail in the attached report.

The draft Alternatives Analysis identified aerial, at-grade, and trench configurations in various locations throughout the corridor; however, additional tunnel alternatives have recently come under discussion along a portion of this route. Given the unique, built-up urban context, the close proximity to the Los Angeles River and other sensitive uses, and the significant challenges presented by both aerial and at-grade track configurations through this area, we respectfully

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Comments on Draft AA Report for Los Angeles to SR-134

March 24, 2010

request that below-grade configurations be formally added to the range of alternatives being analyzed for this corridor. Each of the alternatives presented in the draft AA report has the potential to create negative impacts that would require substantial mitigation, thus making tunneling a potentially viable alternative that should be assessed further.

While the trench configurations proposed near Rio de Los Angeles State Park do appear to afford some of the same potential benefits as a tunnel, including reduced visual impairment and the ability to preserve access between the adjacent communities and the Park and River, the areas to the south of Interstate 5 southward to Union Station have equal sensitivity that merit consideration of below-grade options. From the I-5 Freeway south to Union Station, only aerial and at-grade alternatives are discussed, each of which may pose real challenges to the City's goal of implementing the Los Angeles River Revitalization Master Plan (LARRMP) in this area.

This corridor contains some of the oldest and most historically important resources in the City of Los Angeles. In particular, the series of River bridges extending from Olympic Boulevard on the south to Broadway on the north crisscross the rail alignment and will require further study to evaluate potential impacts. The Arroyo Seco confluence is an especially sensitive area, ecologically, historically, visually, and culturally, and the only high speed rail crossing being analyzed at this location is an at-grade trestle, similar to the existing rail crossing. The area is currently impacted by both concrete linings of the River and the Arroyo Seco, and the aerial freeways that crisscross above, and the addition of high speed rail tracks has the potential to exacerbate this condition, in conflict with the LARRMP.

Aerial structures also have the potential to negatively impact this area by degrading the quality of the pedestrian environment on the streets below and creating visual impacts as well as noise, vibration, and shade/shadow impacts. The Los Angeles State Historic Park, Ann Street Elementary School, and William Mead public housing community all lie in close proximity to proposed project alignments and will require that any negative impacts be appropriately mitigated. Aerial tracks could also interfere with efforts to improve River access and would result in the addition of significant new rail infrastructure in an area where the existing rail facilities are envisioned to be removed, consolidated, or covered. Finally, the area is identified as a part of the City's Clean Tech Corridor, and the high speed rail project should be constructed and operated in a way that ensures the future viability of adjacent land for use by clean technology industries. Given the potential for significant impacts, City Staff prepared a list of possible mitigation strategies which should be considered if impacts are found to occur. A copy of this list of potential mitigations is attached.

Although the draft Alternatives Analysis report assumes that tracks will connect with an aerial station above the existing Metrolink/Amtrak platforms at Union Station, it should be noted that the City has been participating in a technical working group with the Metropolitan Transportation Authority (Metro) and the high speed rail project team for the Los Angeles to Anaheim section to explore additional station configurations at this location. The draft Alternatives Analysis for the Los Angeles to Anaheim segment analyzed three options for a Downtown Los Angeles station but recommended that only a single option be carried forward for further environmental analysis. City Staff will continue to meet with Metro and Authority staff to refine additional station options, including, but not limited to, locating platforms in an aerial configuration near the east side of Union Station's Patsaouras Transit Plaza or in an at-grade configuration alongside the existing Metrolink/Amtrak platforms at Union Station. The City has requested that the High Speed Rail Authority fully analyze at least two alternative station options for Downtown Los Angeles in the Los Angeles to Anaheim Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR). Each of the station alternatives that are explored in the DEIS/DEIR will have implications for alignments to the north and this should be fully accounted for in the draft Alternatives Analysis report for the Union Station to SR-134 segment.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Comments on Draft AA Report for Los Angeles to SR-134

March 24, 2010

Given careful consideration to the issues stated above, the high speed rail project has the potential to bring tremendous benefit to the City of Los Angeles. Improved regional access and connectivity can help the City realize its economic development goals for Downtown Los Angeles and meet longstanding transportation objectives to reduce automobile dependence. We appreciate the ongoing collaborative relationship between the City and the High Speed Rail Authority staff and thank you for giving us the opportunity to provide input to the process. We look forward to continuing to work with you as the environmental review process continues. If you have any questions please contact (213) 978-2666 or (213) 978-1179.

Sincerely,



S. GAIL GOLDBERG, AICP
Director of Planning

Attachment A: September 8, 2009 Staff Report to City Council: California High Speed Rail Alignment and Station Options for the City of Los Angeles

Attachment B: Potential Mitigation Measures for High Speed Rail Project in the City of Los Angeles Based on Range of Options Outlined in Alternatives Analysis (released June 2009)

CC:

Jaime de la Vega, Deputy Mayor of Transportation
Austin Beutner, First Deputy Mayor and Chief Executive Officer for Economic and Business Policy
Councilmember Ed Reyes, Council District 1
Councilmember Tom LaBonge, Council District 4
Councilmember Jan Perry, Council District 9
Council President Eric Garcetti, Council District 13
Councilmember Jose Huizar, Council District 14
Rita Robinson, General Manager, Department of Transportation
Tony Royster, General Manager, Department of General Services
Gary Lee Moore, City Engineer, Department of Public Works
Calvin Hollis, Interim CEO, Community Redevelopment Agency of Los Angeles
Arthur Leahy, CEO, Metropolitan Transportation Authority

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

ATTACHMENT A: Staff Report to City Council on High Speed Rail Alignment and Station Options for the City of Los Angeles



Community Planning Bureau

City Hall • 200 N. Spring Street, Room 667 • Los Angeles, CA 90012



September 8, 2009

TO: Ad Hoc River Committee
City Council

FROM: Vince Bertoni 
Deputy Director
Department of City Planning

SUBJECT: **CALIFORNIA HIGH SPEED RAIL ALIGNMENT AND STATION OPTIONS FOR THE CITY OF LOS ANGELES**

On May 6, 2009, the City Council adopted a motion of the Ad Hoc River Committee instructing the Department of City Planning to work with the Department of Transportation, and any other appropriate City departments, to assess the impacts of the state high speed rail project on adopted goals and policies of plans that fall within the proposed routes. The motion also directed City Planning to work with other departments to establish a cohesive City vision and official City position on high speed rail alignments. This report is the result of a collaborative effort by City staff to evaluate the proposed high speed rail project, and includes input from the Department of City Planning, Department of Transportation, Department of Public Works – Bureau of Engineering, Department of General Services, and the Community Redevelopment Agency of the City of Los Angeles.

Project Summary

The California High Speed Rail Authority (CHSRA) has released two draft Alternatives Analysis reports that assess a series of high speed rail options through the City limits, with various segments analyzed in aerial, at-grade, trench, and tunnel configurations. The routing of the proposed rail line near Downtown Los Angeles generally follows existing rail corridors, entering the City of Los Angeles at the southeast border with the City of Vernon and running parallel to the Los Angeles River, north to the City's boundary with Glendale.

Summary of Recommendations and Next Steps

Upon review of the draft Alternatives Analysis reports, Staff concludes that the CHSRA should continue to study two viable alternatives for a Downtown Los Angeles station location as well as continue to analyze multiple alternatives for alignments through the City in their upcoming Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR). Staff has also requested that the CHSRA respond to a number of questions regarding the project, which would help inform a discussion of potential impacts. We understand that Council District 1 has coordinated with the CHSRA to have a presentation on these and other questions at the September 14, 2009 meeting of the City Council's Ad Hoc River Committee.

The CHSRA is working to finalize the draft Alternatives Analysis reports as soon as possible, based upon input from local jurisdictions and agencies, and is anticipating the release of the DEIS/DEIR for the LA to Anaheim project segment in Spring 2010. Staff recommends that the City continue to work

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

California High Speed Rail Alignment and Station Options for the City of Los Angeles
August 26, 2009

2

with the CHSRA to refine alignment alternatives and recommend mitigations for any potential negative impacts that may be identified as part of the environmental analysis. In addition, Staff has identified the need for the City to develop a vision for high speed rail and to engage in more detailed station area planning along with the Metropolitan Transportation Authority (Metro) and the CHSRA. In the short term, staff has also identified the need to continue to coordinate with Metro, DOT, BOE, GSD and the Police and Fire Departments to further identify issues associated with the potential Union Station East/Vignes Street Station. In the longer term, the existing Alameda District Specific Plan may need to be amended and/or expanded in the future to appropriately coordinate development in the vicinity of a future high speed rail station in Downtown. Also, future planning efforts will need to be coordinated with the selection of a high speed rail station location in or near Sylmar.

Requests to California High Speed Rail Authority

- Continue study of both the Union Station aerial station option and a second station option, described herein as the Union Station East/Vignes option, to be located east of Patsaouras Transit Plaza with the shortest pedestrian connection to Patsaouras Plaza;
- Continue study of additional alignments approaching each of these station locations from the south and north; and,
- Include a consolidated trench option for study in the DEIS/DEIR for the alignment sections from 1st Street to 7th Street, and from the Metrolink bridge north of Union Station to the 110 Freeway continuing north to Rio de Los Angeles State Park.

Recommended Council Actions

Staff requests that the Council provide direction as follows:

- Direct Staff to continue working with the CHSRA as a participating agency.
- Direct Staff to continue working with City departments to explore the possibility of a Union Station East/Vignes Station.
- Direct Staff to continue working with other City departments to provide a formal comment letter to the CHSRA on the recently released Draft Alternatives Analysis reports.
- Direct the Department of City Planning to work with the Department of Transportation to explore hiring a consultant to assist with the preparation of comments on project alternatives and the development of feasible mitigation options.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

California High Speed Rail Alignment and Station Options for the City of Los Angeles
August 26, 2009

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Report Overview

Staff has prepared this report as an initial assessment of the impacts of the proposed project on the City's adopted plans which express official policy objectives for the areas adjacent to and surrounding the project corridor. These plans include the following:

- Framework and Transportation Elements of the General Plan;
- Central City North, Boyle Heights, and Northeast Los Angeles Community Plans;
- Alameda District Specific Plan;
- Adelante Eastside, Central Industrial, and Little Tokyo Redevelopment Plans;
- Los Angeles River Improvement Overlay;
- Los Angeles River Revitalization Master Plan; and,
- Cornfield Arroyo Seco Specific Plan (currently under development).

These planning documents provide a framework for evaluating the proposed high speed rail project alignments in consideration of the potential impacts on the City's related goals and objectives, especially as they pertain to the following:

- 1) mobility and transportation connectivity;
- 2) economic development, and
- 3) river revitalization and access.

This report is structured to provide a description of station options and alternative alignments, followed by a discussion of the potential impacts of each on these policy areas.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

California High Speed Rail Alignment and Station Options for the City of Los Angeles
August 26, 2009

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1. STATION LOCATION: Downtown Los Angeles

Description:

The draft Alternatives Analysis report for the Los Angeles to Anaheim segment analyzes three options for a Downtown Los Angeles station location and configuration:

- Aerial station built atop the existing rail tracks at Union Station;
- Deep tunnel station built under the Metro Rail subway tracks at Union Station; and
- Trench station built to the east of Union Station (also known as the “West Bank” alternative due to its location near the western edge of the Los Angeles River).

The draft Alternatives Analysis recommends that only one of these station options, the aerial tracks at Union Station, be carried forward to be analyzed in the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR). The report concludes that the deep tunnel station option poses major constructability issues and is therefore not practicable or feasible, and that a West Bank trench station poses “significant impacts to Metro and City of Los Angeles services and substantial costs for ROW acquisition and relocation” (Alternatives Analysis Report, page 86). The analysis did conclude, however, that a West Bank trench station would have a smaller capital cost (\$506 million) than an aerial station at Union Station (\$590 million).

In the City Planning Department’s letter to the California High Speed Rail Authority (CHSRA) dated August 4, 2009, it was conveyed that the Department of City Planning and Department of Transportation believe that at least two station options and alignments should continue to be studied for Downtown Los Angeles. In the letter, the West Bank station option was specifically requested to be carried forward as a second alternative to be evaluated in the DEIS /DEIR, while additional station options and configurations were undergoing review by City staff as to their possible viability.

Subsequent to the issuance of this request, staff from various City departments, including Transportation, Public Works/Engineering, and City Planning, as well as the Community Redevelopment Agency, have identified a station alternative that would be located farther west of the West Bank station as described in the Alternatives Analysis report, and near the east side of Union Station’s Patsaouras Transit Plaza and Vignes Street. This alternative location, which will be referred to in this document as the “Union Station East/Vignes Option” and which may be feasible as an aerial or trench station, was not assessed in the draft Alternatives Analysis but is proposed to be included in the City’s comment letter to the CHSRA for their additional consideration in the DEIS/DEIR. This report will primarily focus on the need to include two alternatives for California Environmental Quality Act (CEQA) purposes and a policy discussion of the following two station locations:

- Aerial station built atop the existing rail tracks at Union Station (Union Station aerial option); and
- Aerial or trench station located to the east of Patsaouras Transit Plaza (Union Station East/Vignes option)

Policy Discussion:

Mobility and Transportation Connectivity Impacts of Station Options

Both the Union Station aerial option and Union Station East/Vignes option would be able to achieve the City’s goals for multimodal connectivity, with the primary difference being a vertical or horizontal connection needed to allow for convenient transfers between high speed rail and regional and local transit systems.

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The aerial configuration above the existing tracks at Union Station could be well integrated through new escalators and elevators that could reach Metrolink, Amtrak, and Metro Rail platforms on lower levels of the station. With closer proximity to historic Union Station's Alameda Street frontage, this alternative would also provide for the most direct pedestrian connections with the rest of Downtown. The Union Station Aerial option would clearly reinforce Union Station as the transit hub of the City and the region, meeting objectives of the Framework Element, Transportation Element, and the Alameda District Specific Plan. Some areas of concern, however, relate to potential capacity constraints at the site and the scalability of the station in its existing context. CHSRA has alleviated some of these concerns by modeling hypothetical scenarios for expansion of the station to the south, across the 101 Freeway near Commercial Street, where a third entry could be constructed to provide new vehicular parking and loading and pedestrian ingress and egress into Union Station via an elevated pedestrian bridge over the freeway.

The Union Station East/Vignes concept could also meet the objectives of the General Plan if new horizontal pedestrian connections were constructed over or under Vignes Street in order to provide high speed rail passengers with direct access to existing Union Station. Development of this site can be envisioned as a horizontal expansion of Union Station. The distance from high speed rail tracks to existing Union Station transit connections could potentially be reduced depending on the exact placement of station platforms to the east of Patsaouras Transit Plaza and Vignes Street. The Union Station East/Vignes option may require the acquisition of portions of two publicly owned parcels. Depending on the size of this station site, and whether it would require partial or full utilization of the City-owned site on the south side of Cesar Chavez Avenue and the Metro-owned site on the north, a new high speed rail station at this location could be scalable over time and allow for the development of expanded passenger loading, drop-off, and support facilities to serve station passengers as well as an expanded footprint of the current Union Station property.

Staff recommends that the City formally ask the CHSRA to analyze this station option as part of the DEIS/DEIR currently underway, in order to fully identify any potential impacts of this alternative and to compare with the impacts of an aerial alternative atop Union Station. Preliminary issues related to a Union Station East/Vignes concept include potential impacts to the City's Piper Technical Facility and the Metro Regional Rebuild Center as well as the reconfiguration of the street network to facilitate site development. Also, this option would place the station slightly farther from Downtown L.A.'s central business district.

In the full environmental review, the CHSRA could assess whether this option would require a partial or full relocation or reconfiguration of existing facilities at the Piper Technical Facility and the Metro Regional Rebuild Center sites, as well as identify possible mitigation measures in conjunction with the City and Metro. Further detail on the possible configuration of the station site would also allow for an assessment of necessary street improvements and/or reconfiguration to ensure maximum connectivity and appropriate facilities for vehicle drop-off and loading.

The additional distance of the station to the central business district should be studied for any potential impacts on system ridership and connectivity with local transportation systems. A horizontal connection to Union Station East/Vignes may or may not be longer or less desirable than a vertical connection at Union Station. If the Union Station East/Vignes concept is carried forward as a viable alternative to be studied in the DEIS/DEIR, this could be analyzed in further detail to ensure that a new high speed rail station meets both local and regional goals of creating a seamless multimodal transportation hub in Downtown of Los Angeles

River Revitalization Impacts of Station Options

In the immediate station vicinity, the Los Angeles River (River) flows several hundred to a thousand feet to the east and thus is not as directly affected by this component of the project. A Union Station

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East/Vignes concept may present more opportunity than the Union Station aerial concept for improved pedestrian connections to the River, but this depends more on how the alignments approach the two station locations from the north and south along the banks of the River than the station location itself. This will be discussed in further detail below.

In May 2007, the City Council approved the Los Angeles River Revitalization Plan (LARRMP) which set forth goals, policies, and objectives that envisioned the restoration of a functional ecosystem and a continuous River Greenway and identified opportunities to connect neighborhoods to the River. The LARRMP was not yet adopted when the high speed rail project's program level EIS/EIR was approved by the CHSRA in 2005, so this is new information that the project level DEIS/DEIR should address in both the Los Angeles to Anaheim segment and the Los Angeles to Palmdale segment. The DEIS/DEIR should identify mitigation measures that promote the goals outlined in the LARRMP. The high speed rail project provides an opportunity to realize the City's intent to implement the LARRMP through partnerships with other government agencies.

Economic Development Impacts of Station Options

In the station vicinity, both the Union Station aerial option and Union Station East/Vignes options would provide tremendous potential for the City to realize economic development goals for the surrounding area. A central tenet of the Framework Element of the General Plan is for transit stations to function as a primary focal point of the City's development. The existing Alameda District Specific Plan has envisioned significant new development at and around Union Station that could be advanced with the addition of high speed rail service to this site. The Central City Community Plan also envisions a future "Park 101" freeway cap park that would help to knit back together the historic neighborhoods surrounding Union Station and the adjacent Civic Center which were divided by the construction of the 101 Freeway. The Union Station East/Vignes station option also has the potential to create new economic development opportunities as part of an expanded redevelopment on the east side of Union Station. New high speed rail service to Downtown L.A. will support and enhance the following objectives of the Transportation Element:

- Provide improved transportation services to support Citywide economic development activities and related economic revitalization initiatives.
- Actively seek opportunities for joint development projects which integrate land use and transportation facilities.

Through transformative design and master planning, the Union Station East/Vignes station concept could be linked in with Union Station to the west while also allowing for redevelopment in conjunction with the Los Angeles River Revitalization Master Plan (LARRMP). The existing Alameda District Specific Plan could potentially be expanded to cover a new, enlarged transit center that encompasses both historic Union Station and a new high speed rail station, with a renewed focus on regional transit, jobs, housing, and the Los Angeles River Greenway as envisioned in the LARRMP. Both station locations seem to be able to advance economic development objectives as adopted by the City in the Framework Element, Transportation Element, Community Plan, and Specific Plan for the area.

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2. ALIGNMENTS: LOS ANGELES TO ANAHEIM SEGMENT **Alternatives from Hobart Yard/City of Vernon to 1st Street Bridge**

Description:

The high speed rail alignment that is proposed to be carried forward in the DEIS/DEIR would enter the City from the southeast in an aerial configuration on the south side of the intersection of Washington Boulevard and Grande Vista Avenue, after leaving the Hobart Yard in the City of Vernon. This aerial track section would cross the Los Angeles River (River) on a new bridge to be constructed south of the historic Olympic Boulevard Bridge. Once on the west bank of the river, the high speed rail alignment would transition to an at-grade configuration along the existing rail right-of-way and pass under the historic bridges at Olympic, 7th Street, 6th Street, and 4th Street. The alignment would head north to a high speed rail station at or near Union Station, as discussed above.

A second alternative was also studied for this same segment that would have required a new aerial structure to cross over each of the historic bridges along this part of the River; however, this alternative was not recommended to be carried forward to the DEIS/DEIR due to the tremendous visual and historic impacts that would be created by spanning over all the River's bridges along this segment.

Staff has identified a third option for this segment, which was not considered in the AA report and which may warrant further study. This third option would entail the consolidation of rail and utility lines into a below grade trench where it abuts the west bank of the River from Olympic Boulevard to 1st Street. A rail trench, which could be capped over in sections, would reduce the visual and physical obstruction of introducing high speed rail on this important corridor while further mitigating safety and noise concerns.

Policy Discussion:

River Revitalization Impacts along the Hobart Yard/City of Vernon to 1st Street Bridge Alignment

The City of Los Angeles has adopted a number of plans and policies aimed at expanding open space opportunities and revitalizing the River as a green corridor, particularly in the vicinity of Downtown Los Angeles. Today, the River corridor through Downtown is lined with passenger and freight rail lines, as well as major utility lines, rail maintenance facilities, and industrial land uses. The River Greenway proposed in the LARRMP calls for a dedicated bicycle path on the west bank of the River and a multi-use trail on the east bank. To ensure consistency with the LARRMP, connections from the surrounding communities to the Greenway should not be impeded and opportunities should be sought that enhance and facilitate access to this important regional asset.

In addition to calling for a continuous River Greenway, the LARRMP foresees providing green arterial connections to the River and increasing direct pedestrian and visual access to the River. The proposed at-grade configuration of the high speed rail alignment along existing rail rights-of-way in this area would do the least to promote goals of improved River access and would simply prolong the existing unfavorable condition by placing what could be considered additional obstacles between communities and the River.

The proposed alignment through this corridor raises questions as to how the potential placement of new rail infrastructure along the riverbank might enhance or hinder the City's ability to meet River revitalization goals. City staff, in conjunction with other agencies that are involved in implementing the LARRMP, recommend that the CHSRA consider the viability of a trench option where the alignment abuts the River. This corridor already contains a convergence of rail and utility lines that pose challenges to River access. A trench that consolidates this infrastructure should be considered as a means to lessen the cumulative visual, economic, and environmental impacts that the addition of high speed rail service is likely to exacerbate.

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Nonetheless, the CHSRA-proposed at-grade alignment under the existing bridges may still allow for opportunities to provide access from these bridges down to the River. For example, a land bridge might be constructed atop various portions of the existing at-grade rail tracks to cover over them and thereby remove these challenging barriers to River access. The high speed rail Alternatives Analysis report does not present either of these as a component of the project, but neither does the recommended alignment appear to preclude these access improvements from being constructed. The DEIS/DEIR should address this issue and consider possible mitigation measures that address River access.

Economic Development Impacts along the Hobart Yard/City of Vernon to 1st Street Bridge Alignment

The high speed rail project alignment should also be evaluated in the context of the City's economic development strategies for the surrounding area. The Department of City Planning, and the Community Redevelopment Agency (CRA/LA), at the direction of the Mayor's office, completed an Industrial Land Use Policy Project (ILUP) in 2008 that reinforced the economic importance of retaining existing industrial lands and set forth a series of strategies to restrain future pressures to convert such lands to non-industrial uses. The ILUP, in conjunction with the development of the LARRMP, resulted in the vision of a Clean Tech Corridor for the stretch of industrial lands along the River from Washington Boulevard north to the Arroyo Seco confluence. The introduction of clean technologies to this area acknowledges that the goals of both the LARRMP and the ILUP are not mutually exclusive; and that industrial uses, especially those of clean technologies can co-exist with the limited residential uses that exist in the Artists-in-Residence District, can enhance future pedestrian and bicycle connections to the River, and can include stormwater mitigations that would improve the water quality of stormwater runoff and assist in the restoration of the currently degraded ecosystem. The Corridor is anchored on its southern boundary by a Clean Tech Manufacturing Center which is currently being developed by CRA/LA and which will serve as a model for future clean technology oriented developments.

The majority of the land immediately to the west of the proposed alignment is zoned for industrial uses, but the Artists-in-Residence District, stretching from 1st Street to 7th Street along the west bank of the River, encompasses a number of existing and planned live-work residential projects, consistent with the goals of the Central City North Community Plan. The Framework Element of the City's General Plan supports the connection of neighborhoods to regional open space resources such as the River Greenway, and the Central City North Community Plan contains a number of goals related to river revitalization efforts, including the acquisition of vacant land for open space and the utilization of public lands along the River for recreation and pedestrian and bicycle access.

In this corridor, the high speed rail project passes through or directly adjacent to the following CRA/LA project areas: Adelante Eastside, Central Industrial, and Little Tokyo. Each redevelopment project area has defined geographic boundaries and a redevelopment plan to guide revitalization of blighted areas and assurance that the blighting conditions, once removed, will not return. Although these plans did not directly anticipate the high speed rail project, they articulate a redevelopment vision for these areas which the project should help to implement. The massive investment in infrastructure that will come to these areas via the new rail system could be a very positive catalyst for achieving redevelopment goals. Some questions however remain as to how the proposed alignments might negatively impact economic development goals, including: 1) how the construction and operation of the system will affect sensitive uses in the vicinity, such as residential units and cultural landmarks, in terms of noise, vibration, and aesthetics (e.g., shade and shadow); 2) how the project will affect future use of the surrounding land; and, 3) how right-of-way acquisitions may impact key development sites or displace existing job-producing uses. The City and CRA/LA should continue to work with the CHSRA to ascertain and recommend mitigations for any potential impacts as part of the DEIS/DEIR currently underway.

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Alternatives from 1st Street Bridge to Downtown Los Angeles Station

Description:

From the 1st Street Bridge to a new Downtown Los Angeles high speed rail station north of the 101 Freeway, different alignments would be required in order to access each of the two proposed station options already discussed in this report. The Union Station aerial option takes the station's southern approach alignment into an aerial configuration that would cross over the 1st Street Bridge and veer to the northwest and away from the river's edge. The aerial structure would cross diagonally over the intersection of Vignes Street and Banning Street, curving between the City's Personnel Building and the Nishi Homba Hongwanji Buddhist Temple, and then continue northward across a recently constructed City facility housing the Personnel Department's Medical Services Division and the existing Department of Water and Power's Temple Street Facility, finally bridging over the 101 Freeway to land above the existing tracks at Union Station.

The Union Station East/Vignes option posed by City staff (see page 4) can be considered a modification of the West Bank trench option assessed in the Alternatives Analysis report, which continues the at-grade configuration under the 1st Street Bridge and begins lowering into a trench configuration that would run under the 101 Freeway to reach a station under Cesar Chavez Avenue. If a Union Station East/Vignes option is in a trench configuration, then the consolidation of existing west bank rail tracks north of 1st Street would be needed in order to allow for the high speed rail tracks to cross above or below them in a trench. If the Union Station East/Vignes station option is explored in an aerial configuration, the tracks could potentially become elevated north of the 1st Street Bridge rather than to the south, eliminating the need for an aerial structure to cross over the historic bridge. An aerial structure that rises north of 1st Street would have fewer potential visual impacts than a Union Station aerial option approach.

Policy Discussion:

Mobility and Transportation Connectivity Impacts along the 1st Street Bridge to Downtown Los Angeles Station Alignment

Beyond the station area itself which has already been described in detail, the project corridor should be evaluated for the extent to which the various alignment alternatives may improve or degrade the quality of the pedestrian environment along the route. In addition to pedestrian and bicycle accessibility goals of the LARRMP, the Central City North Community Plan seeks to promote walking and bicycling for recreation and as viable modes of transportation in the area. It is not anticipated that the high speed rail alternative proposed for this segment would sever existing linkages in the pedestrian and bicycle network but nor does the currently proposed Project alignment provide improvements to this network. A project alternative involving a consolidated trench configuration, similar to the one studied in the Alternatives Analysis report for the West Bank station approach, may provide new opportunities to expand non-motorized access across the rail rights-of-way and also further River goals.

An aerial approach, such as the one proposed for this segment in the Alternatives Analysis report, has the potential to impact the quality of the pedestrian environment on the streets below, including the 1st Street Bridge. The placement of an aerial guideway structure directly over streets and sidewalks could create corridors that would be undesirable for pedestrian activity in conflict with City objectives. The DEIS/DEIR should assess impacts such as these and identify appropriate mitigation measures to minimize impacts on pedestrian connectivity and affected properties.

River Revitalization Impacts along the 1st Street Bridge to Downtown Los Angeles Station Alignment

A Union Station East/Vignes station option would allow for an alternative alignment for the project that could be beneficial for improved River access in that it could result in the removal of existing barriers along this stretch if trench segments are capped over and opened up to the public. The Metro Red and

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Purple Line subways also surface in the area south of the 101 Freeway and coordination with Metro would be needed in order to maximize the benefits that could be afforded by this alternative. The CHSRA-proposed southern aerial approach to Union Station may have greater community impacts than a trench approach to a Union Station East/Vignes station option, as the aerial approach has potential aesthetic and noise issues that would need to be addressed in the Artists-in-Residence District and Little Tokyo neighborhoods in order to ensure the continued revitalization of these areas. The CHSRA-proposed aerial alignment neither detracts from, nor contributes to, improved River access along the segment from 1st Street north to the 101 Freeway crossing since it diverges from the River's edge at 1st Street. If this alignment is chosen, the existing at-grade rail facilities along this stretch of the River would likely remain in place.

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3. ALIGNMENTS: LOS ANGELES TO PALMDALE SEGMENT Alternatives from Downtown Los Angeles Station to Interstate 5

Description:

A separate Draft Alternatives Analysis report has been released for the portion of the Los Angeles to Palmdale project segment that extends from Los Angeles Union Station north to State Route 134 in the City of Glendale. The report analyzes three alternative alignments, referred to as LAP1A, LAP1B, and LAP1C, for the route between existing Union Station and the 5 Freeway.

Alternative LAP1A proceeds north from Union Station on an aerial structure, veers east along the existing Metrolink tracks, crosses the River, and then heads north along the east bank of the River in a trench. Alternative LAP1B heads out from Union Station on an aerial structure alongside the William Mead Housing project, turns east over Main Street and upon reaching the River turns north along the River bank. After crossing above the Spring and Broadway bridges, the train would descend to grade and continue north alongside the Metro Midway Yard before crossing the River at the location of the existing Metrolink bridge just south of Interstate 5. Alternative LAP1C follows an identical path of the LAP1B alternative with the exception that instead of descending to grade it would continue on a viaduct along Metro Midway Yard before rising to pass over the interchange of Interstate 5 and State Route 110 on an 80 foot tall viaduct.

After evaluating these alternatives in the context of the City's mobility, economic development, and River revitalization goals, Staff has identified Alternative LAP1A as the CHSRA-identified alignment that may best advance the City's numerous objectives for this corridor. These alignments are all based upon connecting with Union Station as an aerial high speed rail station. While the Union Station aerial option is the only station option proposed for further consideration by the CHSRA, City Staff recommends the consideration of a second station option (Union Station East/Vignes) in the DEIS/DEIR. Alternative alignments that would connect with a Union Station East/Vignes station option were not considered in the draft Alternatives Analysis report.

Staff has identified potential alignments leading north from a Union Station East/Vignes station option that would need to be studied in conjunction with that station location. Should the DEIS/DEIR consider the Union Station East/Vignes Option in a trench configuration, the high speed rail tracks could continue in a consolidated trench along with the other existing rail lines and utility infrastructure along the west bank of the River before crossing just south of the 5 Freeway at the location of the existing Metrolink bridge. Alternatively, if the Union Station East/Vignes station option is considered in an aerial configuration, the high speed rail tracks could cross the River at the existing Metrolink tracks and continue in a trench on the east side of the River, as presented for the LAP1A alignment (described above). Each of these new alternatives would need to be analyzed in the DEIS/DEIR in order to fully assess the benefits and impacts of a consolidated west or east bank trench solution.

Policy Discussion:

Mobility and Transportation Connectivity Impacts along the Downtown Los Angeles Station to Interstate 5 Alignment

Project alternatives with trench configurations, such as Alternative LAP1A and the City staff-identified alternatives leading north from a Union Station East/Vignes station option, may actually present opportunities to improve pedestrian and bicycle connectivity in the area if they are capped over and can remove the existing rail infrastructure impediments through consolidation. Alternative LA1PA is the only CHSRA-identified option that would allow for a rail trench configuration through this corridor, and, as such, it has clear advantages that could include the consolidation of all rail, including new high speed rail tracks and existing Amtrak and Metrolink tracks, into a trench on the east side of the River. A trench has the advantage of facilitating pedestrian connections at the surface through decking over segments of the alignment and providing communities with new access to the River Greenway in this

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area. While not stated explicitly in the Alternatives Analysis, this trench could potentially also incorporate the current Metrolink tracks that run along the west bank of the River (given enough right-of-way along the east bank), which would result in improved connectivity on both sides of the River.

Project alternatives with aerial configurations, such as Alternative LAP1B and LAP1C north of Union Station above Main Street, have the potential to impact the quality of the pedestrian environment on the street below. The placement of an aerial guideway structure directly over streets and sidewalks could create corridors that may be undesirable for pedestrian activity and may be in conflict with plan objectives.

Impacts to local mobility and connectivity should be assessed as part of the project's environmental review, in that the project has the potential to be designed in a way that improves pedestrian mobility and lessens community impacts in support of adopted City policies.

River Revitalization Impacts along the Downtown Los Angeles Station to Interstate 5 Alignment

In addition to improved connectivity, land adjacent to a new rail trench also has the potential to be developed with parks and open space. Trenching would reduce visual impairment on the area and help to reconnect the River to adjacent communities. The removal of at-grade tracks and the potential parklands that could result from a capped rail trench would provide sufficient room to fully develop the proposed River Greenway along both River banks which would further the goals of the LARRMP.

Aerial tracks through this area, as proposed in Alternatives LAP1B and LAP1C, could interfere with efforts to improve River access and would result in the addition of significant new rail infrastructure in an area where it is envisioned by the LARRMP to be removed, consolidated, or covered. If aerial tracks are pursued, mitigation measures would need to be investigated to minimize these impacts.

The Arroyo Seco confluence is a particularly sensitive area, ecologically, historically, visually, and culturally, and the proposed high speed rail crossing at this location is an at-grade trestle, similar to the existing rail crossing. The importance of the confluence of the Arroyo Seco and Los Angeles River cannot be underscored, as this location is recognized as one of the areas first described by early settlers and long served native populations with fresh water, shade, and food. The area is currently impacted by both concrete linings and the aerial freeways that crisscross above, and the addition of at-grade high speed rail tracks has the potential to exacerbate this condition. The project's DEIS/DEIR should consider opportunities for wildlife, pedestrians, and bicyclists alike to cross the River and Arroyo Seco at this point, and support the City's effort to complete the Rim of the Valley Trail through the area. Other potential mitigations could include the removal of the Arroyo Seco's concrete lining beneath the new rail crossing, aiding in River restoration efforts envisioned in the LARRMP.

Economic Development Impacts along the Downtown Los Angeles Station to Interstate 5 Alignment

Alternatives LAP1B and LAP1C would likely impose impacts upon the "Cornfields" area that may discourage, or even prohibit, the revitalization efforts currently contemplated for the area as described in the March 2009 Draft of the Cornfield Arroyo Seco Specific Plan (currently under development by the City Planning Department). The aerial structures contained in these alignments should be studied with respect to visual impacts to the William Mead public housing community, the Los Angeles State Historic Park, Ann Street Elementary School, Main Street, and the River Corridor, as well as economic development goals related to the future use of surrounding land. This area is identified as a part of the City's Clean Tech Corridor, and the high speed rail project should be constructed and operated in a way that ensures the future viability of adjacent land for use by clean technology industries.

In Alternative LAP1C, the aerial structure along Main Street and the west bank of the River would reach farther north before descending to grade level, thereby extending the range of potential impacts that a

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new elevated structure could have along the River corridor. The high speed rail project's DEIS/DEIR should consider the City's planning efforts and economic development strategies for this area in its analysis of aerial structure impacts, particularly related to noise, vibration, and shade/shadow impacts.

Alternatives from Interstate 5 to State Route 2

Description:

There are two alternative alignments proposed for this segment through the Taylor Yard area. One alternative is identified as the San Fernando Road Alignment and the other is titled the Existing Metrolink Alignment. Both alignments run adjacent to the Rio de Los Angeles State Park and both involve trench configurations, which may pose new opportunities to connect to the River in this area.

The San Fernando Road Alignment would move the existing Metrolink tracks into a new trench which could facilitate future access from the State Park to the River. In addition, removal of the rail barrier could open up opportunities for ecosystem restoration. At the same time this alignment would add rail infrastructure alongside an already busy vehicular arterial and could create further barriers for the community to access the River if not sufficiently decked over. Alternatively, appropriate design features could establish the trench as a "green" amenity. Details would need to be closely followed to ensure that such improvements were designed.

The Existing Metrolink Alignment trench utilizes the current rail right-of-way through Taylor Yard, and could be designed as described for the Road Alignment so that access is facilitated between the State Park and the River. Both the San Fernando Road and Existing Metrolink Alignments are recommended by the Alternatives Analysis report to be carried forward for further study in the Los Angeles to Palmdale DEIS/DEIR, which is several months behind the projected timeline for the Los Angeles to Anaheim segment.

Policy Discussion:

River Revitalization Impacts along the Interstate 5 to State Route 2 Alignment

This alignment is within the area of the U.S. Army Corps' L.A. River Ecosystem Restoration Feasibility Study and potential interference with habitat creation or River channel changes in this area should be avoided. Due to the proposed configuration of each of the two alternative alignments in a trench configuration, and that the trench structure is described as having a cap at certain intervals to allow for pedestrian access, neither of the two alternative appears to exacerbate the existing barriers to the River currently posed by Metrolink tracks and San Fernando Road. If the San Fernando Road Alignment is chosen through Taylor Yard and is able to consolidate existing Metrolink tracks from the current rail right-of-way along the River, the high speed rail project may actually improve River access by removing the existing infrastructure barrier. Access to the River from the Rio de Los Angeles Park would then become unimpeded and additional space would allow for ecosystem restoration to occur much as described in the LARRMP. Based on this initial information, therefore, the San Fernando Road alignment seems to offer more benefits to River revitalization than the Existing Metrolink Alignment. If the existing right-of-way alignment is chosen, River access could still be improved by capping over a new trench through this corridor; although, it may not allow for the additional benefits of broader ecosystem restoration that could be achieved through a relocation of the existing rail corridor to a trench along San Fernando Road.

Economic Development Impacts along the Interstate 5 to State Route 2 Alignment

The Taylor Yard area is also contained within the study area of a potential Northeast Los Angeles River Redevelopment Plan, which stretches from the 110 Freeway on the south to the 134 Freeway on the north. On August 12, 2009, the City Council authorized CRA/LA to conduct planning and feasibility

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studies for a possible future redevelopment project in this area, with a focus on improving the viability of industrial land and implementing key elements of the LARRMP. Existing industrial operations such as the Media Center complex at the north end of Taylor Yard could benefit from a consolidated rail trench that might yield a better configuration of land for job-producing uses. As with the City's River revitalization goals, economic development goals seem to be most enhanced through the San Fernando Road trench alternative with extensive capping to allow for better access across the rail lines. Both alternatives will be studied further in the Los Angeles to Palmdale DEIS/DEIR, which will allow for a more informed discussion of potential benefits and impacts.

Alternatives from State Route 2 to State Route 134

Description:

From the 2 Freeway north to the 134 Freeway, there is only a single high speed rail alignment considered in the Alternatives Analysis report. This alignment follows the existing rail right-of-way that straddles the City's border with Glendale and is proposed to be built in an at-grade configuration either to the west or east of the existing Metrolink tracks, with some right-of-way widening necessary.

Policy Discussion:

Mobility and Transportation Connectivity Impacts along the State Route 2 to State Route 134 Alignment

The addition of high speed rail tracks to this corridor may potentially result in reduced access to the industrial areas of the City of Los Angeles that lie along this corridor between the Los Angeles River to the west and the existing Metrolink tracks to the east. Potential impacts to the local street network are of particular concern, especially for truck access to industrial parcels, but also for pedestrian access to the River from points east. The Alternatives Analysis report notes that local roads with existing grade crossings in this area could be closed as a result of the project. There are three at-grade crossings of the existing railway at Chevy Chase Drive, Broadway and Doran Street that would need to be closed or grade separated. Grade separation would be achieved by realigning the roads above or below the railway. The DEIS/DEIR should consider the impacts of any potential closures on the local transportation system.

River Revitalization Impacts along the State Route 2 to State Route 134 Alignment

The northern portion of this corridor is adjacent to the LARRMP's "River Glen" opportunity area, which is one of five target areas described in the LARRMP. A key water quality improvement project is envisioned at the confluence of the Verdugo Wash and the Los Angeles River, just north of the 134 Freeway, but this is outside of the area described in the Alternatives Analysis report so information about a proposed crossing here is not yet known. Although the alignment south of the 134 Freeway is not directly along the bank of the River, an at-grade configuration in the rail right-of-way along San Fernando Road could reduce connectivity and River access if grade crossings are too limited. The project's environmental analysis should consider River access impacts in addition to transportation system impacts as a result of any possible closures.

Economic Development Impacts along the State Route 2 to State Route 134 Alignment

In addition to planned water quality improvements, the River Glen opportunity area is also identified as an industrial retention area for this segment of the River. The industrial district between the rail right-of-way and the River currently suffers from the lack of a functioning circulation system, and the City's economic development strategies envision infrastructure improvements that would improve transportation connectivity in order to promote the location of job-producing industrial uses in this area. This area is also within the above-mentioned CRA/LA study area for redevelopment. As described previously, any road closures should be carefully studied as they could negatively impact connectivity in

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this corridor, and, in turn, hamper the City's economic development goals. The design of new grade crossings should consider the needs of large trucks that serve the area, in particular with regard to height and grade requirements.

Sylmar/Northeast San Fernando Valley Station and Alignments

Considerations for Future Alternatives Analysis Report:

The high speed rail corridor re-enters Los Angeles at the City's border with Burbank near San Fernando Road and Hollywood Way in Sun Valley and continues along the existing rail corridor through Pacoima and the City of San Fernando, with a potential new station at Sylmar. The Alternatives Analysis report for this section of the Los Angeles to Palmdale project segment has not been released as of the date of this report and, as such, has not been analyzed to the same level of detail as the segments near Downtown and along the Los Angeles River. Initial concerns for this corridor are the selection of an appropriate station site to serve the San Fernando Valley and the extent of aerial structures that may potentially create visual barriers between communities along the route. Staff recommends continuing coordination with the CHSRA on this alignment to ensure that the City receives more detailed information as it becomes available.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

California High Speed Rail Alignment and Station Options for the City of Los Angeles
August 26, 2009

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4. OTHER HIGH SPEED RAIL ISSUES: Cultural and Historic Preservation

The high speed rail corridor, particularly in the vicinity of Downtown Los Angeles and in proximity to the Los Angeles River, contains some of the oldest and most historically important resources in the City of Los Angeles. In particular, the series of River bridges extending from Olympic Boulevard on the south to Broadway on the north crisscross the rail alignment and will require further study to evaluate potential impacts. Staff recommends that the DEIS/DEIR appropriately assess any potential impacts to these significant structures and work with the City's Office of Historic Resources to identify possible mitigation measures as necessary.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

ATTACHMENT B: Potential Mitigation Measures for Consideration for High Speed Rail Project in the City of Los Angeles Based on Range of Options Outlined in Alternatives Analysis (released June 2009)

SR-134 to Rio de Los Angeles State Park

- Street, pedestrian and bicycle connections over/under rail tracks between industrial area west of San Fernando Road and Glendale to the east, to ensure viability of industrial land; in particular, the proposed closure of Doran Street is problematic; if Doran Street closure is unavoidable, nearest access point (Brazil/Broadway) should be expanded to provide for an enhanced and higher capacity entrance to the industrial tract
- Sound attenuation and green screen near all residential buildings
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)

Rio de Los Angeles State Park to Union Station

- Sound attenuation and green screen near all residential buildings; visual and noise impacts may especially affect the William Mead housing site due to its proximity to potential alignments
- Consolidation of rail facilities in a single trench north of I-5 through Rio de Los Angeles State Park to SR-2
- Consolidation of rail facilities into a single alignment on the east side of the river, including placing the maximum amount of tracks into a trench starting from the Arroyo Seco confluence continuing south of the Main Street Bridge; alternatively, consolidate all track at-grade on east bank with contribution of funds to new, elevated Main Street viaduct (HSR funds that would otherwise be used for aerial structure through this corridor) that crosses over existing and new rail tracks allowing them to remain at grade in the immediate vicinity of the current Main Street crossing
- Installation of multipurpose pathway along east bank of river, from Rio de Los Angeles State Park to south of the Main Street Bridge; pathway could be aerial in segments where the rail is at grade, possibly in vicinity of Broadway, Spring, and Main Street bridges; this could mitigate visual impacts by affording pedestrians and bicyclists elevated views of the downtown skyline and river corridor
- Development of confluence area park at Arroyo Seco
- Trenches should be covered in substantial portions with surface developed as park area and in ways to facilitate access to park areas between rails and river
- Avoid impacts to San Antonio Winery; if high speed rail tracks are aerial adjacent to winery, provide for pedestrian access to river under rail bridge
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)
- Leverage funding for river restoration demonstration project at "Bowtie" parcel (G1) as feasible
- Leverage funding to implement LARRMP at G2 parcel for use as expanded river channel and riverfront open space (extensive cleanup required) as feasible

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

ATTACHMENT B: Potential Mitigation Measures for Consideration for High Speed Rail Project in the City of Los Angeles Based on Range of Options Outlined in Alternatives Analysis (released June 2009)

Union Station Area

- Station design and new mixed-use shared parking/loading/drop-off facility (not stand-alone parking)
- Maximize multimodal connectivity
- Maximize development opportunities through station design by providing access to a number of adjacent sites, incorporating circulation improvements and ensuring visual access and connectivity
- Design all new facilities to be sensitive to historic structures including Union Station and Terminal Annex
- Minimize adverse impacts on buildings proximate to Union Station complex
- Recapture River frontage and access through this corridor as feasible through consolidation and trenching of rail tracks

South of Union Station (Los Angeles to Anaheim segment; included for reference)

- Metrolink/Amtrak Run-through tracks should be included in the high speed rail track guideway south from Union Station to south of 1st Street Bridge to minimize impacts on neighborhood south of Union Station/US-101
- Facilitate "Park101" freeway cap park project over US-101 and river linkage along Commercial Street
- Create series of pedestrian and bicycle connections to the west and east banks of the River, over the tracks, between 1st St and Olympic Blvd. Bridges
- Pickle Works Building at 1st Street Bridge has potential to be transformed into a river and rail museum; creation of public viewing area on rooftop could help to mitigate visual impacts of aerial HSR tracks crossing over 1st Street Bridge
- Support acquisition of sites along west bank of river, between 4th and 6th Street bridges, to provide opportunities for cleantech development and new open space
- Sound attenuation near residential and institutional buildings in the Arts District
- Mitigations for under aerial tracks (open space, pedestrian connectivity, art, allowance for jobs-producing business occupancies, etc.)
- Coordination of rail infrastructure with results of the LA River Ecosystem Restoration Feasibility Study (Army Corps of Engineers and City of Los Angeles)

General

- Wherever HSR is grade separated, existing rail tracks should be grade separated as opportunities exist
- Where HSR Authority requires full acquisition of impacted parcels, unused fragments should be leveraged for economic development potential or developed as public open space
- Wherever displacements of existing uses are necessary, business relocation efforts should be aggressively pursued, with a focus on relocating businesses within the City of Los Angeles
- Pursue establishment of mitigation bank to fund ongoing and future open space and river revitalization efforts in the corridor

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

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August 4, 2009

Mr. Mehdi Morshed, Executive Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

**RE: CALIFORNIA HIGH SPEED RAIL ALIGNMENT AND STATION OPTIONS FOR THE
CITY OF LOS ANGELES**

Dear Mr. Morshed,

Since the recent release of the Alternatives Analysis (AA) reports for local sections of the California High Speed Rail project, the City of Los Angeles has raised a number of questions regarding the project alignment and station options currently being studied in the vicinity of Downtown Los Angeles and Sylmar. City staff will be preparing formal comments on the recommendations contained in these reports, but first ask that you review the attached questions (Attachment A) and provide a written response with additional information regarding the project.

The Department of City Planning and Department of Transportation believe that at least two station options and alignments should continue to be studied for Downtown Los Angeles. In addition to studying the Aerial Station at Union Station option, we request that the Authority include the LA River West Bank station option as a second alternative to be evaluated in the Draft Environmental Impact Statement/Environmental Impact Report (DEIS /DEIR). The City is currently reviewing possible additional station options for further evaluation.

In response to a Council motion, City staff will also be assessing the details of the proposed alternatives for consistency with locally adopted policies for transportation and land use. As such, we are providing you with a partial list of adopted city goals and policies related to the state high speed rail project that will be used in our assessment (Attachment B). Our report will help to identify local impacts and suggest mitigations for incorporation as part of the project's environmental clearance process.

It is our understanding that the Office of Councilmember Ed Reyes, chair of the City Council's Ad Hoc River Committee, will also be contacting you to schedule a follow up presentation to the Committee in which some of these questions could be addressed. We would appreciate a response to this inquiry in advance of any such meeting. In the meantime, if you have any questions please contact Nick Maricich at (213) 978-2666.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

California High Speed Rail

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August 4, 2009

The California High Speed Rail project is a major transportation investment that has the potential to transform the City of Los Angeles and improve mobility throughout the region and the state. We look forward to coordinating with you on this important project.

Sincerely,



S. GAIL GOLDBERG, AICP
Director of Planning

cc: Deputy Mayor Jaime de la Vega
Deputy Mayor Bud Ovrom
Councilmember Ed Reyes, Council District 1
Office of Council District 2
Councilmember Dennis Zine, Council District 3
Councilmember Tom LaBonge, Council District 4
Councilmember Paul Koretz, Council District 5
Councilmember Tony Cardenas, Council District 6
Councilmember Richard Alarcon, Council District 7
Councilmember Bernard Parks, Council District 8
Councilmember Jan Perry, Council District 9
Councilmember Herb Wesson, Council District 10
Councilmember Bill Rosendahl, Council District 11
Councilmember Greig Smith, Council District 12
Council President Eric Garcetti, Council District 13
Councilmember Jose Huizar, Council District 14
Councilmember Janice Hahn, Council District 15
Carmen Trutanich, City Attorney
Rita Robinson, General Manager, Department of Transportation
Tony Royster, General Manager, Department of General Services
Gary Lee Moore, City Engineer, Department of Public Works
Cecilia Estolano, CEO, Community Redevelopment Agency of Los Angeles
Arthur Leahy, CEO, Metropolitan Transportation Authority

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment A

Questions from the City of Los Angeles to the California High Speed Rail Authority (CHSRA)

1. Understanding that compromises may be necessitated by physical constraints, as well as funding considerations, what does CHSRA consider to be the attributes of an optimum, fully functional and well designed station for Downtown Los Angeles, in terms of capacity, design, and location?
2. In Section 4.13.4 of the AA Report, a table compares three alternatives for providing access to Downtown Los Angeles with a series of evaluation measures. The LA River West Bank Station is shown to be the cheapest of the three options considered, and, in a number of the evaluation measure categories, has fewer impacts than an aerial station option at Los Angeles Union Station (LAUS). Why is this alternative being discarded so early in the process?
3. The Department of City Planning and Department of Transportation believe that the LA River West Bank option should be carried forward as an alternative to be evaluated in the Draft EIS/EIR. According to the AA Report, this option has advantages including significant redevelopment opportunities, and easier access for construction. It offers relatively straight north and south approaches and may also have advantages of greater accessibility to parking and greater opportunities for future expansion. Can the AA Report be amended to include this option for further review?
4. The AA Report evaluates three major options for a station location in Downtown Los Angeles. Have any other station options been considered? If so, what locations were discussed?
5. The aerial station option at LAUS includes an alignment that appears to feature two 90 degree turns on the north approach, and two 45 degree turns on the south approach. Is there another viable option that would not have these turns? Will this alignment significantly compromise speed, travel time, and convenience of service?
6. The aerial option under study has been realigned in part to address the City's concerns regarding impacts to the Arts District. Relative to an optimum station referenced in Question 1 above, what other compromises have been made with the aerial station option? What are the biggest compromises?
7. Downtown Los Angeles would be a "flagship" station location, as we understand that all trains operating on the system will make a stop here. The AA Report states that the Downtown Los Angeles station would have six tracks and three platforms. Is this sufficient for the largest station in the system? Why not seven or eight tracks?

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Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment A

8. The Evaluation Measures in the AA Report do not include a measure for scalability of the station? Should this be included? This will be the largest station in system, with multi-modal features and there will eventually be a need to expand capacity.
9. Is CHSRA providing any assistance to local cities for station development?
10. What support facilities will be developed in conjunction with the high speed rail? (i.e., platforms, stations, parking, vertical and horizontal circulation, ticketing, luggage security, etc.)
11. Is the Aerial LAUS alternative constrained due to Union Station's passenger capacity?
12. The evaluation measures in the AA Report do not include a measure for parking accessibility and consideration of the feasibility of constructing an adjacent parking structure for each of the station options. Should this be included in the AA Report? Can this be included in the environmental analysis?
13. How large of a parking structure will be needed at the Downtown Los Angeles and Sylmar stations, and what location options have been analyzed? Will CHSRA be building parking structures for stations as part of the high speed rail project? Will traffic analyses be prepared to assess the potential impacts associated with high speed rail stations and associated parking facilities? Will CHSRA be studying and mitigating potential impacts from the high speed rail project on the local street and transit networks around stations?
14. To accommodate support columns for proposed aerial track segments, will the project result in significant street reconstructions/reconfigurations or in public right-of-way takes, particularly on roadways between 1st Street and the 101 Freeway in Downtown Los Angeles?
15. What visual impacts would the aerial structure have? Shade and shadow? What other impacts? Noise, vibration?
16. How can important view corridors be preserved in conjunction with the aerial alignment option to serve Los Angeles Union Station, particularly along principal roadways in the vicinity of the First Street Bridge?
17. What uses/structures/activities can be built/co-exist (below, above, around) with the aerial structure? Would the area around new aerial tracks become unusable?

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment A

18. How does design speed of the track alignment through a particular area affect land use compatibility? Are there land use "best practices" that have been documented from past experience of high speed rail operations in other countries? Can the California High Speed Rail Authority (CHSRA) provide City staff with the expected typical and maximum top train speeds along all proposed alignments through the city limits?
19. What types of mitigations is CHSRA considering for communities that may be negatively impacted by project construction activities?
20. What types of mitigations are being considered for communities that may be negatively impacted by the operation of the high speed rail system?
21. What opportunities exist to facilitate river connections along the alignment options?
22. Why did the AA Report not consider trenching of rail tracks along the river south of Union Station? Can this be evaluated in the environmental analysis?
23. What outreach has CHSRA conducted with departments of the City of Los Angeles? What input has been received that has affected the results of the Alternatives Analysis?
24. What outreach has CHSRA conducted with local communities in the City of Los Angeles? What stakeholders have been involved?
25. The City of Los Angeles Department of Public Works is currently studying options for the rehabilitation or replacement of the 6th Street Viaduct. Has CHSRA looked at the various replacement options and considered implications for the high speed rail project?
26. The Alternatives Analysis for the LA to Anaheim segment indicates that a maintenance and layover facility will be required near Union Station, but that the options for siting this facility are currently being studied and will be analyzed in a separate technical memorandum. What locations are being considering for this facility near Union Station, and when is the technical memorandum expected to be released? How are the Metropolitan Transportation Authority's rail and bus facility expansion plans being coordinated with this? Are shared and/or consolidated facilities being considered?

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment B

Selected Goals and Objectives from the City's General Plan Related to High Speed Rail

The following goals, policies and objectives are identified in the Framework Element of the General Plan:

- Continue to expand the role of Union Station as the major regional hub for Amtrak, Metrolink, Metro Rail, and, in the future, high speed rail service. Support efforts to provide all residents with reasonable access to transit infrastructure, employment, and job training opportunities.
- Maintain Downtown Los Angeles as the primary economic, governmental, and social focal point of Los Angeles, while increasing its residential community. In this role the Downtown Center will continue to accommodate the highest development densities in the City and function as the principal transportation hub for the region.
- Foster the development of higher-density mixed-use projects within one-quarter mile of rail and major bus transit facilities.
- Encourage the development of land uses and implement urban design improvements guided by the Downtown Strategic Plan
- Encourage new development in proximity to rail and bus transportation corridors and stations. It is intended that a considerable mix of uses be accommodated to provide population support and enhance activity near the stations. The incorporation of extensive streetscape amenities to promote pedestrian activity is encouraged in these areas.
- Transit stations to function as a primary focal point of the City's development.
- Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations.
- Include bicycle parking areas and facilities.
- Modify parking standards and trip generation factors based on proximity to transit.
- Design streets to serve multiple users and serve multiple functions.
- Provide for the joint use of open space with existing and future public facilities.
- Encourage the development of public plazas, forested streets, farmers markets, residential commons, rooftop spaces, and other places that function like open space in urbanized areas of the city.
- Encourage the incorporation of small-scaled public open spaces within transit-oriented development, both as plazas and small parks associated with transit

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Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment B

stations, and as areas of public access in private joint development at transit station locations.

- Support the policies and objectives of the Urban Greenways Plan/Network as a foundation for promoting and maintaining a trail system with the City. Connect adjoining neighborhoods to one another and to regional open space resources such as the Los Angeles River system.

The following goals, policies and objectives are identified in relevant Community Plans and Specific Plans:

Central City North Community Plan

- Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses.
- Preserve community character, scale, and architectural diversity.
- Landscaped corridors should be created and enhanced through the planting of street trees along segments with no building setbacks and through median plantings.
- Support the existing artists-in-residence in Central City North as a cultural resource for the community.
- The numerous large rail yards and other industrially planned parcels located in predominantly industrial areas should be protected from development by other uses which do not support the industrial base of the City and the community.
- Develop a public transit system that improves mobility with convenient alternatives to automobile travel.
- To encourage improved local and express bus service through the Central City North community and encourage park-and-ride facilities to interface with freeways, high occupancy vehicle (HOV) facilities and rail facilities.
- Encourage alternative modes of transportation to the use of single occupant vehicles (SOV) in order to reduce vehicular trips.
- To pursue transportation management strategies that can maximize vehicle occupancy, minimize average trip length, and reduce the number of vehicle trips.
- To promote pedestrian oriented mobility and the utilization of the bicycle for commuter, school, recreational use, economic activity, and access to transit facilities.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment B

- Encourage the safe utilization of easements and/or rights-of-way along flood control channels, public utilities, railroad rights-of-way, and streets wherever feasible for the use of bicycles and/or pedestrians.
- Preservation and restoration of cultural resources, neighborhoods, and landmarks which have historical and/or cultural significance.
- Encourage continuing efforts by County, State, and Federal agencies to acquire vacant land for publicly owned open space.
- Coordinate with City Departments, neighboring cities, and County, State, and Federal agencies to utilize existing public lands such as flood control channels, utility easements, and Department of Water and Power properties for such recreational uses as hiking, biking, and horseback riding.
- Install utilities underground through assessment districts or other funding, when possible.
- Assist in the aggregation of smaller, older [industrial] sites to facilitate revitalization or reuse, where appropriate.
- Provide improvements along principal streets, at major identified intersections and edges which clearly distinguish these as major entries to the City. Such improvements may include elements such as signage, landscaping, vertical pylons and/or distinctive treatments.

Alameda District Specific Plan

- Provide continued and expanded development of the [Union Station] site both as a major transit hub for the region, and as a mixed-use development providing office, hotel, retail, entertainment, tourism, residential and related uses within the Specific Plan area, in conformance with the goals and objectives of local and regional plans and policies.

Sylmar Community Plan

- Locate higher residential densities near commercial centers, the commuter rail station, and bus routes where public service facilities, utilities, and topography will accommodate this development.
- Locate senior citizen housing projects in neighborhoods within reasonable walking distance of health and community facilities, services, and public transportation.
- Preserve existing views of hillside and mountainous areas.
- Promote mixed use projects in proximity to transit stations, along transit corridors, and in appropriate commercial areas.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment B

- Develop a public transit system that improves mobility with convenient alternatives to automobile travel.
- Develop an intermodal mass transportation plan to implement linkages to future rail service.
- Support the completion of the commuter rail station at Hubbard Street and Truman Street.
- Maximize opportunities for affordable housing and pedestrian access adjacent to the commuter rail station.
- Focus growth, as appropriate, around transit stations, specifically near the Sylmar-San Fernando Commuter Rail Station.
- Preserve existing stable single family neighborhoods.
- Promote child care facilities and other human service facilities at transit stations as part of joint development with MTA, the City of Los Angeles and/or the City of San Fernando.
- Encourage the provision of safe, attractive, and clearly identifiable transit stops with user friendly design amenities.
- Encourage the provision of changing rooms, showers, and bicycle storage at new and existing non-residential development and public places such as the Metrolink Station.
- Designate generalized locations on the Plan Map for pedestrian and bikeway access from Hubbard Street, Truman Street, and the extension of Old San Fernando Road and First Street to the Metrolink Station.

The following goals, policies and objectives are identified in the Transportation Element of the General Plan:

- Provide improved transportation services to support Citywide economic development activities and related economic revitalization initiatives.
- Promote the multi-modal function of transit centers (bus and rail) through improved station design and management of curb lanes to facilitate transfers between modes (e.g. rail to bus or shuttle or taxi).
- Continue to expand the role of Union Station as the major regional hub for Amtrak, Metrolink, Metro Rail, and high-speed rail service.
- Actively seek opportunities for joint development projects which integrate land use and transportation facilities.

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Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

Attachment B

- Seek the cooperation of all City departments and other agencies to develop innovative transportation solutions.

The following goals, policies and objectives are identified in the Los Angeles River Revitalization Master Plan:

- Create a continuous river Greenway.
- Provide opportunities for continuous and uninterrupted movement along the River. Note: The Greenway would provide a dedicated bicycle path on the south and west side of the River, and a multi-use trail on the north and east side.
- Establish a River buffer area within and adjacent to the River that meets riparian or upland habitat requirements.
- Connect neighborhoods to the River.
- Provide green arterial connections to the River.
- Create safe, non-motorized routes between the River and cultural institutions, parks, civic institutions, transit-oriented development, schools, transit hubs, and commercial and employment centers within 1 mile of the River.
- Increase direct pedestrian and visual access to the River.

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

CURRENTLY PROPOSED SAN FERNANDO VALLEY GRADE SEPARATIONS FOR HSR

Draft 3/20/14

Note: All comments provided herein by the City are preliminary, and the proposed grade separations for HSR are subject to further review and comment by the City of Los Angeles.

Information From CHSRA				Feedback from City of LA		
Existing At-Grade Crossing / Grade Separations	Probable Grade Separation Type	City	Additional Remarks from CHSRA	Intersection / Area Characteristics	Concerns / Suggestions	Questions for CHSRA
Roxford Street	Road Undercrossing	Los Angeles	Options developed to provide grade separation for HSR and Metrolink	<ul style="list-style-type: none"> Heavy truck traffic at this crossing, located near freeway exit 	<ul style="list-style-type: none"> Concern about impacts of grade separation, especially on west side of ROW Trenching rail would have least impacts to surrounding area 	<ul style="list-style-type: none"> Why are HSR and Metrolink separated from each other at this crossing? How deep is proposed road undercrossing and how far west will this impact land uses? If HSR is aerial at this crossing, why does the street need to be lowered?
Bledsoe Street	Cul-de-sac	Los Angeles	Low traffic volume	<ul style="list-style-type: none"> Equestrian trail crossing at this location 	<ul style="list-style-type: none"> Investigate options for preserving equestrian trail crossing options at this location 	<ul style="list-style-type: none"> What's the alternative route for vehicular, bicycle, and pedestrian traffic if this crossing is closed? Is substantial truck traffic being diverted?
Polk Street	Road overcrossing	Los Angeles	Existing storm drain may preclude undercrossing. Overcrossing may have lower impact to residential properties east of HSR. Design objective is to maintain existing roadway elevation.			<ul style="list-style-type: none"> See General Comments below Need clarification: Would Polk roadway be overcrossing or at existing elevation?
Hubbard Avenue	Road undercrossing	San Fernando	Undercrossing appears to provide better circulation and have lower overall impact. Will lower existing roadway elevation	<ul style="list-style-type: none"> Major bus/multimodal connections at Hubbard and San Fernando Road 	<ul style="list-style-type: none"> Maintain pedestrian circulation from west of tracks to Metrolink station Maintain transit circulation/connectivity 	<ul style="list-style-type: none"> Although the crossing is not within the City of LA, due to impacts to the City of LA, staff should be consulted to develop the plan for this crossing.
Paxton Street	Road undercrossing	Los Angeles	SR 118 ramps may preclude overcrossing. Undercrossing may provide better connectivity to shopping mall east of HSR. Will lower existing roadway elevation.	<ul style="list-style-type: none"> Major truck traffic at this location 	<ul style="list-style-type: none"> Check updated data because new businesses have located here recently The new businesses utilize Paxton for deliveries. The driveway closest to San Fernando Road is heavily utilized by Costco for deliveries. 	<ul style="list-style-type: none"> Has trenching HSR and Metrolink been considered?
Van Nuys Blvd.	Road undercrossing	Los Angeles	HSR vertical clearances are higher than roadway vertical clearance, therefore road undercrossing reduces overall footprint and maintains existing transit interchange and connectivity. Will lower existing roadway elevation.	<ul style="list-style-type: none"> High pedestrian volumes here with transit connections Pacoima Community Design Overlay (CDO) and Streetscape Plan has been adopted by the City for this area 	<ul style="list-style-type: none"> Pedestrian circulation needs to be maintained East SF Valley Corridor transit project will be major consideration here; need to incorporate /not preclude various alternatives under consideration Incorporate CDO and Streetscape Plan elements with any future changes 	<ul style="list-style-type: none"> Has trenching HSR and Metrolink been considered? The East San Fernando Corridor Transit project may utilize light rail in the future and accommodations should be made for this eventuality.
Pierce Street	Cul-de-sac	Los Angeles	Low traffic volume		<ul style="list-style-type: none"> Consider installation of additional traffic controls on Van Nuys Blvd to accommodate re-routed traffic. 	<ul style="list-style-type: none"> See General Comments below
Osborne Street	Road undercrossing	Los Angeles	FAA airspace requirements for Whiteman Airport preclude overcrossing. Will lower existing roadway elevation			<ul style="list-style-type: none"> Has trenching HSR and Metrolink been considered?
Branford Street	Rail overcrossing	Los Angeles	Road overcrossing precluded due to impacts associated with the required clearances over the Tujunga Wash. May need to lower existing roadway elevation.			<ul style="list-style-type: none"> Is HSR still considering a maintenance facility in this area?

Submission L005 (Michael LoGrande, City of Los Angeles, Department of City Planning, August 28, 2014) - Continued

CURRENTLY PROPOSED SAN FERNANDO VALLEY GRADE SEPARATIONS FOR HSR

Draft 3/20/14

Note: All comments provided herein by the City are preliminary, and the proposed grade separations for HSR are subject to further review and comment by the City of Los Angeles.

Information From CHSRA				Feedback from City of LA		
Existing At-Grade Crossing / Grade Separations	Probable Grade Separation Type	City	Additional Remarks from CHSRA	Intersection / Area Characteristics	Concerns / Suggestions	Questions for CHSRA
Sheldon Street	Road undercrossing	Los Angeles	Overcrossing precluded due to impacts associated with the required clearances over the Tujunga Wash. Will lower existing roadway elevation.			• See General Comments below
Tuxford Street	Road undercrossing	Los Angeles	Proximity of existing I-5 overcrossing at Tuxford may preclude overcrossing. Will lower existing roadway elevation.	• Tuxford Green project adjacent to this crossing • Drainage issues in this area	• A traffic bottleneck may exist at the present time in this area and the future design must solve and not exacerbate the condition. • Will require ROW and geometric redesign etc.	
Penrose Street	Cul-de-sac at track crossing	Los Angeles	Low traffic volumes and existing Tuxford St. grade separation could accommodate Penrose St. traffic		• Maintain access to the Sun Valley Metrolink Station • Major impacts likely because of freeway access. May need to add offramp to SB I-5 to connect to San Fernando Road. • See General Comments below	• What about freeway on/off ramps at this location? • Would ramps be reconfigured/redirected to accommodate vehicles requiring access across the tracks? • Consider trenching HSR and Metrolink which would coincide with proposed trenching at Sunland Blvd.
Sunland Blvd.	Road overcrossing rail w/both HSR and Metrolink in Trench	Los Angeles	Proposed level of HSR, as it drops to provide clearance under FAA airspace requirements at Burbank Airport, may preclude undercrossing. May need to raise existing roadway elevation	• Sunland Valley Community Design Overlay (CDO) and Streetscape Plan has been adopted by the City for this area	• Rail trenching option minimizes street-level impacts • Incorporate CDO and Streetscape Plan elements with any future changes	• Will adjacent streets be impacted? Impact should be minimized.
Arvilla Avenue	Cul-de-sac at the Burbank Station	Los Angeles	Low traffic volume		• Consider any impacts to existing truck movements • See General Comments below	• Consider trenching HSR and Metrolink which would coincide with proposed trenching at Sunland Blvd.
¹ Hollywood Way	Rail overcrossing	Burbank	Design objective is to maintain existing roadway elevation		• Consider Metro/Metrolink current plans to build new Metrolink station with connection to Bob Hope Airport. How will this impact HSR plans?	

¹ Existing/proposed grade separations to remain

General Comments regarding above proposed grade separations include the following:

- Comments provided herein are from the Los Angeles departments of City Planning and Transportation, and the Bureau of Engineering. CHSRA should seek comment from all City departments affected by the proposed grade separations, including Police and Fire Departments regarding access for emergency response.
- Consider impacts to circulation of traffic, resulting circuitous routes, and impacts to the community
- City is concerned about impacts of grade separations on existing roadway ROW, east and west of crossings. Sufficient ROW needs to be maintained.
- Ensure that grade separations do not interfere with pedestrian and bicycle access and mobility.
- Proposed cul-de-sacs, which would have impacts on all modes, will require mitigation. Cul-de-sacs should be avoided if possible. Seek community input for mitigations.
- As a result of these grade separations, some parcels may lose driveway access. This may require mitigation and compensation to the owners.
- With roadway undercrossings, there may be drainage issues which will need to be addressed
- For those grade separations where there are both "big and little" San Fernando Roads, the grade separation design must incorporate access to both roads.

Submission L006 (Pauline Chan, City of Los Angeles, Department of
Transportation, August 30, 2014)

CITY OF LOS ANGELES
CALIFORNIA

Seleta J. Reynolds
GENERAL MANAGER



ERIC GARCETTI
MAYOR

DEPARTMENT OF TRANSPORTATION
100 South Main Street, 10th Floor
Los Angeles, California 90012
(213) 972-8470
FAX (213) 972-8410

August 30, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS
California High Speed Rail Authority

Dear Mr. McLoughlin:

**CALIFORNIA HIGH-SPEED RAIL SYSTEM--PALMDALE TO BURBANK SECTION
EIR/EIS**

The City of Los Angeles, Department of Transportation (LADOT) appreciates the opportunity to comment on the Notice of Preparation of a Project EIR/EIS for the California High-Speed Rail System--Palmdale to Burbank Section. We offer the following comments, which supplement those provided by the City Planning Department, dated August 28, 2014.

We would like to bring to your attention issues concerning the San Fernando Road Bike Path, which consists of different segments in operation as well as in various stages of implementation. The San Fernando Road Bike Path is a Class I bikeway, which runs for a considerable distance adjacent to the existing Metrolink right-of-way, and in close proximity to the proposed high-speed rail line. Millions of Federal, State, and local funds have been and are being invested in the construction of this bikeway.

In various meetings with staff of CHSRA, City staff has emphasized that we expect the Palmdale to Burbank high-speed rail line project to develop design options and any necessary mitigations to ensure that bike path is retained adjacent to San Fernando Road. The purpose of this correspondence is to confirm that the City continues to be concerned about the impacts of the proposed alignment on the San Fernando Road Bike Path.

Therefore, we respectfully request that CHSRA ensures that any rail alignment option as part of the Project EIR/EIS studies shall retain the full extent and operation of the San Fernando Bike Path without compromising safe, public access.

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

Submission L006 (Pauline Chan, City of Los Angeles, Department of
Transportation, August 30, 2014) - Continued

Mr. Mark A. McLoughlin

-2-

August 30, 2014

Thank you for your consideration.

Sincerely,



Pauline Chan
Senior Transportation Engineer
Active Transportation Division

c: Councilmember Felipe Fuentes, 7th District
Councilmember Mike Bonin, 11th District
Michael LoGrande, City Planning Department
Borja Leon, Office of the Mayor
Gary Lee Moore, Bureau of Engineering
Arthur T. Leahy, Metro
Don Sepulveda, Metro

Submission L007 (Dave Childs, City of Palmdale, September 11, 2014)



PALMDALE
a place to call home

September 11, 2014

JAMES C. LEDFORD, JR.
Mayor

TOM LACKEY
Mayor Pro Tem

MIKE DISPENZA
Councilmember

STEVEN D. HOFBAUER
Councilmember

FREDERICK THOMPSON
Councilmember

38300 Sierra Highway

Palmdale, CA 93550-4798

Tel: 661/267-5100

Fax: 661/267-5122

TDD: 661/267-5167

*Auxiliary aids provided for
communication accessibility*

upon 72 hours notice and request.

Mr. Mark A. McLoughlin, Director of Environmental Services
Attn: Palmdale to Burbank Segment
California High Speed Rail Authority (CHSRA)
700 N. Alameda, Room 3-352
Los Angeles, CA 90012

**RE: NOTICE OF PREPARATION (NOP) OF A PROJECT EIR/EIS FOR
THE CALIFORNIA HIGH SPEED RAIL SYSTEM - PALMDALE TO
BURBANK SECTION – PALMDALE COMMENTS**

Dear Mr. McLoughlin,

The purpose of this letter is to provide comments regarding the Notice of Preparation (SCH No. 2014071074) for the preparation of an EIR/EIS for the segment of the California High Speed Rail system between Palmdale and Burbank.

The City of Palmdale supports the California High-Speed Rail Authority's (CHSRA) efforts to plan, design, build and operate a modern, fast, safe, efficient, zero-emissions high speed passenger rail system for the State of California. We are particularly interested in connecting the Antelope Valley with the San Fernando Valley / Los Angeles Basin, closing the rail gap between Palmdale and Bakersfield and the overall completion of a high speed rail system that will serve the State of California, and beyond.

High speed rail service between the Antelope Valley and San Fernando Valley, with connectivity to Metrolink and other transit and multi-modal services will significantly improve mobility options for Antelope Valley residents, and Southern Californians respectively. Improvements in mobility will result in reductions in greenhouse gas emissions, congestion, delays and stress, and improve economic development, housing and job opportunities.

www.cityofpalmdale.org

Submission L007 (Dave Childs, City of Palmdale, September 11, 2014) -
Continued

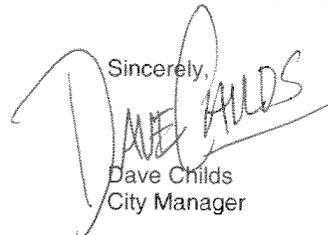
Ltr. to Mark A. McLoughlin
**RE: NOTICE OF PREPARATION (NOP) OF A PROJECT EIR/EIS FOR
THE CALIFORNIA HIGH SPEED RAIL SYSTEM - PALMDALE TO
BURBANK SECTION**
September 11, 2014
Page 2

The City of Palmdale supports the CHSRA's plans to determine the fastest, most cost-effective, least impactful route to connect the Antelope Valley to the San Fernando Valley / Los Angeles Basin. Antelope Valley commuters are currently experiencing some of the longest commute times in the United States. Each weekday approximately 70,000 residents drive south to jobs and activities in the Greater Los Angeles Basin. A round-trip for an Antelope Valley commuter can take four hours, or more. In fact, if transportation infrastructure remains as is, and the population continues to grow as estimated by the Southern California Association of Governments, by the year 2035, commute times for Antelope Valley residents will take an estimated eight hours or more.

Imagine getting on a high speed train in the Antelope Valley and arriving in Burbank in 20 minutes, or to Los Angeles in 30 minutes? What an amazing and transformational experience this would be. The benefits and upside potential is tremendous. Job and housing opportunities would be expanded and there would be more individual and family time. With high speed rail, the possibility of a parent who lives in the Antelope Valley and works in Los Angeles, to actually be home in time to be a Little League coach or a community volunteer, becomes a reality.

In closing, the City of Palmdale embraces the CHSRA's pursuit of evaluating the Palmdale to Burbank section in a separate EIR/EIS. We support high speed rail and look forward to its arrival in Palmdale. Please contact Mike Behen at 661-267-5337 or me at 661-267-5100 if you have any questions or would like to discuss the contents of this letter.

Sincerely,



Dave Childs
City Manager

C:
Bill Padilla
Mike Mischel

Submission L008 (Brian Saeki, City of San Fernando, August 29, 2014)



August 29, 2014

Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Transmitted via US Mail and Email
(palmdale_burbank@hsr.ca.gov)

ATTENTION: PALMDALE TO BURBANK SECTION PROJECT LEVEL EIR/EIS

SUBJECT: California High-Speed Rail Authority, Palmdale to Burbank Section Project;
City of San Fernando Scoping Comments

To Whom It May Concern:

The City of San Fernando City Council continues to be opposed to California High-Speed Rail Authorities proposed SR-14 high-speed rail alignment route for the Palmdale to Burbank Project Section that includes a surface high-speed rail line through the City of San Fernando. The SR-14 high-speed rail alignment will require amongst other things, grade separations, sound walls, and double tracking through its 1.6 mile portion that runs through the City of San Fernando. The proposed SR-14 rail line alignment at surface and an elevated rail design would effectively split the community in half and obliterate the City's historic downtown area and civic center area that are located on both sides of the proposed pathway of the High-Speed Rail Project. The City's Police Department, City Hall, Public Works Operations Facilities, the San Fernando Middle School Auditorium (potential local historical landmark), and the Cesar Chavez Monument are adjacent to or within 300 feet of the existing railroad right of way that is being considered as the future route of the proposed high-speed rail road.

City staff request that the following potential environmental impacts be considered as part of the development of the proposed Environmental Impact Report and Environmental Impact Statement prepared for the Palmdale to Burbank Project Section:

- Transportation: How will pedestrian and vehicular access be provided across Brand Boulevard, North Maclay Avenue, Hubbard Avenue, and Jessie Street that provide the only North-South access through the City of San Fernando? Pedestrians use these four streets as the paths of travel between the northern and southern portions of the City of San Fernando; with much of the pedestrian traffic occurring on North Maclay Avenue and Brand Boulevard as visitors, employees, and residents seek access to the civic center area along North Maclay Avenue and Brand Boulevard and students and parents walk and/or drive to San Fernando Middle School located just north of the existing rail line at 130 North Brand Boulevard. What mitigation measures will be used to separate vehicle and

ADMINISTRATION DEPARTMENT 117 MACNEIL STREET SAN FERNANDO, CA 91340 (818) 898-1202 WWW.SFCITY.ORG

Submission L008 (Brian Saeki, City of San Fernando, August 29, 2014) -
Continued



CALIFORNIA HIGH-SPEED RAIL AUTHORITY

Palmdale to Burbank Section Project; City of San Fernando Scoping Comments

Page 2 of 4

pedestrian traffic from high-speed rail traffic and rail lines? What impact will result from possible grade separations or similar design features for needed public safety access to properties on both sides of the new high-speed rail line? What impact will occur to City of San Fernando Police Department emergency response times due to the proposed SR-14 high-speed rail line alignment and associated grade separations on Maclay Avenue, Brand Boulevard, Hubbard Avenue, and Jessie Street? What impact will occur to neighboring residential streets due to the required modifications to streets adjacent to those through streets that will have to have grade separation from the proposed route including such streets as First Street, Truman Street, and potentially Second Street and San Fernando Road? What will be the impact to the City's Public Works Department yard facility located at the southeastern terminus of First Street, which currently has access to the southern portion of the City along Jessie Street?

- **Noise and Vibration:** Currently, the Metrolink Rail Commuter Lines and Southern Pacific Railroad lines cause substantial noise and vibration with commuter rail lines operating at 60+ miles per hour with higher frequencies in the morning and evening travel times; Southern Pacific rail cars travel at slower speeds but the length of trains create noise from horns and wheels travelling on metal rails. What would be the noise and vibration impacts of the surface level high-speed rail line potentially travelling at up to four times the speed of current Metro commuter rails to neighboring commercial, industrial, civic residential, industrial, and institutional uses including a sensitive receptor site like the San Fernando Middle School location? What types of mitigation measures would be implemented to dissipate noise such as sound walls, depressed rail lines, underground rail lines, et cetera?
- **Public Utilities and Energy:** What impact will the proposed SR-14 high-speed rail line alignment with surface track through the City of San Fernando have to the existing sewer, water, and high pressure gas lines that are currently located underground with one or more of said utilities located on such streets as Hubbard Avenue, Maclay Avenue, Brand Boulevard, and Jessie Street.
- **Safety and Security:** What safety and security impacts will result for pedestrian, vehicles, and emergency service providers due to the proposed SR-14 high-speed rail line and associated surface level high-speed rail line through the City of San Fernando?
- **Socioeconomics and Communities:** What socioeconomics and community impacts will occur to the City of San Fernando as it relates to: the physical divide created by a high-speed rail line infrastructure project that passes through a predominantly Latino working class community with no rail line access; disruption of the physical makeup of the community; adverse economic impacts to the community by increasing the physical separation of the downtown area and neighboring civic uses from the neighboring commercial, industrial, institutional and residential land uses that exist on both sides of the

Submission L008 (Brian Saeki, City of San Fernando, August 29, 2014) -
Continued



CALIFORNIA HIGH-SPEED RAIL AUTHORITY
Palmdale to Burbank Section Project; City of San Fernando Scoping Comments
Page 3 of 4

existing railroad right of way and proposed future SR-14 high-speed rail alignment; social equity issues attributed to the undergrounding of rail line segments and placement of stations in more affluent communities such as Santa Clarita, Burbank, and Los Angeles?

- Environmental Justice: What impacts will occur to existing bike/pedestrian pathways now developed adjacent to the existing railroad right of way/future SR-14 high-speed rail alignment? What impact will occur to the proposed Pacoima Wash Greenway Corridor Project being developed within the City of San Fernando and similar greenway corridors along the Pacoima Wash in the neighboring communities of Sylmar and Pacoima in the City of Los Angeles?
- Seismic: What seismic impacts are attributed to the proposed surface level high-speed rail line through the City of San Fernando? What mitigation measures will be implemented to deal with a high-speed rail line derailment during a seismic event through the City of San Fernando, which could effectively eliminate through pedestrian, vehicular, and emergency vehicle access along Hubbard Avenue, Maclay Avenue, Brand Boulevard and/or Jessie Street?
- Cultural Resources: What impacts to cultural resources such as the San Fernando Middle School and Auditorium (potential local historic resources) and the Cesar Chavez Monument, a nationally recognized monument to former civil rights leader Cesar Chavez?
- Aesthetic and Visual Quality: What aesthetic and visual quality impacts will occur from possible grade separation of streets, new sound walls and/or fencing securing the high-speed rail line right of way, and from new lighting and rail line track equipment that may need to be located adjacent to the rail tracks?
- Parks, Recreation and Open Space: What impacts to the community will result from the potential elimination and/or altering of greenway corridors, bike/pedestrian pathways and public access to said recreational and open spaces? The City of San Fernando has continued to promote healthy lifestyles through the expansion of new pedestrian and bicycle pathways such as the one existing adjacent to the existing railroad right of way/future high-speed rail line. What impact will this project have to public access to already limited park, recreation, and open space areas within the community?
- Station Planning, Land Use, and Development: Is the proposed SR-14 high-speed rail line alignment consistent with the City of San Fernando General Plan Land Use, Circulation, Housing, Conservation, Open Space, Safety, Noise, and Historic Preservation Elements goals, objectives, and policies? What impacts does SR-14 high-speed rail alignment with surface track through the City of San Fernando have on project-adjacent land uses as allowed under the City's zoning regulations, San Fernando Corridors Specific Plan and proposed Transit

Submission L008 (Brian Saeki, City of San Fernando, August 29, 2014) -
Continued



CALIFORNIA HIGH-SPEED RAIL AUTHORITY
Palmdale to Burbank Section Project; City of San Fernando Scoping Comments
Page 4 of 4

Oriented Development Overlay Zone that includes residential (i.e., multifamily) land uses in close proximity to the proposed high speed rail line?

Furthermore, the City would strongly encourage the consideration of an alternate route that completely foregoes use of the SR-14 alignment through the Palmdale to Burbank Project Section. Instead, City of San Fernando staff is suggesting that the CHSRA Board and staff conduct a detailed environmental assessment and economic analysis to determine the feasibility and environmental impacts attributed to the use of one or more high-speed rail alignments through the "Alternate Corridor-New Study Area" as noted in the CHSRA's scoping meeting presentation provided at the scoping meetings held during the month of August 2014.

Respectfully Submitted By:

Brian Saeki
City Manager

Submission L008 (Brian Saeki, City of San Fernando, August 29, 2014)

 CALIFORNIA High-Speed Rail Authority		Palmdale to Burbank Section <i>Scoping Comment Card</i>
NAME: BRIAN SAEKI, CITY MANAGER		DATE: AUGUST 29, 2014
MEETING LOCATION: SYLMAR LIBRARY (08/12/14)	AFFILIATION: CITY OF SAN FERNANDO	
ADDRESS: 117 MACNEIL STREET	EMAIL: BSAEKI@SFCITY.ORG	PHONE: (818) 898-1202
CITY: SAN FERNANDO	STATE: CALIFORNIA	ZIP: 91340
WOULD YOU LIKE TO BE ADDED TO OUR MAILING LIST?* (Check all that apply) <input type="radio"/> STATEWIDE <input checked="" type="checkbox"/> PALMDALE TO BURBANK <input type="radio"/> BURBANK TO LOS ANGELES		
<small>*NOTE: This does not substitute for formal request to receive legal notices.</small>		
<p>PLEASE LIST THE ENVIRONMENTAL ISSUES THAT YOU ARE CONCERNED WITH AND WOULD LIKE TO SEE ADDRESSED IN THE PALMDALE TO BURBANK PROJECT LEVEL ENVIRONMENTAL DOCUMENT. PLEASE BE AS SPECIFIC AS POSSIBLE.</p> <p>PLEASE SEE ATTACHED LETTER.</p>		
<p>WHAT OTHER ISSUES WOULD YOU LIKE THE PROJECT LEVEL ENVIRONMENTAL DOCUMENT TO ADDRESS?</p> <p>PLEASE SEE ATTACHED LETTER.</p>		
<p>ADDITIONAL COMMENTS:</p> <p>PLEASE SEE ATTACHED LETTER.</p>		
<p style="text-align: center;"> THANK YOU FOR YOUR PARTICIPATION IN THIS IMPORTANT PROCESS. PLEASE SUBMIT YOUR SCOPING COMMENT FORM AT THE SIGN-IN TABLE OR MAIL THIS PRE-ADDRESSED FORM. YOU MAY ALSO SUBMIT IT VIA EMAIL TO: palmdale_burbank@hsr.ca.gov. ALL SCOPING COMMENTS FOR THE PALMDALE TO BURBANK PROJECT SECTION MUST BE SUBMITTED BY AUG. 31, 2014. </p>		

Submission L009 (Laurene Weste, City of Santa Clarita City Council, August 4, 2014)



August 4, 2014

Laurene Weste Mayor
Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Marsha McLean Mayor Pro Tem
Dante Acosta Councilmember
Re: Palmdale to Burbank Project Section
Dear Mr. McLoughlin:

TimBen Boydston Councilmember
I am writing on behalf of the Santa Clarita City Council to reiterate our position regarding the alignments to be evaluated within the environmental documents for the Palmdale to Los Angeles segment of the California High Speed Rail Authority (CHSRA) proposed project, specifically focused on the Palmdale to Burbank project section. Thank you for the opportunity to provide comments during the scoping phase of the project and for holding the August 5, 2014, community meeting in Santa Clarita.

Bob Kellar Councilmember

On March 28, 2014, the Santa Clarita City Council sent a five-signature letter to CHSRA Chairperson Dan Richard outlining our preferences related to the high speed rail segment as it traverses our community. For purposes of the scoping meetings, on behalf of the entire City Council, I am writing to once again express those preferences.

The City Council's preferred alignment is the direct connection between Burbank and Palmdale, bypassing the Santa Clarita Valley entirely. Based upon information which we have received to date, this potential alignment will be less disruptive to residents of the Santa Clarita Valley and unincorporated areas north of the City of Santa Clarita, including Agua Dulce and Acton.

It is our understanding that the tunneling requirements for the direct alignment between Burbank and Palmdale are substantially similar to those for the previously proposed alignments through the Santa Clarita Valley, which roughly parallel the State Route 14 corridor. Additionally, the direct alignment appears to



Submission L009 (Laurene Weste, City of Santa Clarita City Council, August 4, 2014) - Continued

Mark A. McLoughlin
August 4, 2014
Page 2

contribute critical time savings in the overall trip duration between Los Angeles Union Station and Palmdale, and hence, between Los Angeles and San Francisco. We urge the California High Speed Rail Authority to formally incorporate evaluation of this alternative corridor study area into the environmental review process.

With respect to the evaluation of the one remaining surface alignment and the tunnel extension alignment in Santa Clarita, the City Council believes the tunnel extension creates far less environmental and community damage than the proposed surface alignment. While the City Council understands that the environmental review process demands a thorough review of a variety of alternatives, we strongly oppose the proposed surface alignment, as it has the potential of eliminating homes and devastating neighborhoods, two local schools and an approved job center in the eastern area of our community.

While we appreciate the CHSRA Board and staff responding favorably to the City Council's June 2012 request to evaluate an extension of the proposed tunnel alignment for an additional two miles under the eastern neighborhoods of Santa Clarita, we are concerned about the impacts that both construction and operation of the rail line will have throughout the community. We request that the CHSRA fully consider the impacts of noise and vibration of the rail alignment under homes, businesses, schools and open space areas. Furthermore, regarding the construction phase, in addition to typical construction activities associated with a large scale tunneling project, we ask that the environmental documents specifically reflect the need to remove substantial amounts of soil to construct the tunnels and how removal of that material may impact local roadways and air quality, in addition to maintaining the integrity of existing surface structures and uses.

Thank you for your consideration of my comments on behalf of the City of Santa Clarita. Should you need additional information or clarification, please contact Intergovernmental Relations Officer Michael P. Murphy at (661) 255-4384 or mmurphy@santa-clarita.com.

Sincerely,

Thank You
Laurene Weste
Laurene Weste
Mayor

LW:MPM:na
s:\ms\mpm\High Speed Rail Resolutions\LW McLoughlin Scoping Comments\080514.doc

Submission L009 (Laurene Weste, City of Santa Clarita City Council, August
4, 2014) - Continued

Mark A. McLoughlin
August 4, 2014
Page 3

cc: Members of the City Council
Senator Fran Pavley
Senator Steve Knight
Assembly Member Scott Wilk
Assembly Member Steve Fox
Kenneth Striplin, City Manager
Leadership Team
Gail Morgan, Communications Manager
Michael Murphy, Intergovernmental Relations Officer

Submission L009 (Laurene Weste, City of Santa Clarita City Council, August 4, 2014)



Submission L010 (Kathline King, County of Los Angeles, Department of Parks and Recreation - Planning and Development Agency, September 11, 2014)



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

September 11, 2014

Sent via email: palmdale_burbank@hsr.ca.gov

Mr. Mark A. McLoughlin
Director of Environmental Services
ATTN: Palmdale to Burbank Section
California High-Speed Rail Authority
Southern California Regional Office
700 North Alameda, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin:

**NOTICE OF PREPARATION OF A PROJECT ENVIRONMENTAL IMPACT
REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) FOR THE
CALIFORNIA HIGH-SPEED RAIL SYSTEM PALMDALE TO BURBANK SECTION**

The Notice of Preparation of an EIR/EIS for the Palmdale to Burbank section of the California High-Speed Rail System has been reviewed for potential impact on the facilities of the Los Angeles County Department of Parks and Recreation (DPR). Construction of the project as described in the Notice of Preparation may impact facilities under the jurisdiction of this Department for which we offer the following comments:

1. In reference to Exhibit 1, the proposed rail alignments may impact the facilities listed below. These are the areas where visitors hike, picnic, horseback ride and enjoy scenic vistas.

Acton Park	751 Syracuse Avenue Acton, CA 93510
Acton Wash Sanctuary	Soledad Canyon Road and Gillespie Avenue Acton, CA 93510
Vasquez Rocks Natural Area	10700 W. Escondido Canyon Road Agua Dulce, CA 91350
Placerita Canyon Natural Area	19152 Placerita Canyon Road Newhall, CA 91321

Planning and Development Agency • 510 South Vermont Ave • Los Angeles, CA 90020-1975 • (213) 351-5198

Submission L010 (Kathline King, County of Los Angeles, Department of Parks and Recreation - Planning and Development Agency, September 11, 2014) - Continued

Mr. Mark A. McLoughlin
September 11, 2014
Page 2

#65 Rim of the Valley Trail (Multi-jurisdictional/including County trail segments)

#71 Santa Clara River Trail (City of Santa Clarita and County)

#78 Placerita Creek Trail (State and County)

#79 Pacific Crest Trail (Federal Trail)

#109 Littlerock Trail (County and Federal)

#110 Palmdale Hills Trail (County)

#114 Acton Community Trail (County)

#116 Vasquez Loop Trail (County)

#Undesignated Darrell Readmond Trail (County)

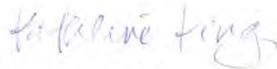
2. The proposed rail alignments near to Vasquez Rocks may have potential impacts on park patron related to aesthetics, air and noises. Additionally if the train is visible from the park or the vicinity, there could be an impact on filming which has been conducted at Vasquez Rocks since the early 1900's. Tunneling the proposed alignment adjacent to the facility may possibly mitigate potential impacts.
3. DPR is also concerned over aesthetics, noise and air quality impacts during the construction and operation. The impacts associated with the proposed project may affect both park patron and trail user's experience especially equestrians within the County's regional trail network and trail segment linked within other jurisdictions and trail systems. Mitigation for aesthetics impacts should include vegetative screening of the project site so that it can create visual relief for the park patrons and trail users.
4. The trail alignments listed above either bisect or run parallel to one or more of the High Speed Rail alternatives. DPR's main concern is for continued multi-use (equestrian, hiking and mountain bicycling) trail connectivity. Solutions to possible conflicts between the final alignment of the High Speed Rail alternatives and County trails include: trail under-crossings and re-routing. DPR will require recordation of trail easements and construction of trails in specific areas where the final alignment of the High Speed Rail intersects proposed Board-adopted County trails, and multi-jurisdictional trails, such as the Rim of the Valley Trail. We look forward to continued collaboration with the Federal Railroad Administration, California High Speed Rail Authority, throughout the project planning process.

Submission L010 (Kathline King, County of Los Angeles, Department of Parks and Recreation - Planning and Development Agency, September 11, 2014) - Continued

Mr. Mark A. McLoughlin
September 11, 2014
Page 3

Thank you for including this Department in the review of this environmental document. Should you have any questions regarding trails, please contact Mr. Robert Ettleman at (213) 351-5134 or rettleman@parks.lacounty.gov. For any other inquiries, please contact Ms. Jul Ing Chien at (213) 351-5129 or jchien@parks.lacounty.gov.

Sincerely,



Kathline J. King
Chief of Planning

KK:JIC/tls/Response to High Speed Rail Palmdale to Burbank Section

Enclosure : NOP/IS High Speed Rail Palmdale to Burbank Section- Trail Review Map

c: Parks and Recreation (N. E. Garcia, F. Moreno, R. Ettleman, H. Sohm, D. LaCroix)

Submission L010 (Kathline King, County of Los Angeles, Department of Parks and Recreation - Planning and Development Agency, September 11, 2014) - Continued



HSR BURBANK TO LOS ANGELES: COUNTY OF LOS ANGELES
County of Los Angeles | Department of Parks & Recreation

Submission L011 (Anthony E. Nyivih, County of Los Angeles, Department of Public Works - Land Development Division, Subdivision Mapping, August 21, 2014)



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-2

August 21, 2014

Mr. Mark A. McLoughlin, Director of Environmental Services
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Attention Palmdale to Burbank Section EIR/EIS

**INITIAL STUDY-NOTICE OF PREPARATION (IS-NOP)
CALIFORNIA HIGH-SPEED RAIL SYSTEM
PALMDALE TO BURBANK SECTION
SCH NO. 2014071074**

We completed our review of the Initial Study-Notice of Preparation (IS-NOP) associated with the Palmdale to Burbank Section of the California High-Speed Rail System (HSR) proposed by the California High-Speed Rail Authority. The proposed project would include two potential alignments that would link the Cities of Palmdale and Burbank with an HSR on fully grade-separated, dedicated tracks. The first alternative, which is approximately 48 miles long, generally follows existing Metro-owned right of way along State Route 14. An alternative alignment would be on average 35 miles long and would follow a relatively straight route through the Angeles National Forest from the City of Palmdale to the City of Burbank. Both alignment options pass through the City of Palmdale, unincorporated County of Los Angeles, the Angeles National Forest, and the Cities of Santa Clarita, Los Angeles, San Fernando, and Burbank. The project corridors would begin near Avenue O in the City of Palmdale and would end near West Magnolia Boulevard in the City of Burbank.

The following are our comments for your consideration and relate to the environmental document only:

General Comment

1. We would like the opportunity to review the Draft Environmental Impact Report (DEIR) when it becomes available so that the full extent of impacts to County of Los Angeles Department of Public Works-maintained and Los Angeles County Flood Control District (LACFCD)-owned infrastructure can be determined. The DEIR should disclose all impacts, permanent and temporary, that would occur within unincorporated County areas and LACFCD properties. Detailed alignment

Submission L011 (Anthony E. Nyivih, County of Los Angeles, Department of Public Works - Land Development Division, Subdivision Mapping, August 21, 2014) - Continued

Mr. Mark A. McLoughlin
August 21, 2014
Page 2

maps, plans, and impact analyses should be submitted to the County for review and included in the DEIR so that adequate assessments can be made as to how the HSR project affects County and LACFCD infrastructure.

If you have any questions regarding the general comment, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Geology and Soils

1. Geotechnical reports should be included in the Environmental Impact Report as necessary.

If you have any questions regarding the geology and soils comment, please contact Jeremy Wan of Public Works' Geotechnical and Materials Engineering Division at (626) 458-4923 or jwan@dpw.lacounty.gov.

Hydrology and Water Quality

1. Within the boundaries of the alternate corridor path through the San Gabriel Mountains are several Los Angeles County Flood Control District facilities including several debris basins and two sediment placement sites in the La Tuna Canyon and Sunland-Tujunga areas. Any rail project proposing to use this alignment needs to include measures and construction phasing so as to not reduce the functional or flow-carrying capacity of any LACFCD facility, negate or interfere with the operation and function of any LACFCD facility during storm season (October 15 through April 15), cross LACFCD's debris basins or sediment placement site properties, nor block LACFCD's access to any of its facilities.

If you have any questions regarding hydrology and water quality comment No. 1, please contact Patricia Wood of Public Works' Water Resources Division at (626) 458-6131 or pwood@dpw.lacounty.gov.

2. Since the alignment of the proposed project will impact LACFCD infrastructure and/or right of way, the DEIR should include discussion regarding securing applicable LACFCD permits and, if deemed necessary, to enter into a "Use Agreement" with the LACFCD as part of the project plan development process.

If you have any questions regarding hydrology and water quality comment No. 2, please contact Armond Ghazarian of Public Works' Watershed Management Division at (626) 458-7149 or aghazar@dpw.lacounty.gov.

Submission L011 (Anthony E. Nyivih, County of Los Angeles, Department of Public Works - Land Development Division, Subdivision Mapping, August 21, 2014) - Continued

Mr. Mark A. McLoughlin
August 21, 2014
Page 3

Transportation/Traffic

1. The DEIR for this project should analyze the potential impacts, permanent and temporary, to all County intersections and roadways.
2. Although the IS-NOP indicates that the project consists of fully-grade separated improvements, if it is determined that at-grade rail crossings are necessary, the DEIR should address any increased vehicle delays from operating trains for crossings located within the unincorporated areas of the County of Los Angeles.
3. The County would like to review the site plan associated with the new bus transit center that is proposed north of the Palmdale Transportation Center since it may affect County facilities. Discussions related to this potential impact should be included in the DEIR.

If you have any questions regarding transportation/traffic comment Nos. 1 or 3, please contact Andrew Ngumba of Public Works' Traffic and Lighting Division at (626) 458-4851 or angumba@dpw.lacounty.gov.

4. Detailed plans should be submitted to the County for review and approval to determine the impacts of the project and identify any conflicts with existing County-maintained roadways. Any modifications to existing roadway geometry and drainage patterns will need to be carefully evaluated and disclosed in the DEIR.

If you have any questions regarding transportation/traffic comment No. 4, please contact Mark Caddick of Public Works' Road Maintenance Division, Maintenance District 5 at (661) 947-7173 or mcaddick@dpw.lacounty.gov.

Conclusion

If you have any other questions or require additional information, please contact Anthony Nyivih of Land Development Division at (626) 458-4900 or anyivih@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works


SB ANTHONY E. NYIVIH
Assistant Deputy Director
Land Development Division

MD:tb

P:\pub\SUBP\CHECK\Plan\Zoning\Projects submitted by Other Agencies\Ca High Speed Rail System-Palmdale to Burbank Project Section\IS-NOP\2014-08-15 CA_HSR_Palm-Bur_LACDPW Comments.doc

cc: Chief Executive Office (Olga Sahagun, Anthony Baker)

Submission L011 (Anthony E. Nyivih, County of Los Angeles, Department of Public Works - Land Development Division, Subdivision Mapping, August 21, 2014)

Palmdale - Burbank - RECORD #202 DETAIL

Status : Pending
Record Date : 8/23/2014
Response Requested : No
Submission Date : 8/21/2014
Affiliation Type : Local Agency
Interest As : Local Agency
Submission Method : Email
First Name : Matthew
Last Name : Dubiel
Professional Title : P.E.
Business/Organization : County of Los Angeles Department of Public Works - Land Development Division, Subdivision Mapping
Address : P.O. box 1460
Apt./Suite No. :
City : Alhambra
State : CA
Zip Code : 91802-1460
Telephone : (626) 458-4921
Email : MDUBIEL@dpw.lacounty.gov
Cell Phone : (626)458-4949
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : Mr. McLoughlin:

Thank you for the opportunity to review the Notice of Preparation/Initial Study associated with the Palmdale to Burbank Section of the California High-Speed Rail System. Attached please find comments from the County of Los Angeles Department of Public Works.

If you have any questions please feel free to contact us.

Thank you.

Matthew Dubiel, P.E.
County of Los Angeles Department of Public Works
Land Development Division, Subdivision Mapping Section,
CUP/CEQA/B&T Planning Unit
* (626) 458-4921 *(626)458-4949
Please click here to take our customer service
survey<<http://dpw.lacounty.gov/general/survey/index.cfm?pid=lilhMCAK>>

[cid:image001.png@01CBF9AC.9D3EF0B0]

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project :
Attachments : 2014-08-21 CA HSR, Palmdale to Burbank, LACDPW Comments.pdf (46 kb)

Submission L012 (Frank Vidales, County of Los Angeles, Fire Department,
August 22, 2014)



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

August 22, 2014

Mark A. Mcloughlin, Program Assistant
California High Speed Rail Authority
Program Section
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012

Dear Mr. Mcloughlin:

PREPARATION, SCH# 2014071074, "CALIFORNIA HIGH-SPEED RAIL SYSTEM PALMDALE TO BURBANK SECTION," IT IS NEEDED FOR THE EXPECTED GROWTH IN POPULATION AND INCREASE IN INTERCITY TRAVEL DEMAND IN CALIFORNIA OVER THE NEXT TWENTY YEARS AND BEYOND, LOS ANGELES COUNTY (FFER #201400133)

The Preparation has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

- 1. We will reserve our comments for the Draft EIR.

LAND DEVELOPMENT UNIT:

- 1. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic, and emergency response issues.
- 2. When a bridge is required to be used as part of a fire access road, it shall be constructed and maintained in accordance with nationally recognized standards and designed for a live load sufficient to carry a minimum of 75,000 pounds. All

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDDORA	IRVINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER

Submission L012 (Frank Vidales, County of Los Angeles, Fire Department,
August 22, 2014) - Continued

Mark A. Mcloughlin
August 22, 2014
Page 2

water crossing designs are required to be approved by the public works department prior to installation.

3. All access devices and gates shall comply with California Code of Regulations, Title 19, Articles 3.05 and 3.16.
4. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.
5. Provide three sets of alternate route (detour) plans, with a tentative schedule of planned closures, prior to the beginning of construction. Complete architectural/structural plans are not necessary.
6. Notify the nearest County of Los Angeles Fire Department Fire Stations at least three days in advance of any street closures that may affect Fire/Paramedic responses in the area.
7. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
8. When developing the infrastructure and when actual construction is proposed, the following requirements shall be incorporated into the project proposals.
9. The statutory responsibilities of the County of Los Angeles Fire Department, Land Development Unit, are the review of, and comment on all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within contract cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities. The County of Los Angeles Fire Department, Land Development Unit, may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

Submission L012 (Frank Vidales, County of Los Angeles, Fire Department,
August 22, 2014) - Continued

Mark A. Mccloughlin
August 22, 2014
Page 3

10. Submit proposals for all street vacations (closures) to the County of Los Angeles Fire Department, Land Development Unit for review and approval. The proposal shall be submitted through the Department of Public Works.
11. Submit three sets of water plans to the County of Los Angeles Fire Department, Land Development Unit. The plans must show all proposed changes to the fire protection water system, such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed in the Draft Environmental Impact Report.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:jl

Submission L012 (Frank Vidales, County of Los Angeles, Fire Department,
August 22, 2014)

COUNTY OF LOS ANGELES
FIRE DEPARTMENT
FORESTRY DIVISION
5823 RICKENBACKER ROAD, ROOM #123
COMMERCE, CA 90040-4335

Mark A. McLoughlin, Program Assistant
California High Speed Rail Authority
Program Section
700 N. Alameda Street, Room 3-532
Los Angeles, CA 90012



9001283859 0057



Submission L013 (Adriana Raza, County Sanitation Districts of Los Angeles
County, August 22, 2014)



COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.locsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

August 22, 2014

Ref File No.: 3048448

Mr. Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin:

Palmdale to Burbank Section EIR/EIS

The County Sanitation Districts of Los Angeles County (Districts) received a Notice of Preparation of a Draft Environmental Impact Report for the subject project on July 28, 2014. We offer the following comment:

- The proposed project may impact existing and/or proposed Districts' trunk sewers over which it will be constructed. Existing and proposed Districts' trunk sewers are located directly under and/or cross directly beneath the proposed project alignment. The Districts cannot issue a detailed response to or permit construction of the proposed project until project plans and specification that incorporate Districts' sewer lines are submitted. In order to prepare these plans, you will need to submit a map of the proposed project alignment, when available, to the attention of Mr. Jon Ganz of the Districts' Sewer Design Section at the address shown above. The Districts will then provide you with the plans for all Districts' facilities that will be impacted by the proposed project. Then, when revised plans that incorporate our sewers have been prepared, please submit copies of the same for our review and comment.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

Grace Robinson Hyde

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

cc: J. Ganz

DOC: #DMS-#3069167-v1-California_High-Speed_Rail_System_Palmdale_to_Burbank.D



Submission L013 (Adriana Raza, County Sanitation Districts of Los Angeles
County, August 22, 2014)



COUNTY SANITATION DISTRICTS
OF LOS ANGELES COUNTY
P.O. Box 4998, Whittier, CA 90907-4998

Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012



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Submission L014 (Luis Marquez, Eco Rapid Transit Board of Directors, August 30, 2014)



Eco-Rapid Transit, formerly known as the Orangeline Development Authority, is a joint powers authority (JPA) created to pursue development of a high-speed, grade-separated transit system that is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that will benefit Southern California. The Authority is composed of the following public agencies:

- City of Artesia
- City of Bell
- City of Bell Gardens
- City of Bellflower
- City of Cerritos
- City of Cudahy
- City of Downey
- City of Glendale
- City of Huntington Park
- City of Maywood
- City of Paramount
- City of Santa Clarita
- City of South Gate
- City of Vernon
- Burbank-Glendale-Pasadena Airport Authority

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Luis Marquez
Mayor Pro Tem
City of Downey

Vice Chairman

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Michael McCormick
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City of Vernon

Internal Auditor

Scott A. Larsen
Mayor Pro Tem
City of Bellflower

Executive Director

Michael R. Kodama

General Counsel

Teresa L. Highsmith

Ex-Officio

Rene Escobedo
City Manager Representative

August 31, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

RE: Palmdale to Burbank Project Section

Dear Mr. McLoughlin:

The Eco-Rapid Transit Board of Directors considered a report on the Notice of Intent ("NOI") to prepare an Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for newly defined alternatives for the California High Speed Rail (HSR) Project in the section between Palmdale and Burbank. Support for the "blended" approach to HSR, which includes improvements to the regional rail system and its connections to the state HSR, are features of the project that are consistent with the Eco-Rapid Transit mission to achieve high speed transit between the member cities. The Board authorized me to forward the following comments regarding expectations for the scope of the EIR/EIS based upon anticipated impacts. Eco-Rapid Transit is appreciative of the opportunity to provide comments regarding the scope of the Environmental Impact Report / Environmental Impact Statement ("EIR / EIS") for the Palmdale to Burbank Project Section of the California High-Speed Rail ("HSR") Project.

The City of Santa Clarita and the Burbank-Glendale-Pasadena Airport Authority, members of Eco-Rapid Transit, have filed separate letters on the expected impacts and proposed scope. Eco-Rapid Transit supports the comments and suggestions contained in those independent letters. We understand that while the purpose of scoping is to identify items to address anticipated, the Eco-Rapid Transit Board has expressed strong support for the tunnel route since it represents savings on the overall travel time and is expected to have lower impacts to the Santa Clarita community.

In addition, the EIR/EIS should address the following mobility impacts in the document:

1. The two alternatives: the Santa Clarita Valley route (roughly following the SR 14 freeway); and the Direct route (a tunnel alternative under the Angeles National Forest and bypassing Santa Clarita) are expected to have significant differences in travel speeds. The EIR/EIS should clearly evaluate the differences in travel time and potential ridership on the HSR system between Palmdale and Burbank as well as between Palmdale and the ultimate destination - LA Union Station Terminal (LAUST). The EIR/EIS should also evaluate the potential for congestion relief on I-5/SR14/I-210 interchange and impacts on the I-405 and SR 118.

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Submission L014 (Luis Marquez, Eco Rapid Transit Board of Directors, August 30, 2014) - Continued



Eco-Rapid Transit, formerly known as the Oreganelle Development Authority, is a joint powers authority (JPA) created to pursue development of a high speed, grade separated transit system that is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that will benefit Southern California. The Authority is composed of the following public agencies:

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- City of Maywood
- City of Paramount
- City of Santa Clarita
- City of South Gate
- City of Vernon
- Burbank-Glendale-Pasadena Airport Authority
- Chairman**
- Luis Marquez
Mayor Pro Tem
City of Downey
- Vice Chairman**
- Maria Davila
Council Member
City of South Gate
- Secretary**
- Rosa E. Perez
Mayor
City of Huntington Park
- Treasurer**
- Michael McCormick
Mayor
City of Vernon
- Internal Auditor**
- Scott A. Larsen
Mayor Pro Tem
City of Bellflower
- Executive Director**
- Michael R. Kodama
- General Counsel**
- Teresa L. Highsmith
- Ex-Officio**
- Rene Bobadilla
City Manager Representative

2. The two alternatives are expected to have impacts to the operations of the existing rail lines on the Los Angeles County MetroLink Antelope Valley Line which provides much needed regional passenger rail transit in the corridor. Mitigation measures to minimize these impacts must be evaluated in the EIR/EIS.
3. The design of the station in Burbank is expected to have different impacts depending upon whether or not it is expected to be a terminal station, or a "through" station. The EIR/EIS must clearly assess these impacts in terms of parking needs and necessary connections to meet the ultimate goal of access to LA Union Station Terminal (LAUST). In particular, identification of specific connections to the Bob Hope Airport must be featured. Further, the viability and necessary project features to extend the Los Angeles County Metro Red Line must be discussed.

Again, thank you for considering the above scoping comments in preparation of the upcoming EIR/EIS. Our Board looks forward to working with you in developing this important mobility project.

Very truly yours,

Luis H. Marquez
Chairman, Eco Rapid Transit Board of Directors
Mayor Pro Tem, City of Downey

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Submission L014 (Luis Marquez, Eco Rapid Transit Board of Directors, August 30, 2014)

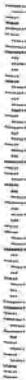
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16401 Paramount Boulevard
Paramount, CA 90723

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Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

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Submission L015 (Jan Zimmerman, Lahontan Regional Water Quality Control Board, August 22, 2014)



Lahontan Regional Water Quality Control Board

MEMORANDUM

TO: Mark A. McLoughlin, Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012
Email: palmdale_burbank@hsr.ca.gov

FROM:  Jan M. Zimmerman, Engineering Geologist
LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: August 22, 2014

SUBJECT: **COMMENTS ON THE NOTICE OF PREPARATION OF A PROJECT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE CALIFORNIA HIGH SPEED RAIL SYSTEM PALMDALE TO BURBANK SECTION, LOS ANGELES COUNTY, STATE CLEARINGHOUSE NUMBER 2014071074**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received a Notice of Preparation (NOP) of a project-level environmental document for the above-referenced project (Project) on July 28, 2014. The NOP was circulated in order to solicit input on Project alternatives and the potential impacts that should be considered in the preparation of a joint Environmental Impact Report (EIR) and Environmental Impact Statement (EIS). The EIR/EIS will evaluate only the Palmdale to Burbank section of the High Speed Rail System. Other sections of the rail system will be addressed separately under separate project-level environmental reviews. The High Speed Rail Authority is the lead agency under the California Environmental Quality Act (CEQA) and the Federal Railroad Association is the lead agency under the National Environmental Protection Act (NEPA).

Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096. Based on our review of the limited information provided, we recommend that several issues be considered in the preparation of the EIR/EIS, particularly: 1) alternatives that **avoid** wetland impacts should be considered with higher priority over others; 2) the water quality and hydrology analyses should include a discussion of

AMY L. HORNE, PhD, CHAIR | PATIV Z. KOYOUMDJIAN, EXECUTIVE OFFICER
14440 Civic Drive, Suite 200, Victorville, CA 92392 | www.waterboards.ca.gov/lahontan

RECYCLED PAPER

Submission L015 (Jan Zimmerman, Lahontan Regional Water Quality Control Board, August 22, 2014) - Continued

Mr. McLoughlin

- 2 -

August 22, 2014

beneficial uses and potential impacts with respect to those beneficial uses; and 3) established numerical and narrative water quality objectives and standards should be used when evaluating thresholds of significance for Project impacts. Our comments are outlined below and are germane only to those portions of the Project that have the potential to occur within the Lahontan Region.

WATER BOARD'S AUTHORITY

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

The Palmdale to Burbank Section of the High Speed Rail System falls within the jurisdiction of two Regional Water Boards, the Lahontan and Los Angeles Water Boards. That portion of the Project area that is within the Antelope Valley watershed is under the jurisdiction of the Lahontan Water Board.

SPECIFIC ISSUES TO BE CONSIDERED IN THE EIR/EIS

We recommend that the following issues be considered in preparation of the EIR/EIS.

1. The Palmdale to Burbank Section traverses the San Andreas fault zone. Shallow groundwater occurring along this fault zone supports numerous perennial springs and associated wetlands. In an otherwise arid-desert environment, these perennial surface waters are crucial to sustain habitat for the survival of a variety of native plant and animal species. There are many known wetland areas adjacent to and within the vicinity of the proposed and alternative Project alignments, and implementation of the Project could pose potential impacts to wetland hydrology and water quality including: 1) direct impacts and loss of wetland area attributed to fill and excavation discharges; 2) indirect impacts to vegetation attributed to shading from overhead structures (i.e. bridges); 3) indirect impacts to hydrology as a result of reduced spring/stream flows; and 4) direct and indirect water quality concerns associated with untreated storm water runoff. We request that alternatives that **avoid** wetland impacts be considered with higher priority over others.

Submission L015 (Jan Zimmerman, Lahontan Regional Water Quality Control Board, August 22, 2014) - Continued

Mr. McLoughlin

- 3 -

August 22, 2014

2. The beneficial uses of water resources in the Lahontan Region are listed either by watershed (for surface waters) or by groundwater basin (for groundwater) in Chapter 2 of the Basin Plan. The EIR/EIS should identify and list the beneficial uses of the water resources within the Project area and include an analysis of the potential impacts to water quality and hydrology with respect to those beneficial uses.
3. Water quality objectives and standards, both numerical and narrative, for **all** waters of the State within the Lahontan Region, including surface waters and groundwater, are outlined in Chapter 3 of the Basin Plan. Water quality objectives and standards are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. It is these objectives and standards that should be used when evaluating thresholds of significance for Project impacts.
4. The Project alignment will cross a hierarchy of surface water features. Project implementation has the potential to truncate these surface water systems and isolate headwaters from downstream reaches. The consequences of truncation may be a near total loss of beneficial uses downstream of the corridor, including a significant reduction in or loss of groundwater recharge, a reduction in wetland and other habitat due to reduced or diverted surface flows, and a reduced ability for natural drainage systems and floodplains to attenuate flood flows. Alternatives to **avoid** these impacts should be considered. Specific mitigation measures must be identified that, when implemented, minimize unavoidable impacts to a less than significant level to ensure that no net loss of function and value will occur as a result of Project implementation. We request that natural drainage patterns be maintained and stream channels are clear-spanned to the extent practical to avoid and minimize impacts.
5. Post-construction storm water management must be considered a significant Project component, and BMPs that effectively treat post-construction storm water runoff should be included as part of the Project. Of particular concern is the collection of onsite storm water runoff at both station and maintenance facilities and the concentrated discharge of that storm water to stream channels. Design alternatives that are compatible with low impact development (LID) should be considered on a site-specific basis. LID components include: maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge; managing runoff as close to the source as possible; and maintaining vegetated areas for storm water management and onsite infiltration.
6. All surface waters are waters of the State. Some waters of the State are "isolated" from waters of the U.S. Determinations of the jurisdictional extent of waters of the U.S. are made by the United States Army Corps of Engineers (USACE) on a project-by-project basis. As planning progresses, Project proponent is urged to consult with the USACE and the Water Board and perform the necessary jurisdictional determinations for surface waters within the Project area to ensure that the full extent of both State and federal jurisdictional areas are accurately documented.

Submission L015 (Jan Zimmerman, Lahontan Regional Water Quality Control Board, August 22, 2014) - Continued

Mr. McLoughlin

- 4 -

August 22, 2014

7. Compensatory mitigation will be required for all unavoidable permanent impacts to surface water resources. Water Board staff coordinate all mitigation requirements with staff from other federal and state regulatory agencies, including the USACE and the California Department of Fish and Wildlife. In determining appropriate mitigation ratios for impacts to waters of the State, Water Board staff considers Basin Plan requirements (minimum 1.5:1 mitigation ratio for impacts to wetlands) and utilizes *12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios*, published December 2012 by the USACE, South Pacific Division.
8. All temporary impacts to upland and water resource areas should be restored (recontoured and revegetated) to match pre-Project conditions.
9. Vegetation clearing should be kept to a minimum. Where feasible, existing vegetation should be mowed so that after construction the vegetation could reestablish and help mitigate for potential storm water impacts.
10. Construction and equipment staging areas should be sited in upland areas outside stream channels and other surface waters. Buffer areas should be identified and exclusion fencing used to protect the water resource and prevent unauthorized vehicles or equipment from entering or otherwise disturbing the surface waters. Construction equipment should use existing roadways to the extent feasible.
11. Obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required. The DEIR must specifically describe the BMPs and other measures used to mitigate Project impacts.

PERMITTING REQUIREMENTS

A number of activities associated with the proposed Project have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following.

12. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board.
13. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.
14. Depending on the Standard Industrial Classification (SIC) code for industrial-type activities associated with the maintenance facilities, portions of the Project may

Submission L015 (Jan Zimmerman, Lahontan Regional Water Quality Control Board, August 22, 2014) - Continued

Mr. McLoughlin

- 5 -

August 22, 2014

require an NPDES General Industrial Storm Water Permit, WQO-97-03-DWQ, obtained from the State Water Board, or an individual storm water permit obtained from the Lahontan Water Board.

15. Water diversion and/or dewatering activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2014-0049, or General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality, WQO-2003-0003, both issued by the Lahontan Water Board.

Please be advised of the permits that may be required for the proposed Project, as outlined above. The specific Project activities that may trigger these permitting actions should be identified in the appropriate sections of the EIR/EIS. Should Project implementation result in activities that trigger these permitting actions, the Project proponent must consult with Water Board staff. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment. We look forward to reviewing the draft EIR/EIS when it becomes available. If you have any questions regarding this letter, please contact me at (760) 241-7376 (jan.zimmerman@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (patrice.copeland@waterboards.ca.gov).

cc: State Clearinghouse (SCH 2014071074)
(state.clearinghouse@opr.ca.gov)
Paul Amato, Wetlands Regulatory Office (WTR-8), USEPA, Region 9
(Amato.Paul@epamail.epa.gov)
Daniel Swenson, US Army Corps of Engineers
(Daniel.P.Swenson@usace.army.mil)
Cliff Harvey, State Water Resources Control Board
(Clifford.Harvey@waterboards.ca.gov)
LB Nye, Los Angeles Regional Water Board
(LB.Nye@waterboards.ca.gov)
California Department of Fish and Wildlife, Region 5
(AskR5@wildlife.ca.gov)

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Submission L016 (Don Sepulveda, P.E., Los Angeles County Metropolitan Transportation Authority, August 25, 2014)



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

August 25, 2014

Frank Vacca
Chief Program Manager
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

RE: California High-Speed Rail (HSR) System Burbank to Palmdale Section-- Notice of Preparation

Dear Mr. Vacca,

Thank you for the opportunity to comment on the proposed California High Speed Rail project (HSR) Burbank to Palmdale Section. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (Metro) concerning issues that are germane to our agency's statutory responsibility in Los Angeles County and the relation to our facilities and services that may be affected by the proposed project.

In April of 2007, Metro responded to the Notice of Preparation (NOP) for the Palmdale to Los Angeles segment. The comments in that letter still stand and should be taken into consideration in response to the amended NOP addressing the Burbank to Palmdale segment.

In this segment of the HSR project, Metro owns the right-of-way (ROW) that is operated by the Southern California Regional Rail Authority (SCRRA) for the Metrolink commuter rail service. In addition, Amtrak operates intercity and long distance passenger rail service while the Union Pacific Railroad conducts freight railroad operations. The proposed HSR project will be within or adjacent to this ROW, therefore, any work in this segment must be reviewed and approved by Metro Regional Rail and the SCRRA. As a result, mitigations to the existing facilities may be necessary to preserve Metro's long term interest for the corridor.

The addition of the Initial Operating Segment (IOS) terminus in Burbank creates the need for substantial conventional passenger railroad infrastructure to support the HSR system. It is expected that Metrolink and possibly Amtrak may provide the connection from that terminus to Los Angeles Union Station. It is important that the existing rail infrastructure be upgraded to meet the increased demand. In addition, it should be noted that there are numerous at-grade crossings in this segment. It is our understanding that the California High Speed Rail Authority (CHSRA) is studying route options that takes the HSR system away from the Metro owned ROW. However, the need for additional passenger rail service necessary to serve the IOS may create the need for additional grade separations of the existing railroad ROW to maintain safety and alleviate congestion.

The additional infrastructure that will be necessary to serve the IOS should be funded through support from the CHSRA. Although there is the Memorandum of Understanding (MOU) under which the CHSRA is providing \$1 Billion of advance investment in the region, the infrastructure that may be needed goes beyond that defined in the prioritized projects in that MOU. This infrastructure can be developed to have independent utility between the existing rail system and the HSR project. Additional advance funding of infrastructure with independent utility that will advance the HSR project will provide local benefit to communities and passengers of the existing passenger rail network and will be beneficial to the HSR system.

It is understood that the high speed train will operate in a completely sealed corridor with no at-grade pedestrian or vehicle crossings. Metro supports the efforts that the CHSRA has taken to assure the safety of the passengers and the communities where the high speed trains will operate. Where the

Submission L016 (Don Sepulveda, P.E., Los Angeles County Metropolitan Transportation Authority, August 25, 2014) - Continued

California High Speed Rail Burbank to Palmdale Section – LACMTA COMMENTS
August 25, 2014
Page 2

HSR project is within or adjacent to Metro right-of-way, a grade separation of all tracks, including conventional passenger and freight tracks will be necessary.

In its role as funding agent for Los Angeles County transportation projects, Metro has provided funding for many transit, bikeway, pedestrian, street widening, freeway, signal technology, transportation enhancements and other improvement projects throughout the past several years. Metro encourages all possible preservation of these recent civic improvements in the consideration of alignment and station designs as HSR progresses into more detailed design.

Metro sees the opportunities for multi modal joint development within L.A. County. In order to maximize these opportunities, please coordinate your joint development activities with Metro by contacting Jenna Hornstock at (213) 922-7437 or hornstockj@metro.net.

The HSR project is important for the future of California. We are looking forward to continue to work with the CHSRA as this project is brought to Los Angeles County. If you have any questions please contact Don Sepulveda at 213-922-7491 or by email at Sepulvedad@metro.net.

Sincerely,



Don A. Sepulveda, P.E.
Executive Officer, Regional Rail

Submission L017 (Deirdre West, Metropolitan Water District of Southern California (MWD), August 14, 2014)



August 14, 2014

Hand Delivery

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin:

Notice of Intent and Scoping to prepare a
Draft Environmental Impact Report/Environmental Impact Statement
for the California High Speed Rail System-Palmdale to Burbank Section

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Federal Register Notice of Intent (NOI) for the California High Speed Rail Authority (Authority) to prepare an Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Palmdale to Burbank Section of the California High Speed Rail (HSR) System project in Los Angeles County, California. The Authority proposes to construct, operate, and maintain an electric-powered steel-wheel-on-steel-rail HSR System, approximately 800 miles long, capable of operating speeds up to 220 mph on dedicated, fully grade-separated tracks, with state-of-the-art safety, signaling, and automated train control systems. Work on the HSR is underway in the Central Valley. This proposed project would continue the effort between Palmdale and Burbank. The HSR corridor that was selected by the Authority and Federal Railway Administration in the Statewide Program EIR/EIS follows Soledad Canyon from the City of Palmdale to the community of Sylmar in the City of Los Angeles and then follows the Metro/Metrolink railroad line to Burbank Airport and on to Los Angeles Union Station. In addition, in response to stakeholder and public feedback, the Palmdale to Burbank Section EIR/EIS will address potential alignment alternatives that provide a more direct connection between the Palmdale station and the Burbank Airport station. This letter contains Metropolitan's comments to the proposed project as a Responsible Agency.

Metropolitan owns and operates the Santa Monica Feeder, East Valley Feeder, and Balboa Inlet Tunnel within the proposed project area of the Palmdale to Burbank Section. The Santa Monica Feeder is a 42-inch-inside-diameter pipeline that extends through the proposed project boundaries in a northeast-southwest direction and is located below Verdugo Avenue. Metropolitan also owns and operates the 48-inch-inside-diameter East Valley Feeder within this project segment. The East Valley Feeder pipeline extends through the proposed project area in a general north-south direction, crossing under the existing Metrolink railroad tracks at Tuxford

700 N. Alameda Street, Los Angeles, California 90012 • Mailing Address: P.O. Box 54153, Los Angeles, California, 90054-0153 • Telephone: (213) 217-6000

Submission L017 (Deirdre West, Metropolitan Water District of Southern California (MWD), August 14, 2014) - Continued

Mr. McLoughlin
Page 2
August 14, 2014

Street, then turning in a southerly direction, below the north side of San Fernando Road, in the community of Sun Valley. The Balboa Inlet Tunnel extends in a north-south direction, and bisects Interstate 5 and existing railroad lines in the community of Sylmar.

Based on a review of the proposed project boundaries, the project has potential to impact Metropolitan's Santa Monica Feeder, East Valley Feeder, and Balboa Inlet Tunnel. Metropolitan must be allowed to maintain its rights-of-way and requires unobstructed access to its facilities in order to maintain and repair its system. In order to avoid potential conflicts with Metropolitan's facilities and rights-of-way, we require that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval.

The placement or removal of fill over our pipelines may be restricted because of design cover limits. In addition, the procedures for and specifications of construction equipment to be used for the removal and placement of soil in proximity to Metropolitan's pipelines must be submitted to Metropolitan for review and approval a minimum of 30 days prior to starting work in the vicinity of our pipelines. Metropolitan will not permit procedures that could subject the pipelines to excessive vehicle impact or vibratory loads. Procedures for the removal and placement of soil over pipelines must be such that excessive unbalanced loads are not imposed on these pipelines. Any future design plans associated with this project should be submitted to the attention of Metropolitan's Substructures Team. Approval of the project should be contingent on Metropolitan's approval of design plans for portions of the proposed project that could impact its facilities.

Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564. To assist the applicant in preparing plans that are compatible with Metropolitan's facilities and easements, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easement of The Metropolitan Water District of Southern California." Please note that all submitted designs or plans must clearly identify Metropolitan's facilities and rights-of-way.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving future documentation and plans for this project. For further assistance, please contact Ms. Michelle Morrison at (213) 217-7906.

Very truly yours,



Deirdre West
Manager, Environmental Planning Team

J:\Environmental Planning&Compliance\COMPLETED JOBS\July 2014\NEPT Job No. 2014073001

Enclosures: Planning Guidelines and Map of Metropolitan Facilities in Project Vicinity

Submission L018 (Robert Nolet, Sulphur Springs Union School District,
August 14, 2014)



Sulphur Springs Union School District
Serving Grades - K - 6

27000 Weyerhaeuser Way, Santa Clarita, CA 91351 661-252-5131 www.sssd.k12.ca.us

*Canyon Springs Community School
Leona Cox Community School
Pinetree Community School*

*Fair Oaks Ranch Community School
Mint Canyon Community School
Sulphur Springs Community School*

*Golden Oak Community School
Mitchell Community School
Valley View Community School*

TO: Mark A. McLoughlin
Director of Environmental Services
Attn: Palmdale to Burbank Section EIR/EIS California HSR Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

DATE: August 14, 2014

SUBJECT: HIGH SPEED RAIL IMPACT ON SULPHUR SPRINGS COMMUNITY SCHOOL

Dear Mr. McLoughlin:

Thank you for the opportunity to share some facts about Sulphur Springs Community School and the District's concerns about the currently proposed plan to have the HSR pass above ground directly behind the school. Here is some general information about Sulphur Springs Community School:

- Sulphur Springs Community School is a Kindergarten – 6th grade school that houses 662 students and 38 staff members.
- The rail passes directly next to the rear of the school's property line; as close as 20 feet from the playground at some points.
- A number of classrooms are approximately 300 feet from the rail line.
- Sulphur Springs Community School has several classes for special needs students with disabilities that are negatively affected by noise.
- Sulphur Springs is the oldest school in continuous operation in Los Angeles County, so has historical value to Santa Clarita and Los Angeles County. The District is considering having the school identified as a Historical Site.
- Safety concerns would adversely affect the enrollment at the school as parents could ask for and be granted transfers under "Open Enrollment" laws. Other district schools do not have the capacity to house additional students. The building cost for a new school would be approximately \$35,000,000. This cost does not include the cost to purchase the property, if a suitable site were available for purchase.

While we support the goal of increasing transportation options for California's citizens, the District opposes the currently planned above ground route due to the potential safety risks for students and staff, the interruptions to the instructional program caused by the noise and vibrations of passing trains, and the impact to the site and district from transfer requests and lost enrollment. Please contact me if you have any questions or need clarification on any of the noted concerns.

Sincerely,

Robert Nolet, Ed. D.
Superintendent of Schools

cc: Board of Trustees-Sulphur Springs School District
Lynn David, Assistant Superintendent-Sulphur Springs School District
Casey Bingham, Administrative Analyst-City of Santa Clarita
Santa Clarita High Speed Rail Task Force

*Business Services 661-252-8814
Personnel Services 661-252-3589*

*District Fax #'s
Instructional Services 661-252-6847
Superintendent 661-252-6849*

*Special Education Services 661-252-6229
Technology Dept. 661-252-6848*

Submission L018 (Robert Nolet, Sulphur Springs Union School District,
August 14, 2014)

5565
27000 Weyerhaeuser Way
Santa Clarita, CA
91351

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ZIP 91351

Mark A. McLoughlin
Attn: Palmdale to Burbank Section EIR/EIS
CA HSR Authority
700 North Alameda St. Room 3-532
Los Angeles, CA
90012



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Appendix F.4

Letters From Elected Officials

Elected Official	Submission Number	Page Number
Antonovich, Michael D., County of Los Angeles Board of Supervisors	E001	F.4-1
Bocanegra, Raul, Assemblymember, 39 th District, Assembly California Legislature	E002	F.4-3
Fuentes, Felipe, City of Los Angeles, Councilmember, 7 th District	E003	F.4-5
Martinez, Nury, City of Los Angeles, Councilwoman, 6 th District	E004	F.4-7
Wilk, Scott, Assemblyman, 38 th District, Assembly California Legislature	E005	F.4-9

Submission E001 (Michael D. Antonovich, County of Los Angeles Board of Supervisors, September 15, 2014)



**Board of Supervisors
County of Los Angeles**

MICHAEL D. ANTONOVICH
SUPERVISOR

September 12, 2014

Mark A. McLoughlin
Director of Environmental Services
ATTN: Palmdale to Burbank
California High-Speed Rail Authority
Southern California Regional Office
700 N Alameda, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin,

As you are well aware, the task of connecting Palmdale to Burbank via High-Speed Rail is one that presents many opportunities for the future of Los Angeles County and the State, as well as many challenges for the communities that will be affected by the proposed alignments between these two established stations.

My October 11, 2013, letter to the Authority Chairman Dan Richard asked the Authority to “review a tunnel-oriented alternative between the Palmdale Station and the potential Burbank/Bob Hope Airport Station that would provide a more direct, much faster, less costly and less community-intrusive route between the Antelope Valley and the San Fernando Valley.” The Authority’s proposed new corridor for study through the Angeles National Forest now brings the Authority into potential contact with new communities including Sun Valley, Sylmar, Kagel Canyon, Sunland-Tujunga, Shadow Hills, Sun Valley, and Lake View Terrace – communities known for their equestrian facilities, ecological resources, recreational areas, and other important elements vital to their respective and communal rural quality of life.

As County Supervisor for communities affected by both the original corridor along State Route 14 and the new corridor through the Angeles National Forest, I would further ask that the Authority retain its emphasis on alignments that emerge from this corridor as “tunnel-oriented” and “less community-intrusive,” as I originally requested.

Furthermore, over the past few years I have advocated with the Authority to work more closely with many of these communities along the State Route 14 and Interstate 5 corridors—including Acton, Agua Dulce, and Santa Clarita (Sand Canyon)—and I have appreciated the increased attention and dialogue between your staff and my constituents to address their questions and provide information through a transparent and recurrent process.

ROOM 869 KENNETH HAHN HALL OF ADMINISTRATION, 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 974-5555 • FAX (213) 974-1010 • WEBSITE: www.antonovich.com • E-MAIL: fifthdistrict@lacbos.org

Submission E001 (Michael D. Antonovich, County of Los Angeles Board of Supervisors, September 15, 2014) - Continued

Mark A. McLoughlin
September 12, 2014
Page 2

An open, proactive, and recurrent dialogue with our affected communities for their concerns which can be incorporated into the Authority's corridor study would be appreciated.

Sincerely,



MICHAEL D. ANTONOVICH
Supervisor, Fifth District

**Submission E002 (Raul Bocanegra, Assemblymember, 39th District, Assembly
California Legislature, September 12, 2014)**

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0039
(916) 319-2039
FAX (916) 319-2139
DISTRICT OFFICE
9300 LAURAL CANYON BLVD., FIRST FLOOR
ARIETA, CA 91331
(818) 504-3911
FAX (818) 504-3912
E-MAIL
Assemblymember.Bocanegra@assembly.ca.gov



COMMITTEES
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SCHOOL, UNEMPLOYED YOUTH
INNOVATIVE GREEN FINANCING
MECHANISMS
JUSTICE REINVESTMENT
SMALL BUSINESS FINANCING AND
DEVELOPMENT OPPORTUNITIES

September 11, 2014

Mark A. McLoughlin, Director of Environmental Services
Attn: Palmdale to Burbank Project Section
California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Dear Mr. McLoughlin:

This letter is inform you of my concerns regarding the Draft Environment Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) for the Palmdale to Burbank section of the California High Speed Rail project, as this segment is proposed to run through my district and I believe would dramatically impact the communities I represent.

As the California High Speed Rail Authority moves forward with the environmental review process; I urge you to consider the following principles in your plan. First, any option at or above grade for the San Fernando Road corridor is unacceptable. The Authority must allocate the maximum amount of resources for underground and tunnel options. In addition, the project must minimize the effects on our residential communities and avoidance of adverse economic impacts to the regional economy.

Second, I urge the Authority explore additional other than the two currently being proposed. Similar concerns can be expressed for the tunneling option through the Angeles National Forest. If the proposed alignment disrupts homes and businesses in these communities, it will have difficulties in attracting community development and preserving the character of their respective communities.

Finally, we must ensure that community members have their voice heard during this process. While I support the building of a High Speed Rail project that will connect Californian with an efficient, state-of-the-art transportation system, it must be in a thoughtful, inclusive deliberative matter with strong public participation. As a former planning assistant for the City of Los Angeles, I stand ready to be of assistance in this entire process and look forward to having a thoughtful dialog with you and the community.

Sincerely,

RAUL BOCANEGRA
Assemblymember, 39th District

Serving the communities of: Arleta, Granada Hills, Lake View Terrace, Mission Hills, North Hollywood, Pacoima, San Fernando, Sunland-Tujunga, Sun Valley and Sylmar



Submission E002 (Raul Bocanegra, Assemblymember, 39th District, Assembly California Legislature, September 12, 2014) - Continued

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P.O. BOX 942849
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DISTRICT OFFICE
9300 LAURAL CANYON BLVD., FIRST FLOOR
ARIETA, CA 91331
(818) 504-3911
FAX (818) 504-3912

E-MAIL
Assemblymember.Bocanegra@assembly.ca.gov



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SCHOOL, UNEMPLOYED YOUTH
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MECHANISMS
JUSTICE REINVESTMENT
SMALL BUSINESS FINANCING AND
DEVELOPMENT OPPORTUNITIES

CC: Honorable Edmund G. Brown Jr., Governor of the State of California
Honorable Tony Cardenas, Congressman, 29th District
Honorable Adam Schiff, Congressman, 28th District
Honorable Alex Padilla, State Senator, 20th District
Honorable Michael Antonivich, 5th Supervisorial District
Honorable Eric Garcetti, Mayor of the City of Los Angeles
Honorable Paul Krekorian, Councilmember, 2nd District
Honorable Nury Martinez, Councilmember, 6th District
Honorable Felipe Fuentes, Councilmember, 7th District
Michele Boehm, Sothern California Regional Director, CHSR
Malcolm Dougherty, Director, California Department of Transportation

*Serving the communities of: Arleta, Granada Hills, Lake View Terrace, Mission Hills, North Hollywood, Pacoima, San Fernando,
Sunland-Tujunga, Sun Valley and Sylmar*


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Submission E003 (Felipe Fuentes, City of Los Angeles, Councilmember, 7th District, August 27, 2014)



FELIPE FUENTES
City of Los Angeles
Councilmember, Seventh District
200 N. Spring Street, Rm. 455, Los Angeles, CA 90012
(213) 473-7007 • (213) 847-0707

Committees:
Energy & Environment
Chair
Housing
Vice-Chair
Personnel & Animal Welfare
Member
Board of Referred Powers
Member

August 27, 2014

Mark A. McLoughlin, Director of Environmental Services
Attention: Palmdale to Burbank Section
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, California 95814

Dear Mr. McLoughlin,

Please allow me to take this opportunity to submit my comments regarding the Draft Environment Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) for the Palmdale to Burbank section of the California High Speed Rail project, as this segment of the project is proposed to run through the 7th Council District of the San Fernando Valley and would thus impact many of the communities that I represent.

As the environmental process moves forward, I urge the California High Speed Rail Authority (Authority) to stress the following principles in identifying the preferred alternative:

- Maximize underground and tunnel options
- Minimize impacts on residential areas, job generating uses and community assets
- Do not hinder, and in fact improve pedestrian, bicycle and equestrian connectivity
- Maximize opportunities to achieve multiple benefits in economic development, land use and sustainability
- Minimize impact on recently constructed infrastructure projects (including bridges, roadway improvements and bike ways that were funded with public dollars which may need to be paid back if removed by high speed rail).

Sylmar Office
14117 Hubbard Street, D1
Sylmar, CA 91342
(818) 756-8409
(818) 362-4857

Pacoima Office
13520 Van Nuys Blvd., Ste. 209
Pacoima, CA 91331
(818) 485-0600
(818) 896-9250

Tujunga Office
7747 Foothill Blvd.
Tujunga, CA 91042
(818) 352-3287
(818) 352-8563



Submission E003 (Felipe Fuentes, City of Los Angeles, Councilmember, 7th District, August 27, 2014) - Continued

Mark A. McLoughlin
August 27, 2014
Page 2

With this in mind, it is critical to our communities that the Authority consider other alternatives beyond those presently proposed. As it stands, the at-grade alternative through the San Fernando Valley, running along the San Fernando corridor, is problematic given the number and proximity of single family homes and job-generating uses that will be impacted. The proposal calls for numerous grade separations that will divide and destroy many long standing communities. This proposed alignment will visually and physically bifurcate the community further limiting its economic development potential. The same can be said for the tunnel option under the Angeles Forest should the alignment disrupt the many homes and businesses as it exits the tunnel onward to Burbank. My priority is to ensure we determine the best course of action with which to move forward based on these principles that will keep in mind the needs of these residents, businesses and employees.

In general, it is my position that, for a project of this magnitude, the Authority should consider additional alternatives beyond the ones already presented at the public scoping meetings. I will be asking our City departments to explore additional options with your staff; options such as shared track operations, cut and cover/underground options and additional tunnel options.

The opportunities and potential benefits of a project like the High Speed Rail can be transformative if planned for carefully - incorporating instead of dividing communities and stimulating instead of hindering economic expansion. To fully realize this potential many compromises will be necessary on the part of the Authority and on the parts of all the communities along the corridor. In this spirit, I look forward to continuing a dialog with your office in order to carefully explore all alternatives and to ensure that, when presented with options, we can work together to find the one most mutually beneficial.

Sincerely,



FELIPE FUENTES
Councilmember, 7th District

cc: Honorable Mayor Eric Garcetti, City of Los Angeles
Honorable Raul Bocanegra, Assembly Member, 39th District
Honorable Alex Padilla, Senator, 20th District
Michelle Boehm, Southern California Regional Director, CHSR
Seleta Reynolds, General Manager, Department of Transportation, City of Los Angeles
Michael LoGrande, Planning Director, Department of City Planning, City of Los Angeles

Submission E004 (Nury Martinez, City of Los Angeles, August 29, 2014)



NURY MARTINEZ
COUNCILWOMAN, SIXTH DISTRICT

August 29, 2014

Mark A. McLoughlin
ATTN: Palmdale to Burbank
California High-Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin:

Please consider this letter as my formal comments on the California High Speed Rail (CHSR): Palmdale to Burbank Project Section study on behalf of the residents of the Sixth Council District. My intent is to ensure that the residents of Sun Valley will be protected from any negative impacts on the community during the construction and operation of this project. Sun Valley is home to a large community of approximately 45,000 residents as well as large industrial business community.

With this background in mind, I request that the California High Speed Rail Authority (Authority) review and address the following issues during the Draft Environmental Impact Report/Study (DEIR/DEIS):

Metrolink Corridor Alignment

My district could potentially have six street crossings under this alignment. I request that the DEIR/DEIS review what impacts the construction and operation of CHSR will have on the following crossings:

- Branford St.
- Sheldon St.
- Tuxford St.
- I-5
- Penrose St.
- Sunland Blvd.

This review should also include any impacts to adjacent streets that may be affected by intersection closures, or changes to elevation of the intersection at the above crossings as well as potential impact any changes to these crossings will have on adjacent businesses. The area is home to many industrial uses that require specific truck routes and therefore I request that you review what impacts any changes to crossings will have on truck trips to these businesses including any

City Hall, 200 N. Spring Street, Room 425, Los Angeles, CA 90012
Phone: (213) 473-7006 • Fax: (213) 847-0549
cd6.lacity.org



Submission E004 (Nury Martinez, City of Los Angeles, August 29, 2014) -
Continued

subsequent impacts to residential neighborhoods. In order to reduce any impact that CHSR will have to major arterials, I also request that you develop an alignment that minimizes the potential impacts to at grade crossings.

Both Alignments

Sun Valley has tremendous environmental impacts associated with the variety of land uses in the area. Regardless of what alignment is chosen, CHSR should actively monitor and take air quality effects, noise, vibrations both during construction and operation into consideration and develop appropriate plans to mitigate any changes to the current baseline.

The DEIS/EIR should identify whether the proposed alternatives may disproportionately and adversely affect low-income or minority populations in the surrounding area and should provide appropriate mitigation measures for any adverse impacts.

The DEIS/EIR should identify how the proposed alternatives may affect the mobility of low-income or minority populations in the surrounding areas and provide appropriate mitigation measures for any anticipated adverse impacts.

Lastly, please address plans for the development of any potential aesthetic mitigation for CHSR for any alignment that intersects with the public right of way.

I look forward to working with CHSR on developing a project that will best serve the residents of my district and the greater Los Angeles region. If you have any questions regarding my comments, please do not hesitate to contact my staff Arcelia Arce at 213.473.7006.

Sincerely,



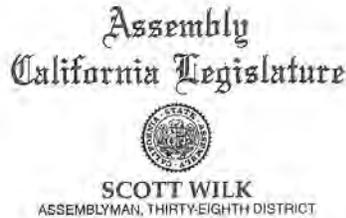
NURY MARTINEZ
Councilwoman, 6th District

Submission E005 (Scott Wilk, Assemblyman, 38th District, Assembly
California Legislature, August 11, 2014)

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0038
(916) 319-2038
FAX (916) 319-2138

DISTRICT OFFICE
27441 TOURNEY ROAD, SUITE 160
VALENCIA, CA 91355
(661) 286-1565
FAX (661) 286-1408

EMAIL
Assemblymember.Wilk@assembly.ca.gov



COMMITTEES
VICE CHAIR, RULES
ARTS, ENTERTAINMENT, SPORTS,
TOURISM AND INTERNET MEDIA
BUSINESS, PROFESSIONS AND
CONSUMER PROTECTION
HIGHER EDUCATION
GOVERNMENTAL ORGANIZATION

August 11, 2014

Dan Richard
Chairman
California High Speed Rail Authority
770 L Street, Suite 800
Sacramento, CA 95814

Dear Chairman Richard,

My constituents in the 38th Assembly District are strongly opposed to the High Speed Rail Project primarily due to the proposed route along the 14 Freeway in the northern Los Angeles County.

The current proposal has the train heading south from Palmdale following an S-curve paralleling the 14 Freeway through Acton, Agua Dulce and the greater Santa Clarita Valley. The route would negatively impacts schools, churches and residential dwellings. In fact, the proposal, not expected to be completed until 2029, has already triggered disclosure on real estate transactions and is harming sellers.

In addition to the economic harm, it doesn't make sense to have a train route parallel the 14 Freeway. As someone who lived through the Sylmar earthquake of 1971 and the Northridge Quake of 1994 (which took down the I-5) placing the route along the 14 freeway places in jeopardy both modes of transportation when the next large earthquake hits our community.

I write to lend my voice to that of Los Angeles County Supervisor Michael D. Antonovich in, "encouraging the Authority to review a tunnel-oriented alternative between the Palmdale station and the potential Burbank/Bob Hope Airport Station that would provide a more direct, much faster, less costly and

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Submission E005 (Scott Wilk, Assemblyman, 38th District, Assembly
California Legislature, August 11, 2014) - Continued

less community-intrusive route between the Antelope Valley and the San Fernando Valley.”

Additionally, I write to also encourage the Authority to disavow completely the originally planned route as a way to reset the discussion and stop the disruption of the real estate markets in those communities. I believe if the Authority was to do that, a more meaningful and promising debate could begin in those communities as to the merits of the project generally.

Lastly, I agree that the development of this new alignment between Palmdale and Burbank could provide a “win-win” solution for the Authority, particularly with the original route off the table permanently. And accordingly, I would again join Supervisor Antonovich in thanking you for your leadership in working with the communities we share as public servants, in hearing their concerns and in finding solutions that best serve both them and the High-Speed Rail Authority.

Sincerely,



SCOTT WILK
Assemblyman, 38th District

Cs: CHSRA CEO Jeff Morales
CHSRA Board
Michael D. Antonovich, Supervisor Los Angeles County
Hon. Laurene Weste, Mayor, City of Santa Clarita
Santa Clarita City Council Members
Don Henry, President, Agua Dulce Town Council
Agua Dulce Town Council Members
Michael Hughes, President, Acton Town Council
Hon. Jim Ledford, Mayor, City of Palmdale
Hon. R. Rex Parris, Mayor, City of Lancaster
Diane Dubois, Chair LACMTA
LACMTA Board of Directors
LACMTA CEO Arthur T. Leahy
Andrew Fried, President, Safe Action for the Environment Inc.
Bob Nolet, Superintendent, Sulphur Springs School District
Mike Hogan, HSRP Chair, Sand Canyon Homeowners Association

Appendix F.5
Letters From Businesses
and Organizations

Business or Organization	Submission Number	Page Number
Advocates for the Environment	B001	F.5-1
Bee Canyon, LLC	B002	F.5-11
Church of the Canyons	B003	F.5-13
Church of the Canyons Leadership Development	B004	F.5-14
Foothill Trails District Neighborhood Council and Shadow Hills Property Owners' Association	B005	F.5-16
Glendale Rancho Neighborhood Association	B006	F.5-19
Kagel Canyon Civic Association	B007	F.5-21
Kagel Canyon Civic Association	B008	F.5-22
La Tuna Canyon Community Association	B009	F.5-24
Los Angeles Region Imagery Acquisition Consortium (LARIC)	B010	F.5-25
Natural Resources Defense Council	B011	F.5-28
Pacoima Beautiful	B012	F.5-38
Rancho Verdugo Estates Homeowners Association	B013	F.5-41
Sand Canyon Homeowners Association	B014	F.5-44
Sand Canyon Properties, Inc.	B015	F.5-45
Santa Clarita California High Speed Rail Community Committee	B016	F.5-47
Santa Clarita Valley Chamber of Commerce	B017	F.5-48
SCV High Speed Rail Task Force	B018	F.5-51
SCV High Speed Rail Task Force	B019	F.5-53
Shadow Hills Property Owners Association	B020	F.5-55
Shadow Hills Property Owners Association	B021	F.5-62
Shadow Hills Property Owners Association	B022	F.5-83
Shadow Hills Property Owners Association	B023	F.5-90
Shadow Hills Property Owners Association	B024	F.5-93
Sierra Club Los Angeles Chapter	B025	F.5-96
Smiland Chester LLP/ Roar Foundation	B026	F.5-98
Smiland Chester LLP/Roar Foundation	B027	F.5-165
Southern California Edison	B028	F.5-230
Sun Valley Community Church	B029	F.5-232
The Croisdale Group Inc.	B030	F.5-233
The Walt Disney Company	B031	F.5-262
Union Pacific Railroad	B032	F.5-264
Vista Canyon Ranch, LLC	B033	F.5-282
Windland, Inc.	B034	F.5-284
Xpress West	B035	F.5-288

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014)

August 26, 2014

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization



Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Via U.S. mail and email to palmdale_burbank@hsr.ca.gov

Re: Environmental Effects Scoping for Palmdale to Burbank HSR Segment

Dear Mr. McLoughlin:

I write to urge the High-Speed Rail Authority to not consider further Supervisor Antonovich's proposal to tunnel under the San Gabriel Mountains for the Palmdale to Burbank segment of the High-Speed Rail. This should not be considered as an alternative because it is infeasible, and would have substantially more environmental impacts than other alternatives.

Tunneling under the San Gabriels would be terribly expensive compared to routing the HSR along the existing rights of way adjacent to the 14 and I-5 highways. Getting the required entitlements would be greatly complicated by the requirement to comply with U.S. Forest Service enabling laws and Angeles Forest Management Plans.

But it would also greatly disturb the San Gabriel Mountains, an important open-space and natural reserve for Southern Californian residents. There are three proposals in the works, supported by local and national environmental organizations, that would increase protection for the Angeles Forest and prohibit or greatly complicate the regulatory process for gaining entitlements for the proposed tunnels:

1. **San Gabriel National Recreation Area:** Following a study lasting several years, Congresswoman Judy Chu introduced legislation in Congress to designate a San Gabriel National Recreation Area, which would include the Angeles National Forest as well as other adjacent areas. See map attached as Exhibit 1. Supervisor Antonovich's tunneling proposal would probably conflict with either the law designating the NRA or the management regime adopted for the NRA by the federal authorities involved.
2. **National Monument designation:** The Obama administration is currently considering designating the San Gabriel Mountains as a national monument. If the President establishes the national monument, tunneling under it may violate the Antiquities Act or conflict with the

10211 Sunland Blvd., Sunland, CA 91040
Tel (818) 353-4268 Fax (818) 864-3224 dw@aenv.org

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued

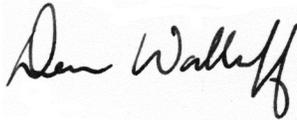
Mark A. McLoughlin
California High-Speed Rail Authority
August 26, 2014 – Page 2

management regime the Forest Service adopts to manage it. See Los Angeles Times article attached as Exhibit 2. The administration is hosting a community meeting tonight in Baldwin Park to get input on the proposal.

3. **Condor Peak Wilderness:** A number of environmental organizations are working for the designation of a Condor Peak Wilderness in the San Gabriels. See map attached as Exhibit 3. While the precise boundaries of such a wilderness area have not yet been decided, Supervisor Antonivich's proposal appears to go under the area proposed for wilderness protection. This tunneling would conflict with the Wilderness Act if the Condor Peak Wilderness proposal were enacted.

The Los Angeles environmental community will strongly resist any proposal to tunnel under the San Gabriel Mountains.

Sincerely,



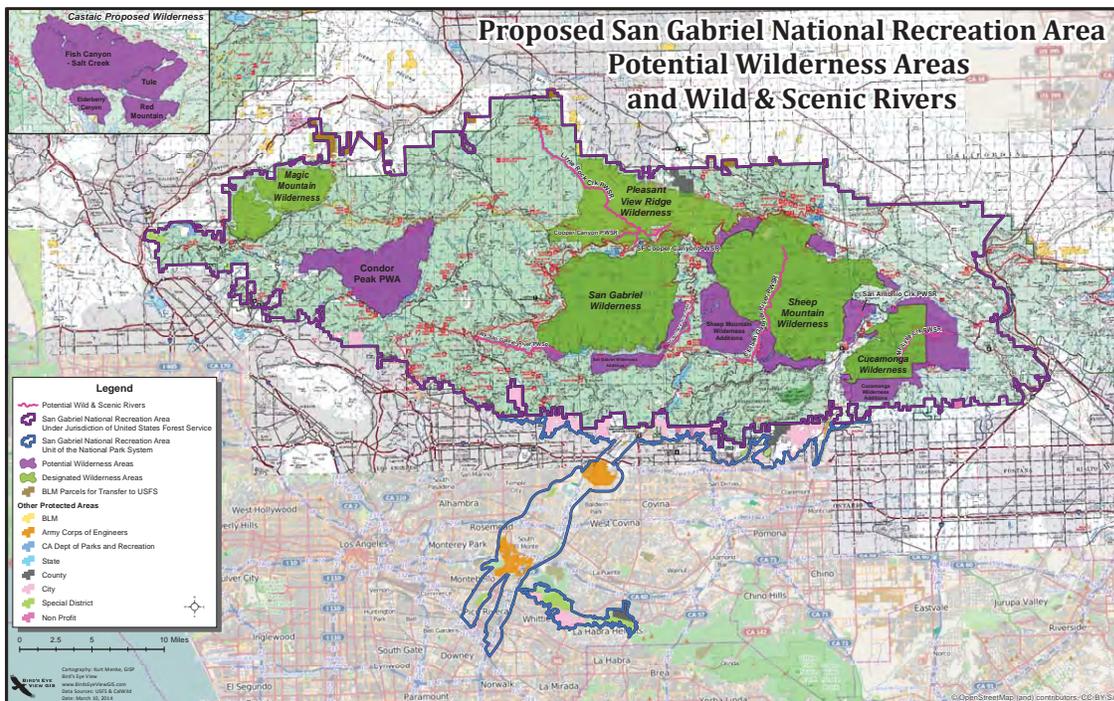
Dean Wallraff
Attorney at Law
Executive Director, Advocates for the Environment

10211 Sunland Blvd., Sunland, CA 91040
Tel (818) 353-4268 Fax (818) 864-3224 dw@aenv.org

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014)

Exhibit 1

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued



Submission B001 (Dean Wallraff, Advocates for the Environment, August 26,
2014) - Continued

Exhibit 2

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued

Obama weighs national monument status for San Gabriels - LA Times

Page 1 of 4

Obama weighs national monument status for San Gabriels



Mariah Adams, 3, of Norwalk lies in the cool running water of the San Gabriel River. The Forest Service manages the mountains, where picnic sites and trail heads are typically strewn with trash and broken glass. (Francine Orr / Los Angeles Times)

By **LOUIS SAHAGUN**

AUGUST 25, 2014, 8:36 PM

President Obama is considering a plan to designate the San Gabriel Mountains a national monument, an action intended to address crowding and pollution, and enhance recreational opportunities for a range that lies within an hour's drive for 10 million people.

The cash-strapped U.S. Forest Service currently manages the mountains, where picnic sites and trail heads are typically strewn with trash and broken glass. Without a ranger in sight, some visitors illegally barbecue in the middle of rivers, pitch tents alongside narrow roads and are injured or killed hiking on dangerous trails.

Under a national monument designation, the Forest Service would give priority to recreation, garbage and graffiti removal, traffic, signage, hiking trails and education programs. The new

<http://www.latimes.com/science/la-me-0826-monument-20140826-story.html>

8/26/2014

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued

Obama weighs national monument status for San Gabriels - LA Times

Page 2 of 4

status would also provide more protection for wildlife and curtail mining and other activities banned in most national monuments.

The new status is being championed by Rep. Judy Chu (D-Monterey Park), who introduced a bill this year to address problems in the 655,000-acre range by creating a "national recreation area" co-managed by the U.S. Forest Service and the National Park Service. Legislation on her bill has stalled.

In a letter sent to Agriculture Secretary Tom Vilsack last week, Chu pressed for upgrades in the form of new recreation areas, parking facilities, restrooms, education kiosks, trails and a visitor reception program to welcome and orient visitors.

The proposal, however, is drawing criticism from some local lawmakers over its potential effects on private property rights, firefighting, water quality and flood control in the mountains, which stretch from Santa Clarita to San Bernardino.

"We have strong concerns about this proposal and its impacts," Tony Bell, spokesman for Los Angeles County Supervisor Michael D. Antonovich said Monday.

Bell said his office first learned about the national monument proposal a few days ago from the county Department of Public Works, which is scrambling to figure out whether it might affect life-saving flood control systems.

National monument designation would at a minimum complicate Antonovich's recent proposal to route the state's planned high-speed rail route through the San Gabriels.

The White House declined to comment on the proposal Monday.

Mike Rogers, a former Angeles National Forest supervisor, said the central question is whether the designation would bring "more money for urgent needs such as getting urban kids up in those mountains. But pleas for additional funding have always been a crapshoot for the Forest Service, which has been handed a litany of unfunded mandates over the years."

The San Gabriel's wrinkled slopes and lush canyons attract 3.5 million visitors a year and are home to many rare and endangered species, including mountain lions, Nelson's bighorn sheep, mountain yellow-legged frogs, Santa Ana suckers and Pacific pond turtles.

"This forest has a unique burden in that it is so close to so many people," said Daniel Rossman, a spokesman for San Gabriel Mountains Forever, a coalition of environmental and community groups, including the Wilderness Society, the Sierra Club and Friends of the River.

<http://www.latimes.com/science/la-me-0826-monument-20140826-story.html>

8/26/2014

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued

Obama weighs national monument status for San Gabriels - LA Times

Page 3 of 4

"This designation would give public land managers the tools — and hopefully the money — to address their recreational needs and better protect this treasure trove of species, habitat and free-flowing rivers," Rossman said.

The foothill city of Monrovia opposes the designation, fearing, among other things, that it would infringe on local control of 1,400 acres the city bought in the foothills for use as a park. "The federal government seems bent on cramming this proposal into Monrovia in spite of our protest against it," said Tom Adams, a Monrovia city councilman.

Adams also said he wonders where money will come from to improve conditions. "The Forest Service is broke, and last time I looked at the federal budget there was no extra money there for it," he said.

The proposed designation will be discussed at a public meeting scheduled by Department of Agriculture and Forest Service officials for 4 to 7:30 p.m. Tuesday at the Baldwin Park Performing Arts Center, 4640 Maine Ave.

If approved, it would be the 11th time Obama has used his executive powers to establish or expand a national monument in the interest of protecting public lands.

The Forest Service is already holding talks with the county Department of Public Works over the effects on the flood control and reservoir systems it operates in the watershed. They include Cogswell Dam, which looms over an 8-mile stretch of the San Gabriel River's west fork that helps recharge the metropolitan aquifer in the flatlands below.

Other issues include law enforcement along East Fork Road and California 39, the winding mountain highway that provides the only access to Crystal Lake and other popular recreational areas. The roadways are patrolled by the CHP, the Los Angeles County Sheriff's Department, Caltrans crews, volunteer brigades and, occasionally, Forest Service rangers.

The Fisheries Resource Volunteer Corps has removed about 9 tons of trash, 2,182 graffiti tags and 161 illegal fire rings from the Angeles National Forest over the last year.

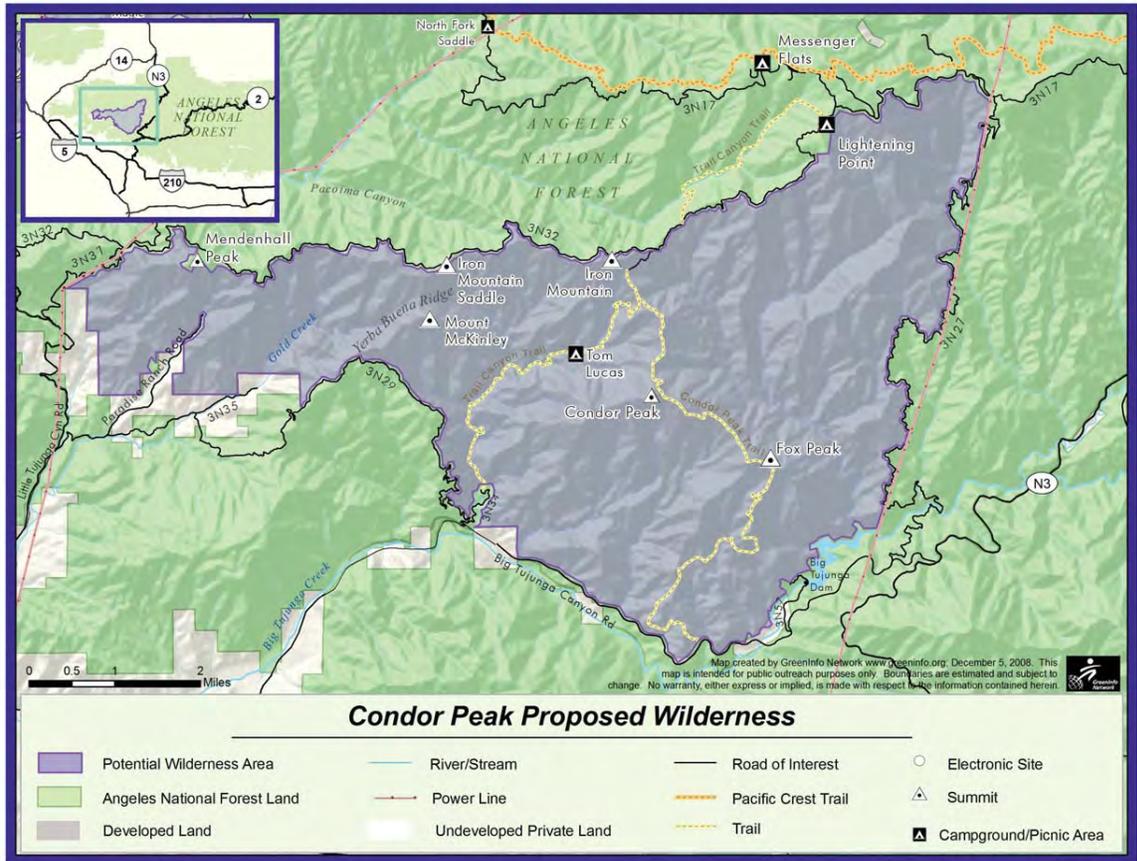
louis.sahagun@latimes.com

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Submission B001 (Dean Wallraff, Advocates for the Environment, August 26,
2014) - Continued

Exhibit 3

Submission B001 (Dean Wallraff, Advocates for the Environment, August 26, 2014) - Continued



Submission B002 (Tom Clark, Bee Canyon, LLC, September 16, 2014)

Palmdale - Burbank - RECORD #1044 DETAIL

Status : Pending
Record Date : 9/22/2014
Response Requested : No
Submission Date : 9/16/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Project Email
First Name : Tom
Last Name : Clark
Professional Title : Managing Member
Business/Organization : Bee Canyon, LLC
Address :
Apt./Suite No. :
City :
State :
Zip Code : 00000
Telephone :
Email : royalclarkdevco@aol.com
Cell Phone :
Email Subscription :
Add to Mailing List : No
Stakeholder Comments/Issues : Mark A. McLoughlin
Director of Environmental Services
ATTENTION: Palmdale to Burbank Section
Project Level EIR/EIS
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles CA 90012

RE: Scoping Comment, Palmdale to Burbank Tunnel Support, as also offered by the City of Santa Clarita and Los Angeles County Supervisor Michael Antonovich.

Dear Director McLoughlin,

Bee Canyon LLC owns land currently in development that appears to be directly, or nearly directly in the path of the "Santa Clarita/Highway 14" HSR alternative alignment.

Combined with other reasons, Bee Canyon LLC is thereforhappy to support the "Palmdale to Burbank" tunnel alternative. With this support, we join the thoughtful endorsement of this alignmentfrom both the City of Santa Clarita City Council and Los Angeles County Fifth District Supervisor Michael Antonovich.

Regional Director Michelle Boehm was most helpful in assisting us in placing these comments in the record. She, and all the people involved in this project demonstrate exceptional professionalism and courtesy. Please contact me at 310-968-0125 or at my email address as we continue to work with you on this endeavor.

Very truly yours,

Thomas Clark,
Managing Member, Bee Canyon LLC

Submission B002 (Tom Clark, Bee Canyon, LLC, September 16, 2014) -
Continued

EIR/EIS Comment : cc: Los Angeles County Supervisor Michael Antonovich and Staff Members
City of Santa Clarita City Council Members and City Staff Members
Need PI response : Yes
General Viewpoint on Project : Yes- Standard Response
Form Letter : Prefer Alternative Corridor

Submission B003 (Bob Childress, Church of the Canyons, August 22, 2014)

Palmdale - Burbank - RECORD #194 DETAIL

Status : Pending
Record Date : 8/23/2014
Response Requested : No
Submission Date : 8/22/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : Bob
Last Name : Childress
Professional Title : Pastor
Business/Organization : Church of the Canyons
Address : 28050 Sand Canyon Road
Apt./Suite No. :
City : Santa Clarita
State : CA
Zip Code : 91387
Telephone : 661.252.1600
Email : bob@churchofthecanyons.org
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : Mr. Mark A. McLoughlin,

We at Church of the Canyons oppose any and all above ground options for the Santa Clarita section of the HSR for the following reasons.

1. It eliminates our church.
2. It eliminates homes of church members and impacts our neighborhood negatively.
3. The sound impacts would be negative for all residents.
4. It eliminates a job center approved for our community.

The preferred alignment for us would be the direct Burbank to Palmdale route.

Pastor Bob Childress
Church of the Canyons
28050 Sand Canyon Road
Santa Clarita, CA 91387
(661) 252-1600 - Phone
(661) 252-1606 - Fax
bob@churchofthecanyons.org
www.churchofthecanyons.org

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project : In Opposition to SR 14, In Support of Alternative Corridor

Submission B004 (Roger Horning, Church of the Canyons Leadership Development, August 22, 2014)

Palmdale - Burbank - RECORD #189 DETAIL

Status :	Pending
Record Date :	8/23/2014
Response Requested :	No
Submission Date :	8/22/2014
Affiliation Type :	Businesses and Organizations
Interest As :	Businesses And Organizations
Submission Method :	Email
First Name :	Roger
Last Name :	Horning
Professional Title :	Pastor
Business/Organization :	Leadership Development Church of the Canyons
Address :	
Apt./Suite No. :	
City :	
State :	CA
Zip Code :	00000
Telephone :	
Email :	rogerhorning@gmail.com
Cell Phone :	
Email Subscription :	
Add to Mailing List :	
Stakeholder Comments/Issues :	Dear Mr. Mark A. McLoughlin:

I write to you regarding the High Speed Rail to request that the alignment be direct from Burbank to Palmdale bypassing Santa Clarita all together. However, if the High Speed Rail must pass through the Santa Clarita Valley, the tunnel extension is much preferred to the above ground alignment.

This High Speed Rail would displace my Church, Church of the Canyons, which has members whose residences range from Northridge to Antelope Valley. It would also displace many people who would have to move away from their beloved homes. The above ground route would also eliminate a much-needed job center.

Furthermore, having a High Speed Rail would negatively affect the Santa Clarita Valley because of the distracting sound. Within hearing range of the High Speed Rail are two elementary schools, encompassing over 1,000 elementary students whose attention needs to be focused on learning, not the sound of a train. This sound would also be harmful for the many residents who live throughout the East end of the Santa Clarita Valley.

Finally, this High Speed Rail would have a negative visual impact on the community. Thus, putting a High Speed Rail through the Santa Clarita Valley would not only displace many important building and homes, but also harm remaining residents.

I implore you to consider the negative ramifications of putting a High Speed Rail through our homes, Churches, and schools.

Thank you for your consideration in this imperative matter.

Sincerely,
Roger Horning
Pastor of Leadership Development
Church of the Canyons

EIR/EIS Comment :

Yes

Submission B004 (Roger Horning, Church of the Canyons Leadership Development, August 22, 2014) - Continued

Need PI response : Yes- Standard Response
General Viewpoint on Project :

Submission B005 (Tamara Loperfито, Foothill Trails District Neighborhood Council and Shadow Hills Property Owners' Assoc, August 31, 2014)

Palmdale - Burbank - RECORD #379 DETAIL

Status :	Pending
Record Date :	9/2/2014
Response Requested :	No
Submission Date :	8/31/2014
Affiliation Type :	Businesses and Organizations
Interest As :	Individual
Submission Method :	Project Email
First Name :	Tamara
Last Name :	Loperfито
Professional Title :	
Business/Organization :	Foothill Trails District Neighborhood Council and Shadow Hills Property Owners' Assoc
Address :	
Apt./Suite No. :	
City :	
State :	
Zip Code :	00000
Telephone :	
Email :	reddogs3@ca.rr.com
Cell Phone :	
Email Subscription :	
Add to Mailing List :	
Stakeholder Comments/Issues :	Dear Mr. McLoughlin,

The speed with which this project has touched our lives here in the NE corner of the San Fernando Valley is staggering.

You have and will receive countless responses that will say in no uncertain terms: WE WILL NOT ACCEPT THIS PROJECT. With this writing we reiterate to you that our precious rural-agricultural lifestyle faces daily onslaught by developers and utility companies and we especially will not roll over for the kind of destruction that the HSR

Authority is putting forth.

Quoting a few publicly voiced red flags:

- The recent proposal from the California High Speed Rail Authority overlooks a major deterrent from tunneling under the San Fernando corridor: the flood control channels. These channels are missing from the maps to be used for the public scoping meetings.

- Underpinning the 5 Freeway on the approach to the Burbank corridor: complex and expensive proposition; it could double or triple the expense of the tunneling under the freeway.

Submission B005 (Tamara Loperfito, Foothill Trails District Neighborhood Council and Shadow Hills Property Owners' Assoc, August 31, 2014) - Continued

· Tunneling underneath the Los Angeles River basin network has always been a hazard due to a mixed face of debris: large boulders, soft sand and occasional deposits of tar and oil. Not good for tunnel boring machines and not recommended.

· Tunneling under the Los Angeles River was proposed in order to build the Orange Line Extension into East LA. Extending the tunnels did not occur for a number of reasons with the mixed face geological conditions and oil deposits cited as one of the major factors. In recent years, HSR tunnels were proposed under the LA River in the vicinity of Union Station and dropped for the same geological reasons.

· The High Speed Rail (HSR) vehicles will be powered by overhead catenaries. Placing catenary wires at the end of the runway will create an electromagnetic interference with flight navigation equipment that FAA rules do not allow. The rules require the current HSR proposal be altered and the station built in a covered trench, which will increase the costs for the station construction ten-fold.

· "The prime objective of the FAA in conducting Obstruction Evaluation studies is to ensure the safety of air navigation and the efficient utilization of navigable airspace by aircraft. However, when conflicts arise concerning a structure being studied, the FAA emphasizes the need for conserving the navigable airspace for aircraft, preserving the integrity of the national airspace system, and protecting air navigation facilities from either electromagnetic or physical encroachments that would preclude normal operation."

In addition:

· Traversing the Big Tujunga Wash flood plain compromises the local water table

· Development of any manner in the Hansen Dam will affect the reliability of that structure in a flood event

· Underground concerns such as earthquake faults and oil and gas and water deposits will be serious environmental concerns not to mention any abandoned

subterranean infrastructure and the overhead power lines are not an option for relocation

· Work in the historic lands of the native peoples will certainly involve review

So tunneling is not a viable option. Neither is a surface rail line. A suspended line will never be acceptable in a wildlife corridor. Our wilderness, open spaces and our recreational trails will remain natural as well as protected for posterity.

Now the State in partnership with private interests are putting their/our money on the line. You will not get this done on budget and you will not get the ridership's support to justify the lengths to which you will have to go. Already

Submission B005 (Tamara Loperfido, Foothill Trails District Neighborhood Council and Shadow Hills Property Owners' Assoc, August 31, 2014) - Continued

your short list of bidders is getting shorter.

One more claim which you should drop is "jobs". Having worked in engineering companies since the 70's, knowing the field of computer 3-D design I can confidently say that you do not have the intellectual resources to take on the challenges presented by the scope of this endeavor. The risks are too high. I must put my NO CONFIDENCE vote on the line and urge you to stay out of the "yellow swath" and reconsider the route to the Burbank hub.

Sincerely,

Tamara Loperfido
Foothill Trails District Neighborhood Council
Shadow Hills Property Owners' Association

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project :
Form Letter :

Submission B006 (Joanne Hedge, GLENDALE RANCHO NEIGHBORHOOD ASSOCIATION,
September 5, 2014)

Palmdale - Burbank - RECORD #731 DETAIL

Status : Pending
Record Date : 9/8/2014
Response Requested : No
Submission Date : 9/5/2014
Affiliation Type : Individual
Interest As : Individual
Submission Method : Project Email
First Name : Joanne
Last Name : Hedge
Professional Title :
Business/Organization :
Address : 1415 Garden Street
Apt./Suite No. :
City : Glendale
State : CA
Zip Code : 91201
Telephone : 818-244-0110
Email : hedgeillustration@gmail.com
Cell Phone :
Email Subscription :
Add to Mailing List : No
Stakeholder Comments/Issues :

Begin forwarded message:

> From: Joanne Hedge <hedgeillustration@gmail.com>
> Subject: HSR Glendale Corridor::Concerns
> Date: September 5, 2014 at 4:14:01 PM PDT
> To: burbank_losangeles@hsr.ca.gov
>
> 9/5/14
> Re: Comment Period Deadline Input::California High-Speed Rail Authority
>
> To Whom It May Concern:
>
> The Glendale Rancho ("Riverside Rancho") neighborhood is located one mile west of the San Fernando Road corridor through which the existing Metro and Amtrak rail line runs. Recently, three rail crossings serving our immediate area (at Sonora Ave., Grandview Ave., and Flower St.) were subject to construction for safety upgrades, now reopened. A fourth crossing, Allen Ave., was long ago closed. The rail line and the Golden State Freeway (I-5) divide Glendale's neighborhoods east and west, and intensified rail plans are sure to exacerbate that disconnection.
>
> The upgrades were part of an overall rail crossing upgrade project for all Glendale crossings including the controversial one at Doran that services the industrial area of Los Angeles located between the Glendale border and the Los Angeles River, adjacent to the S-134 Freeway.
>
> Several area homeowner and neighborhood associations, as well as transportation officials headed by Roubik Golanian, Director, Public Works, City of Glendale, look forward to crossing project completions so that the city can qualify for and apply to the federal government for consideration of a "quiet zone" in that passage that cuts through residential areas, eliminating the need for passing locomotives to sound their loud horns day and night.
>
> Broad HSR concerns include--given that our area has been already subject

Submission B007 (William Slocum, Kagel Canyon Civic Association, August 29, 2014)



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August 29, 2014

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Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Palmdale to Burbank Section Project level EIR/EIS
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Dear Mr. McLoughlin:

The Kagel Canyon Civic Association is a non-profit organization representing 300 households and nearly 1000 citizens. We are located partially on Angeles National Forest property in an unincorporated area of Los Angeles County. We stand opposed to the Alternative Corridor for the Palmdale to Burbank Project Section proposed by the High Speed Rail Authority. Although the Alternative Route would reduce the length of track by 13 miles and 7 to 10 minutes of time for the journey, it promises to be a laborious, disruptive process that would bring industrialization to an area that is rural in nature. Construction of the portal to the tunnel as well as the trains themselves would affect air quality and noise in what is now one of the few remaining areas friendly to equestrians and wildlife as well as a designated scenic corridor.

Because a specific route has not been determined, we do not know the depth of the rail system. We do not know seismic activity along the route. We do not know the noise and vibration that the train will bring. We do not know possible effects upon the aquifer supplying water to private wells. We cannot know the real cost of the project, especially if the designing and simultaneously building of the rail system currently employed in the Fresno area is used with this project.

Because of fast track scheduling necessary for meeting federal grant deadlines, we are concerned that environmental and practical concerns will be overlooked. The decision for the bullet train route should not be a political one. The plan that is chosen should be one that is feasible and environmentally sound.

Sincerely,

A handwritten signature in blue ink that reads "William K. Slocum".

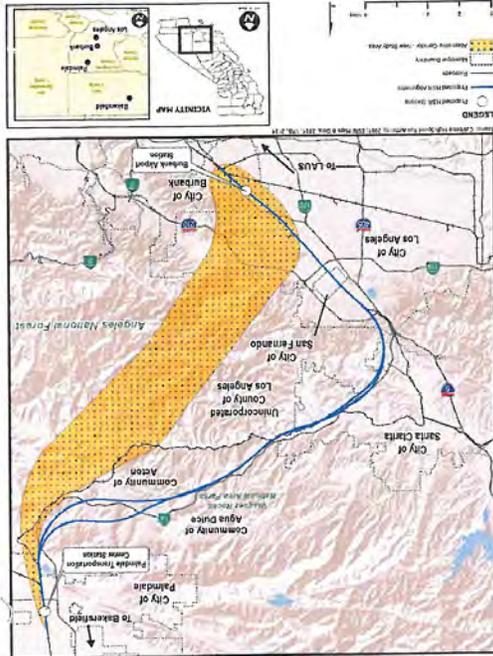
William Slocum
President, KCCA

P.O. Box 922191 Sylmar, CA 91392-2191 www.kagelcanyon.com

Submission B008 (Katharine Paull, Kegel Canyon Civic Association, August 16, 2014)

 CALIFORNIA High-Speed Rail Authority		Palmdale to Burbank Section Scoping Comment Card	
NAME: <i>KATHARINE PAULL</i>		DATE: <i>8/12/14</i>	
MEETING LOCATION: <i>Sylmar</i>		AFFILIATION: <i>Kegel Canyon Civic Ass.</i>	
ADDRESS: <i>2215 PARK TRAIL</i>		EMAIL: <i>KPaull@earthlink.net</i>	PHONE: <i>(818) 899-7003</i>
CITY: <i>Kegel Canyon</i>	STATE: <i>CA</i>	ZIP: <i>91342</i>	
WOULD YOU LIKE TO BE ADDED TO OUR MAILING LIST? * (Check all that apply) <input type="radio"/> STATEWIDE <input checked="" type="checkbox"/> PALMDALE TO BURBANK <input type="radio"/> BURBANK TO LOS ANGELES			
<small>*NOTE: This does not substitute for formal request to receive legal notices.</small>			
PLEASE LIST THE ENVIRONMENTAL ISSUES THAT YOU ARE CONCERNED WITH AND WOULD LIKE TO SEE ADDRESSED IN THE PALMDALE TO BURBANK PROJECT LEVEL ENVIRONMENTAL DOCUMENT. PLEASE BE AS SPECIFIC AS POSSIBLE.			
<p><i>If the alternative plan is selected, I am concerned about loss of open space, noise, traffic, aesthetics, and effect upon water sources, including the Pacoima Reservoir. Earthquake activity should be addressed, also.</i></p>			
WHAT OTHER ISSUES WOULD YOU LIKE THE PROJECT LEVEL ENVIRONMENTAL DOCUMENT TO ADDRESS?			
<p><i>Communities should not be destroyed. Rural land is as important as developed land. Let us not industrialize the areas in the Northeast San Fernando Valley that still afford a rural life style.</i></p>			
ADDITIONAL COMMENTS:			
<p><i>Decisions should NOT be political in nature. Cost should be considered. Who owns the land under a National Forest? I, for one, love these mountains and would hate to see them disrupted. How deep would the tunneling be? Would vibrations be felt?</i></p>			
THANK YOU FOR YOUR PARTICIPATION IN THIS IMPORTANT PROCESS. PLEASE SUBMIT YOUR SCOPING COMMENT FORM AT THE SIGN-IN TABLE OR MAIL THIS PRE-ADDRESSED FORM. YOU MAY ALSO SUBMIT IT VIA EMAIL TO: palmdale_burbank@hsr.ca.gov. ALL SCOPING COMMENTS FOR THE PALMDALE TO BURBANK PROJECT SECTION MUST BE SUBMITTED BY AUG. 31, 2014.			

Submission B008 (Katharine Paull, Kegel Canyon Civic Association, August 16, 2014)



By E-Mail: palmdale_burbank@hsr.ca.gov

By Mail:

All public scoping comments for the Palmdale to Burbank Project Section must be submitted by August 31, 2014. Please submit comments.

Mark A. McLoughlin
 Director of Environmental Services
 Attention: Palmdale to Burbank Section
 Project Level EIR/EIS
 California High-Speed Rail Authority
 700 North Alameda Street, Room 3-532
 Los Angeles, CA 90012

CALIFORNIA
 High-Speed Rail Authority
 700 North Alameda Street, Room 3-532
 Los Angeles, CA 90012

Mark A. McLoughlin
 Director of Environmental Services
 Attention: Palmdale to Burbank Section Project Level EIR/EIS
 California High-Speed Rail Authority
 700 North Alameda Street, Room 3-532
 Los Angeles, CA 90012

90012335303

Submission B009 (Scott Froschauer, La Tuna Canyon Community Association,
September 5, 2014)

Palmdale - Burbank - RECORD #714 DETAIL

Status : Pending
Record Date : 9/5/2014
Response Requested : No
Submission Date : 9/5/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Project Email
First Name : Scott
Last Name : Froschauer
Professional Title : President
Business/Organization : La Tuna Canyon Community Association
Address : 9700 La Tuna Canyon Road
Apt./Suite No. :
City : La Tuna Canyon
State : CA
Zip Code : 91352
Telephone :
Email : scott@frogbeater.com
Cell Phone :
Email Subscription :
Add to Mailing List :

Stakeholder Comments/Issues : I write to you today to express my concern about the alternate route of the Palmdale to Burbank High Speed Rail Line.

The notion of using the open space of The Angeles National Forest and the horse keeping neighborhoods of Shadow Hills and La Tuna Canyon for a rail line is obscene. At the very least this plan must go through an extensive Environmental Impact study, after which it will be obvious that this is an unreasonable proposal.

To Fast Track this process would be a travesty.

Please, you must either drop this alternative route or subject it to the scrutiny it deserves.

Thank You,
Scott Froschauer
President, La Tuna Canyon Community Association

EIR/EIS Comment : Yes

Submission B010 (Nick Franchino, Los Angeles Region Imagery Acquisition Consortium (LARIC), August 20, 2014)

Palmdale - Burbank - RECORD #219 DETAIL

Status : Pending
Record Date : 8/23/2014
Response Requested : No
Submission Date : 8/20/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : Nick
Last Name : Franchino
Professional Title : Outreach Manager
Business/Organization : Los Angeles Region Imagery Acquisition Consortium (LARIC)
Address :
Apt./Suite No. :
City :
State : CA
Zip Code : 00000
Telephone : 213.893.0881
Email : nfranchino@planning.lacounty.gov
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : Hello,

I'd like this to be added to the Public Record on this project.

My name is Nick Franchino and I am the Outreach Manager for the Los Angeles Region Imagery Acquisition Consortium (LARIC). We have the highest resolution imagery and datasets for the HSR corridor through Los Angeles County and we and hope that the CA HSR Authority will consider joining the Los Angeles Region Imagery Acquisition Consortium (LARIAC). Details about the Sonsortium can be found on our website at <http://egis3.lacounty.gov/dataportal/lariac/>.

Thank you for your time and consideration.

Sincerely,

-Nick Franchino
Nick Franchino, AICP, GISP
GIS Manager
LA County Dept. of Regional Planning
Geographic Information Systems (GIS) Section
213-893-0881
LARIAC Outreach Manager

To: Mark A.
McLoughlin
Director of Environmental Studies
ATTN: (Specify Which Project Section)
California High
-
Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Submission B010 (Nick Franchino, Los Angeles Region Imagery Acquisition Consortium (LARIC), August 20, 2014) - Continued

*****previous e-mail sent in October
2013*****

From: Nick Franchino
Sent: Thursday, October 10, 2013 2:05 PM
To: palmdale_los.angeles@hsr.ca.gov; los.angeles_anaheim@hsr.ca.gov;
los.angeles_san.diego@hsr.ca.gov; bakersfield_palmdale@hsr.ca.gov;
info@hsr.ca.gov
Cc: Mark Greninger; boardmembers@hsr.ca.gov
Subject: The Best Imagery and Elevation Data for Los Angeles County - for
use for planning/building the CA High Speed Rail

Hello,

My name is Nick Franchino and I work for the Los Angeles County Department of Regional Planning, sending you this on behalf of the Los Angeles Region Imagery Acquisition Consortium<<http://planning.lacounty.gov/lariac>>. I'm sending you this to find out about your data needs for the CA High Speed Rail project that will eventually go through Los Angeles County. The LARIAC is LA County's "multi-jurisdictional purchasing arrangement that enables participating local governments and agencies to benefit from combined economies of scale to efficiently and cost-effectively acquire high resolution aerial imagery and digital terrain datasets." The LARIAC Program is about acquiring very accurate and detailed data. The LARIAC provides geographic data that forms the foundation of geo-spatial decision making and analysis. The products include 4" resolution orthogonal imagery, 4" resolution oblique imagery, detailed elevation datasets (1.7 foot LiDAR data; 1' elevation contours) and building representations (outlines).

We have received inquiries from vendors doing business or hoping to do business with the CA HSRA...but we cannot sell them data. We can only hope that the CA High Speed Rail Authority becomes a member of our consortium...so you can use these products for your project. You have multiple corridors that could use this (Bakersfield to Palmdale; Palmdale to LA; LA to Anaheim, etc.)...I believe I have e-mailed them here. We really hope you will at least consider this. See below for more information about LARIAC.

Here is a list of the products we are acquiring:
LARIAC4 Product List

1. Natural Color Orthogonal Imagery<<http://planning.lacounty.gov/lariac/resource/doc/imgL2SpTrueColor.pdf>>
4" resolution (urban areas) and 1' resolution (national forests)
2. Color Oblique Aerial Digital Imagery<<http://planning.lacounty.gov/lariac/resource/doc/imgL2SpPictometry.pdf>>
4? resolution neighborhood shots and 9? resolution community shots. Including online viewer application, desktop and integrated modules and extensions.
3. Building Representations (Outlines)<<http://planning.lacounty.gov/LARIAC/building.htm>> - Every building over 400 sq ft, 2D polygon with an elevation/height attribute
4. Digital Terrain Datasets<<http://planning.lacounty.gov/lariac/imgSpDTD.htm>> - 1.7 foot spacing LiDAR data and 1' elevation contours (DSM, DTM and DEM)
Spot updates for those areas with significant elevation changes (grading, for example) since LAR-IAC.
5. Independent QA/QC
For accurate quality control reports for all imagery and data products (click here<http://planning.lacounty.gov/lariac/resource/doc/L3_PictometryAccuracyAssessment.pdf> for oblique imagery assessment report from 2011; click

Submission B010 (Nick Franchino, Los Angeles Region Imagery Acquisition Consortium (LARIAC), August 20, 2014) - Continued

here<http://planning.lacounty.gov/lariac/resource/doc/L3_HorizontalAccuracyReport_wSeal.pdf> for the horizontal accuracy testing of the 4" orthophotos). Attached is a simple flyer we put together, maybe to share with others in your organization as you try and see if there is value in this, and to gather support. We know this is a tough process, but we've been working with cities and agencies (like Caltrans, Alameda Corridor Rail Authority) with the LARIAC Program since its inception in 2005.

Please let me know what we can do to earn your business (yes, that is a sales pitch). We can provide pricing, give you samples of your agency (ortho or oblique), do a GoToMeeting presentation or demonstration, you name it.

LARIAC4 Project Overview: <http://egis3.lacounty.gov/dataportal/wp-content/uploads/2013/06/What-is-LARIAC-LARIAC4-Kick-off-Meeting.pdf>
Mark Greninger is the LARIAC Project Manager, his phone is 213-253-5624 and his e-mail is mgreninger@cio.lacounty.gov<<mailto:mgreninger@cio.lacounty.gov>>; and he is CC'd here.

Thank you for your time and consideration. Please call or e-mail me if you have questions or would like more information.

-Nick
Nick Franchino
GIS Manager
Geographic Information Systems (GIS) Section
Los Angeles County, Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov><<http://planning.lacounty.gov>>/gis
213-893-0881

NOTE FOR LARIAC/LARIAC2/LARIAC3/LARIAC4 - Los Angeles Region Imagery Acquisition Consortium (LARIAC):
LARIAC refers to the Imagery Consortium and the first iteration of the project (2006 imagery capture)
LARIAC2 refers to the second iteration of the project (2008 imagery capture)
LARIAC3 refers to the third iteration of the project (2011 imagery capture)
LARIAC4 is in the planning stages (proposed 2014 imagery capture).

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EIR/EIS Comment : Yes
Need PI response : Yes- Individual Response
General Viewpoint on Project :

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014)



August 28, 2014

Via Email (burbank_los.angeles@hsr.ca.gov; palmdale_burbank@hsr.ca.gov) and U.S. Mail

Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Burbank to Los Angeles Section EIR/EIS; Palmdale to Burbank Section EIR/EIS
California High-Speed Rail Authority (CHSRA)
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Re: Scoping Comments on Burbank to Los Angeles Section EIR/EIS and Palmdale to Burbank Section EIR/EIS

Dear Mr. McLoughlin:

On behalf of the undersigned organizations, which represent a broad, multicultural and economically diverse group of community, environmental, civil rights and civic leaders, we respectfully submit our comments on the Notices of Intent and Notices of Preparation to prepare Environmental Impact Reports (EIR)/Environmental Impact Statements (EIS) for the proposed California High-Speed Rail System's Burbank to Los Angeles Section and Palmdale to Burbank Section (the Project).

Our groups represent a large, multicultural and economically diverse community. We value community empowerment and democratic participation in ensuring equal access to an urban environment that is beneficial to physical, psychological, and social health for all. Our organizations and members have put a tremendous amount of time and resources into longstanding efforts to restore and revitalize the urban environment along the Los Angeles River. As such, we wish to strongly reiterate the views our organizations, along with several others, expressed in a September 20, 2010 letter to CHSRA: The proposed rail line must not be allowed to adversely impact the two important urban state parks north of Union Station—Los Angeles State Historic Park (LASHP) and Rio de Los Angeles State Park (RDLA)—or the communities surrounding them and the Los Angeles River, or interfere with restoration and revitalization of the River. Critical water resources including all tributaries along the route must also be protected through, for example, appropriate setbacks and design of viaduct crossings to accommodate future channel modifications that may be necessary to address accelerating climate challenges and restoration of natural hydrodynamic processes. We have attached our 2010 letter below and hereby incorporate its contents into our scoping comments.

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
August 28, 2014
Page 2 of 5

We appreciate the opportunity to comment on the scope of the Project's EIR/EIS. As you know, the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) require that the EIR/EIS discuss the reasonable alternatives, reasons for rejecting any of the alternatives, and mitigation measures for the environmental impacts identified in "sufficient details to enable meaningful participation and criticism by the public." See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal., 47 Cal. 3d 376, 403, 405 (Cal. 1998). Courts also have held that socioeconomic effects on the "quality of life for city residents" due to physical impact on the urban environment should be assessed. City of Rochester v. U.S. Postal Service, 541 F.2d 967, 973 (2d Cir. 1976); Hanly v. Mitchell, 460 F.2d 640, 647 (2d Cir. 1972).

In addition, the U.S. Army Corps of Engineers (USACE) draft 2013 study for the revitalization of the Los Angeles River recognizes that there are unfair disparities in access to green space for people of color and low-income people in Los Angeles, that those disparities contribute to health disparities, and that environmental justice requires agencies to address those disparities. According to USACE, much of Los Angeles is park deficient, with less than 3 acres of green space per 1,000 residents, as defined by California law. In general, access to parks is lowest in areas that have the highest number of families below \$47,331. Many organizations have stressed the importance of making sure that River revitalization addresses environmental justice issues. Of key concern is the growing disparity of access to and use of open space resources, including parks, ball fields, and natural areas by those living in low-income communities of color. The President's Executive Order 12898 focuses attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directs agencies to develop environmental justice strategies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Environmental justice concerns may arise from impacts on the natural and physical environment, such as human health or ecological impacts on minority populations, low-income populations, and Indian tribes, or from related social or economic impacts.¹

Our organizations appreciate CHSRA staff's diligent efforts over the last few years to meet with us regularly to discuss our issues. Through frequent discussions with technical staff, we believe the alignment options now under consideration for the segment immediately north of Union Station better reflect the community's input and desires than was the case when the Project was first introduced several years ago. As indicated in the attached letter, our groups

¹ USACE, Los Angeles River Ecosystem Restoration Draft Integrated Feasibility Report, pages 3-61, 3-86, 5-106 (Sept. 2013). Similarly, the National Park Service recognizes that there are disparities in access to green space for people of color and low-income people in Los Angeles, that those contribute to health disparities, and that environmental justice requires agencies to address the disparities, citing Order 12898, and related laws and principles. NPS, San Gabriel Watershed and Mountains Special Resource Study & Environmental Assessment, p. 231 (Newsletter #5, Nov. 2011) at p. 219, 231, and Errata p. 11-12. Accord, Federal Transit Administration, *Environmental justice policy guidance for Federal Transit Administration recipients*, Circular (FTA C 4703.1) (Washington, DC: Department of Transportation, Aug. 15, 2012); FTA, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*, Circular (FTA C 4702.1B) (Washington, DC: Oct. 1, 2012); Letters from FTA to Metropolitan Transportation Commission and San Francisco Bay Area Rapid Transit District (Jan. 15, 2010 and Feb. 12, 2010).

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
August 28, 2014
Page 3 of 5

support the two alignment options that utilize a bored tunnel running beneath LASHP, RDLA, and portions of the Los Angeles River (LAPT1 and LAPT3) to minimize surface and community disturbance during Project construction and operation.

With regard to the Palmdale to Burbank Section, our groups are very concerned regarding the recently proposed alternative to tunnel beneath the Angeles National Forest in the San Gabriel Mountain range. According to the August 23, 2014 article in the Los Angeles Times,² the proposed alternative recommended by Los Angeles County Supervisor Antonovich would run about 35 miles through the Angeles National Forest, “go around” the Hansen Dam Recreational Area, and include roughly 20 miles of tunnels. This alternative route may have significant impacts on sensitive water, natural, and recreational resources including, but not limited to, the Angeles National Forest, Big and Little Tujunga Washes, Big Tujunga Reservoir, La Tuna Canyon Park, Deukmejian Wilderness Park, and important urban hiking trails including the Rim of the Valley Trail, which is the linchpin of a National Park Service special resource study to determine whether this area that provides urban communities with critical access to low-cost recreational and natural amenities should be added to the national park system. It could also significantly impact areas in the San Gabriel Mountains under legislative and administrative consideration for further federal protection as a National Monument or National Recreation Area. Moreover, the San Gabriels are one of the most dynamic mountain ranges in the world. This activity is being further impacted by climate disruptions such as the drought, which has caused a rapid uplift of 15mm over the past 18 months alone.³ The environmental review of this proposed alternative should be rigorous and extensive, and at minimum should carefully analyze the Project’s potential impacts on all of the important resources listed above.

We also would like to raise a few other issues regarding the proposed Project. First, we are concerned about the Project’s potential impacts on wetlands and riparian habitats in RDLA and the Los Angeles River during Project construction and operation. Our respective organizations and many others, numerous agencies at the local, state, and federal levels, the City of Los Angeles, and several local communities have made tireless efforts and spent countless hours attempting to restore the wetland and riparian habitats in RDLA and adjacent sections of Los Angeles River. The EIR/EIS must analyze the potential impacts of the Project on the natural drainage systems that support these wetlands and riparian habitats. Mitigation measures to address these concerns regarding drainage and water quality should be incorporated, for example, into the tunnel design and construction specifications for contractors.

Second, we are concerned about the potential induced development impacts on local communities, especially in the areas around the two stations. According to the CEQA Guidelines, growth-inducing impacts may occur if “the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Cal. Code Regs. tit. 14, § 15126.2(d). The EIR/EIS must assess whether the Project would cause indirect or secondary effects, including reasonably foreseeable

² Dan Weikel, “L.A. County supervisor’s alternate bullet-train route gaining traction,” Los Angeles Times (Aug. 23, 2014), available at <http://www.latimes.com/local/la-me-bullet-train-route-20140824-story.html>.

³ Borsa, Agnew, Dayal. Ongoing Drought-induced Uplift in the Western United States (Aug, 2014), available at <https://scripps.ucsd.edu/biblio/ongoing-drought-induced-uplift-western-united-states>.

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
August 28, 2014
Page 4 of 5

“growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems.” Cal. Code Regs. tit. 14, § 15358(a)(2). If the EIR/EIS identifies adverse growth-inducing impacts, such as increased local traffic congestion, increased burden on existing community services, or displacement of residents, CHSRA must consider less environmentally damaging alternatives and develop appropriate mitigation measures to address the impacts.

Third, the master plan now being prepared for Union Station and Metro’s announced plan for run-through tracks must be coordinated with Project planning. It will not be possible to evaluate Project alternatives adequately without reference to these plans, so they must be reflected in the scope of the environmental review.

Fourth, we believe CHSRA staff needs to understand the implications for lines that are planned to run east and south in later phases (*i.e.*, Los Angeles to San Diego and Los Angeles to Anaheim, respectively) in order to evaluate alternatives adjacent to Union Station for the Project running north. These lines have major potential impacts on the revitalization of the Los Angeles River and on the Piggyback Yard site. While recognizing that planning for these lines is still in its early stages, we call for the alignments under consideration to be included in the scope of Project review.

Fifth, some of our groups’ representatives heard at a recent meeting with CHSRA staff about a possible maintenance yard being planned within the Project area. Evaluating a maintenance facility’s potential impacts to communities or sensitive natural resources should be part of the scope of Project environmental review.

Finally, we are concerned about impacts to neighboring communities during Project construction. The EIR/EIS should assess the potential impacts due to air emissions from the operation of construction equipment, increased construction traffic, noise and vibration from construction activities, and increased emissions of particulate matter from excavation activities and the transportation of construction materials. Also, public access to LASHP and RDLA during construction should be maintained and defined based on consultations with nearby communities.

Thank you for considering our comments. Please notify us of the availability of the draft EIR/EIS when it is complete. We look forward to continuing our productive and frequent discussions with CHSRA staff as the Project’s environmental review moves forward.

Very truly yours,

Damon Nagami
Senior Attorney
Director, SoCal Ecosystems Project
Natural Resources Defense Council

Robert García
Executive Director and Counsel
The City Project

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
August 28, 2014
Page 5 of 5

Tim Brick
Managing Director
Arroyo Seco Foundation

Lewis MacAdams
President
Friends of the Los Angeles River

Melanie Winter
Founder and Director
The River Project

Attachment

cc: Mr. Jeff Morales, CEO, CHSRA
Ms. Michelle Boehm, Southern California Regional Director, CHSRA
Mr. Karl Fielding, Parsons Brinckerhoff
Mr. Dan Tempelis, Hatch Mott MacDonald
Ms. Valerie Martinez, CHSRA

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014)



September 20, 2010

California High-Speed Rail Authority (“HSRA”)
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Concerns Regarding High-Speed Rail Through Downtown Los Angeles

Dear Chairman Pringle and Members of the Board:

On behalf of the undersigned organizations, which represent a broad, multicultural and economically diverse group of community, environmental, civil rights and civic leaders, we write to express several concerns regarding the proposed high-speed rail (“HSR”) line through downtown Los Angeles.

The proposed rail line must provide benefits for all. The rail line must not be allowed to adversely impact the two important urban state parks north of Union Station – Los Angeles State Historic Park and Rio de Los Angeles State Park – or the communities surrounding them and the Los Angeles River, or interfere with restoration and revitalization of the River.

Any proposed route for HSR must comply with basic principles and laws that protect the environment, human health, equal justice and democratic participation, including principles and laws governing recipients of federal financial assistance. Our shared values include investing in people and stronger communities; improving physical, psychological and social health for all communities, including people of color, low income people, and at-risk youth, through equal access to parks and green space; achieving conservation benefits, including climate justice, clean land, water and air, and habitat protection; and protecting Native American values and sacred sites.

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
September 20, 2010
Page 2 of 3

For these reasons, we support the “long tunnel option,” in which a bored tunnel would run beneath the Los Angeles State Historic Park, Rio de Los Angeles State Park, and the River, avoid adverse impacts to each of those places and the surrounding communities, and emerge near the 2 Freeway. This alternative is described generally in the July 8, 2010, letter from Los Angeles City Councilmember Ed Reyes to HSRA, which is attached for your reference.

Los Angeles State Historic Park and Rio de Los Angeles State Park are innovative urban parks that serve low-income, park-poor communities that fought for equal access to parks and green space compared to other neighborhoods throughout Los Angeles. Los Angeles State Historic Park revives the forgotten history of Los Angeles from Native American times to the present, and cradles historic artifacts under its surface. We strongly oppose any route that would use cut-and-cover construction to create tunnels either through or immediately next to this Park, which would endanger important archeological resources and hinder public access to the park.

Rio de Los Angeles State Park features cutting-edge wetlands restoration, much-needed athletic fields and community activities. We strongly oppose any route that would adversely affect this Park or the surrounding communities. For instance, a trench along San Fernando Road that would permanently impede access to this Park, take a significant portion of land from the parking area and sports fields, and maroon the park between two rail lines is unacceptable. Neither would we support an at-grade or elevated route along the existing Metrolink corridor that would permanently interfere with access to the River or create potential impacts to avifauna and other wildlife. That alignment might provide a more acceptable solution if all of the tracks, including those for HSR, Metrolink and Amtrak, were brought down into a covered trench. This would minimize impacts to local residents and students at LAUSD’s Central Region High School #13, while providing an opportunity to create a land bridge connecting the park to the parcel known as G-2, creating a seamless link to the River.

Our concerns also extend to a number of other issues around HSR. For example, critical water resources must be protected. Proposed alignments should provide a minimum 200’ buffer from all watercourses, and any viaduct crossings over a watercourse should be designed to accommodate recreational access and potential future channel modifications for restoration of natural hydrodynamic processes. Other concerns include, but are not limited to, HSR’s potential impacts on the historic Sixth Street Bridge over the River; HSR’s riverbank alignment south of Union Station; the site and height of any proposed riverfront terminal for HSR; and potential impacts to wetlands and groundwater recharge along the L.A. to Palmdale segment.

In addition, HSR must take into account principles of equitable infrastructure development. For example, HSRA should ensure that the people who live in the local community get the job opportunities that accompany the investment, and provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, which play a critical role in stimulating economic growth and creating jobs. HSRA should make effective use of community-based organizations in connecting disadvantaged people with economic opportunities. Everyone should have the chance to share in the opportunities created by HSR.

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

California High-Speed Rail Authority
September 20, 2010
Page 3 of 3

It is important that HSR be done right. Thank you for considering our comments. We appreciate your staff's efforts thus far to listen to our concerns and ideas, and would welcome additional meetings and briefings in the future to discuss in more detail these very important issues.

Very truly yours,

Raul Macias
Founder and Executive Director
Anahuak Youth Sports Association

Robert García
Executive Director and Counsel
The City Project

Bruce Saito
Executive Director
Los Angeles Conservation Corps

Melanie Winter
Director
The River Project

Sara Feldman
Vice President for Programs
California State Parks Foundation

Lewis MacAdams
President
Friends of the Los Angeles River

Joel Reynolds
Senior Attorney
Director, Urban Program
Natural Resources Defense Council

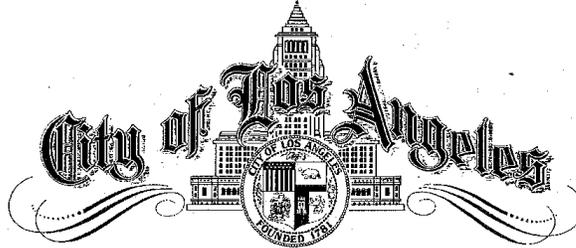
Miguel Luna
Executive Director
Urban Semillas

Attachment

cc: Mr. Roelof van Ark, CEO, HSRA
Mr. Andrew Althorp, Parsons Brinckerhoff
Mr. Dan Tempelis, Hatch Mott MacDonald
Mr. C. Michael Gillam, Parsons Brinckerhoff
Mr. Dave Thomson, STV Incorporated
Ms. Valerie Martinez, HSRA

Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

200 N. SPRING STREET
CITY HALL, ROOM 410,
LOS ANGELES, CA 90012
(213) 485-3451 PHONE
(213) 485-8907 FAX



DISTRICT OFFICE
163 S. AVE. 24
ROOM 202
LOS ANGELES, CA 90031
(213) 485-0763 PHONE
(213) 485-8908 FAX

ED P. REYES
Councilmember, First District

July 8, 2010

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

RE: ITEM 10, PRELIMINARY ALTERNATIVES ANALYSIS PRELIMINARY
REPORT – PALMDALE TO LOS ANGELES

Dear Honorable Members of the Board,

I would like to take this opportunity to comment on the Preliminary Alternatives Analysis Preliminary Report for the Los Angeles to Palmdale alignment of the high speed rail. These are initial reactions to the report as it has only been made publicly available since this morning and I would like to provide more in depth feedback as you and your staff further study and refine these proposed alignments.

First, I do believe the High Speed Rail Authority has made progress in studying both an at grade alignment from Union Station in addition to the aerial alignments that were previously on the table. I can appreciate the many constraints in and around downtown Los Angeles and I believe it is an important step to be considering multiple approaches in and out of Union Station. There are many sensitive uses to consider in this area including, but not limited to, the Los Angeles State Historic Park, Rio de Los Angeles State Park, the Los Angeles River, as well as the many homes and businesses along the proposed route. I continue to pursue win-win alternatives where this vast investment in new infrastructure for high speed rail can serve multiple benefits for downtown and the surrounding region. Where this is not possible mitigation will be imperative and I would like to work with your staff to develop a range of measures that will maintain the important urban fabric of downtown Los Angeles and my district.

Specifically, I would also request that the 'long tunnel option' in which the proposed tunnel from downtown would extend north to the 2 freeway be put back into the Alternatives Analysis for further study and review. The current alignments along San Fernando Road and Rio de Los Angeles State Park are insufficient to provide meaningful alternatives analysis review. I would also request that interaction and feedback from the



The First District: "Home of the Original Suburbs"



Submission B011 (Damon Nagami, Natural Resources Defense Council, August 28, 2014) - Continued

Army Corps of Engineers within this segment not be limited to their permitting authority but also be conducted in collaboration with the Los Angeles River Ecosystem Restoration Feasibility Study currently funded by the federal government and underway by the Corps in which the City of Los Angeles is the local sponsor.

I would like to thank you for conducting your board meeting here in Los Angeles. I look forward to continued dialogue and transparency and we continue through this process. I believe downtown Los Angeles can and should be a model for a world class rail system that includes high speed rail in California.

Sincerely,



ED P. REYES
Councilmember, First District

cc: Congressmember Lucille Roybal-Allard
Congressmember Xavier Becerra
Mayor Antonio Villaraigosa, City of Los Angeles
Mark Toy, Army Corps of Engineers, Los Angeles District Commander

Submission B012 (Veronica Padilla, Pacoima Beautiful, August 29, 2014)



August 25, 2014

Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

RE: Palmdale to Burbank Section Project Level EIR/EIS

Dear Mr. McLoughlin,

On behalf of Pacoima Beautiful, I appreciate the opportunity to provide comments in regards to how the Palmdale to Burbank segment of the California High Speed Rail project would impact our community. Pacoima Beautiful is a non-profit organization that serves the Northeast San Fernando Valley of the City of Los Angeles. As an environmental justice organization, Pacoima Beautiful brings area stakeholders together to address community needs and implement long term, sustainable changes in order to improve the quality of life in this area. Since high speed rail will have an enormous impact on the Northeast San Fernando Valley it is important for us to articulate the communities concerns and goals for this important project.

The two current route options for the California High Speed Rail (CHSR) Palmdale to Burbank segment have serious repercussions for the communities of the Northeast San Fernando Valley. This area is one of the most environmentally impacted in Southern California, suffering from a multitude of negative land uses ranging from landfills, freeways, industrial facilities, to a municipal airport. These facilities have a detrimental impact on both the environment and health of the Northeast San Fernando Valley. We believe that CHSR is both an opportunity and a liability. If implemented correctly it can transform Pacoima into a greener, healthier and better connected community. However, if constructed without regard to community concerns it also has the power to exacerbate the environmental injustices perpetrated on these communities over decades.

The current route of the CHSR goes along the Metrolink rail right of way next to San Fernando Road running through the communities of Pacoima, San Fernando, Sun Valley, and Sylmar. Currently, trains along San Fernando Road run at grade creating safety issues for cars, pedestrians and cyclists that inhibits mobility and physical activity. The land uses adjacent to the train tracks include an asphalt plant, multiple industrial facilities, and an airport. All of these facilities contribute to the poor health and environment within these communities.

The CHSR will dramatically impact the built environment of the areas it passes through. For this reason, we see it as an opportunity to address the issues facing the communities of the

Submission B012 (Veronica Padilla, Pacoima Beautiful, August 29, 2014) - Continued

2

Northeast San Fernando Valley and the negative issues currently associated with the rail right of way. With this in mind we have outlined some ideas on how we would like to see the CHSR implemented in the Northeast San Fernando Valley.

1. The CHSR should enhance mobility for the communities it passes through. Currently the rail right of way along San Fernando Road is a safety hazard separating neighborhoods. The tracks are at grade with Metrolink and freight trains running at frequent intervals throughout the day. Crossings over the tracks are spaced at far distances which effectively sever the communities the train passes through, creating a hazard for pedestrians. Grade separation for the CHSR should be done in such a way that prioritizes pedestrians and cyclists (a large percent of travelers in these areas) as much as it prioritizes cars. Crossings should be well lit, spacious, and safe. Additional crossings should be placed at frequent intervals along the route which would reconnect the communities of the Northeast San Fernando Valley. The recently completed San Fernando Road bikepath should be preserved or reconstituted through Pacoima and San Fernando, and should be extended along the high speed rail corridor to Downtown Los Angeles and beyond. In addition, the CHSR should be built in such a way that minimizes blight, noise, and visual obstructions to surrounding land uses.
2. The CHSR should contribute to the conversion of the Pacoima Wash into a multi-modal greenway. For the past decade the communities of the Northeast San Fernando Valley have worked to convert the Pacoima Wash, a channelized tributary of the Los Angeles River, into a greenway composed of bike and pedestrians paths as well as landscaping. A large public outreach process of over 30 community meetings and events were undertaken through this effort which resulted in the Pacoima Wash Vision Plan and the Pacoima Wash Greenway Masterplan. Funds have been secured for the planning and engineering of a bikeway along the Pacoima, San Fernando, and Sylmar portions of the Wash. The CHSR will cross the Wash at San Fernando Road. CHSR should be constructed in such a way that does not disrupt the continuity of the Greenway. CHSR should also contribute to its development and the reorientation of adjacent land uses to the Greenway.
3. The CHSR and East San Fernando Valley Transit Corridor (ESFVTC) planned by Metro will make Pacoima a major transportation nexus. The ESFVTC is planned to terminate at the CHSR right of way at San Fernando Road. CHSR should work with Metrolink and Metro to create a new station at Van Nuys Boulevard and San Fernando Road in Pacoima. This would create a multi modal hub where passengers could transfer between the ESFVTC and Metrolink. This would not only benefit people who live and work in Pacoima but will provide access to the entire San Fernando Valley and potentially West Los Angeles to Metrolink riders.

13520 Van Nuys Blvd. Suite 200, Pacoima, CA 91331 • (818) 899-2454 • Fax (818) 485-4306
www.pacoimabeautiful.org

Submission B012 (Veronica Padilla, Pacoima Beautiful, August 29, 2014) - Continued

3

4. CHSR should catalyze the transformation of negative land uses into green and equitable development. Pacoima is burdened by many polluting land uses that are interspersed with

homes and schools. This has resulted in an environmental and health crisis with many residents suffering from asthma, obesity and other health issues. In addition, 20% of residences in Pacoima are overcrowded with multiple families living in rented rooms or converted garages. CHSR and a new multi modal hub described above can help catalyze a land use change in Pacoima to address these factors. Underutilized land can be converted into affordable, transit oriented development to ease overcrowding. Polluting facilities can be converted to other uses or green industries. The Whiteman Airport owned and operated by Los Angeles County, is a potentially huge redevelopment opportunity that could take advantage of a new multi modal transportation hub and be turned into housing, park space, and other commercial activity. CHSR should coordinate with Metro, Los Angeles County, and the Los Angeles Planning Department to plan for reorienting Pacoima around this new infrastructure.

Pacoima Beautiful sees the CHSR as an important investment in California's infrastructure benefiting both the economy and environment. However, the health of the communities the train passes through should not be sacrificed for the greater good of the State. Instead communities like Pacoima and the Northeast San Fernando Valley should be symbols of CHSR potential to create a greener, better connected, and more sustainable California.

We look forward to working with the CHSR Authority to make the recommendations listed above a reality. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Veronica Padilla
Executive Director

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www.pacoimabeautiful.org

Submission B013 (Brad Bleichner, Rancho Verdugo Estates Homeowners Association, September 8, 2014)

Palmdale - Burbank - RECORD #770 DETAIL

Status : Pending
Record Date : 9/10/2014
Response Requested :
Submission Date : 9/8/2014
Affiliation Type : Individual
Interest As : Individual
Submission Method : Project Email
First Name : Brad
Last Name : Bleichner
Professional Title :
Business/Organization : Rancho Verdugo Estates Homeowners Association
Address : 515 S. Figueroa Street
Apt./Suite No. : Ste 1500
City :
State : CA
Zip Code : 90071
Telephone : (213) 955-1150
Email : bbleichner@bcslaw.com
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : Sent via Email palmdale_burbank@hsr.ca.gov

September 8, 2014

Mark A. McLoughlin, Director of Environmental Services
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High-Speed Rail Authority
700 North Alameda St. Room 3-532
Los Angeles, CA 90012

Re: High Speed Rail/ Palmdale to Burbank

Dear Palmdale to Burbank HSR:

This letter/email is written on behalf of the Rancho Verdugo Estates Homeowners Association, which is a gated community located in Shadow Hills on both sides of Wentworth near Hansen Dam. We represent 57 homeowners, most of whom are original homeowners for this equestrian development. We are providing our comments as they relate to the Alternative/New Study Area being discussed for the Palmdale to Burbank section of the proposed High Speed Rail (HSR).

Submission B013 (Brad Bleichner, Rancho Verdugo Estates Homeowners Association, September 8, 2014) - Continued

We are very concerned about the effect this alternate route would have upon not only the quiet enjoyment of our homes and the potential effect on our property values, but also the significant environmental concerns that need to be addressed. It is our position that this alternative route must be removed from any consideration for this HSR project.

We have been provided with the correspondence from Shadow Hills Property Owners Association dated August 29, 2014 and wholeheartedly agree with the comments addressed as to the environmental concerns. Rather than repeat the well thought-out basis set forth by our neighbors, we incorporate those comments into our position.

While we recognize that a complete discussion of the alternative route is premature, the proposed alternative has already created serious concerns about potential damage in and around our homes, as well as concerns about our property values. This is in addition to all of the environmental issues that would be involved with construction in The Big Tujunga Wash and near Hansen Dam. We urge you to permanently eliminate this location as a potential option for the HSR.

Very truly yours,

Rancho Verdugo Estates Homeowner's Association

Brad D. Bleichner

President

Brad D. Bleichner
Berkes Crane Robinson & Seal LLP
515 S. Figueroa Street
Suite 1500
Los Angeles, CA 90071
(213) 955-1150 (phone)
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bbleichner@bcrlaw.com
www.bcrlaw.com<<http://www.bcrlaw.com/>>

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EIR/EIS Comment : Yes
Need PI response :

Submission B013 (Brad Bleichner, Rancho Verdugo Estates Homeowners
Association, September 8, 2014) - Continued

General Viewpoint on Project :

Submission B014 (Russell E. Myers, Sand Canyon Homeowners Association,
August 26, 2014)



Sand Canyon Homeowners Association

P.O. Box 1701, Santa Clarita, CA 91386 ph (661) 252-1602 Sand Canyon Community Association, Inc.
fax (661) 252-4098 schoa@socal.rr.com

August 25, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda Room, 3-532
Los Angeles, CA, 90012

Subject: Palmdale to Burbank Project Section

The Sand Canyon Homeowners Board of Directors appreciates the opportunity to share our Associations concerns, expectations and provide input on potential impacts.

Our Association, with representation of over a thousand homeowners and properties within a Special Ordinance District of Santa Clarita, is committed and dedicated to a quality of life; sharing common, compassionate and environmentally compatible liberties. We have and will continue to stand firm and compassionate in our collective and cohesive pursuit of maintaining, the quality of life, the aesthetics and environment our Community expects.

The preferred alignment, which is consistent with the recommendation of Supervisor Antonovich, is direct from Burbank to Palmdale, bypassing the Santa Clarita Valley all together. The scale, scope and costs of this Statewide system should not compromise any person's life, especially their hopes, dreams and the pursuit of happiness.

Our concerns of community damage, costs, and more so the negative aesthetic & social impact arising from the current elevated, above ground, even partially tunneled alignment adversely affects our Community's quality of life. The current alignments along the 14 freeway traverses right at the one predominant entry, of the two access points into our Community. We feel the additional impacts of the HSR and infrastructure added to the existing Metrolink/Rail system is not compatible with the positive and aesthetic attributes to our Community. The impact to the homes and properties (directly and adjacent) with this existing alignment will be adversely affected and result in overall economic challenges to the entire Community.

We are definitely opposing the above ground alignment. The proximity is too close and places the approximately 1,000 elementary school children in danger. The visual & sound impacts would be negative for all residents throughout the east end of Santa Clarita. The alignment would eliminate houses, a church, etc.

We feel that eliminating this significant impact on individuals, neighborhoods and our Community, especially over the course of time, will better serve, environmentally and economically, our human condition, now and into the future.

Ruthann Levison
Dana Martin
Lisa Kauppi

Dave Hauser
Debbie Martin

John Higby
Russell Myers

Jennifer Jean Cacavas
Mark Donaldson

SCHOA HSR comment ltr 08-25-14.docx

Submission B015 (Matt Craig, Sand Canyon Properties, Inc, September 17, 2014)

Palmdale - Burbank - RECORD #1043 DETAIL

Status : Pending
Record Date : 9/22/2014
Response Requested : No
Submission Date : 9/17/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Project Email
First Name : Matt
Last Name : Craig
Professional Title : President
Business/Organization : Sand Canyon Properties, Inc
Address : 28100 Bouquet Canyon Road
Apt./Suite No. : #216
City : Saugus
State : CA
Zip Code : 91350
Telephone : 661.296.0288 xt. 212
Email : matt.craig@monteverdecompanies.com
Cell Phone : 661.296.0288
Email Subscription :
Add to Mailing List : Yes
Stakeholder Comments/Issues : Scoping Comment, Palmdale to Burbank Tunnel Support, as also offered by the City of Santa Clarita and Los Angeles County Supervisor Michael Antonovich.*Mark A. McLoughlin*
Director of Environmental Services
ATTENTION: Palmdale to Burbank Section
Project Level EIR/EIS
California High Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles CA 90012

RE: Scoping Comment, Palmdale to Burbank Tunnel Support,
as also offered by the City of Santa Clarita and Los Angeles
County Supervisor Michael Antonovich.

Dear Director McLoughlin,

Sand Canyon Properties Inc owns land currently in development that appears to be
directly, or nearly directly in the path of the "Santa Clarita/Highway 14"
HSR alternative alignment.

Combined with other reasons, Sand Canyon Properties Inc. is therefor supports
the "Palmdale to Burbank" tunnel alternative. With this support, we join the
thoughtful endorsement of this alignment from both the City of Santa Clarita City
Council and Los Angeles County Fifth District Supervisor Michael Antonovich.

Submission B015 (Matt Craig, Sand Canyon Properties, Inc, September 17,
2014) - Continued

*Regional Director Michelle Boehm was most helpful in assisting us in
placing these*
*comments in the record. She, and all the people involved in this project
demonstrate*
*exceptional professionalism and courtesy. Please contact me at
310-968-0125 <310-968-0125> or at*
my email address as we continue to work with you on this endeavor.

Very truly yours,

James C. Rodgers,

President, Sand Canyon Properties Inc

cc: Los Angeles County Supervisor Michael Antonovich and Staff Members
* City of Santa Clarita City Council Members and City Staff Members*

--
Best regards,

Matt Craig
Project Manager
Sand Canyon Propertie Inc.
28100 Bouquet Canyon Rd., # 216
Saugus, CA 91350
Office - 661 296-0288, ext 212
Mobile - 661 212-1477

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project : Prefer Alternative Corridor
Form Letter :

Submission B016 (Michael Hogan, Santa Clarita California High Speed Rail
Community Committee, August 20, 2014)

**SANTA CLARITA VALLEY
CALIFORNIA HIGH SPEED RAIL
COMMUNITY COMMITTEE**

August 20, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room, 3-532
Los Angeles, CA 90012

Re: Palmdale to Burbank Project Section EIR/EIS

Dear Mr McLoughlin:

I am writing on behalf of the Santa Clarita Valley California High Speed Rail Community Committee. This committee was formed in 2012 for the purpose of keeping the community updated on the California High Speed Rail Authority (CHSRA) project and to represent the community as a whole to give feedback to the CHSRA. The purpose of this letter is to express the position of the committee as well as the local SCV community regarding the current proposed Burbank to Palmdale alignments for the scoping phase of the project.

This letter serves to represent the Santa Clarita Community in support of the preferences outlined in a five-signature letter dated March 28, 2014. from the Santa Clarita City Council to Dan Richard regarding the HSR segment as it traverses our community

- The Preferred alignment is the direct connection between Burbank and palmdale, bypassing the Santa Clarita Valley entirely.
- With respect to the evaluation of the one remaining surface alignment and the tunnel extension alignment in Santa Clarita, the tunnel extension crdates less environmental and community damage than the proposed surface alignment.
- We strongly oppose the proposed surface alignment, as it eliminates homes, devastates the whole East end of out city, impacts two elementary schools and an approved job center for our community.

Thank you for your consideration of the comments on behalf of the SCV CHSR Community Committee. Should you need additional information for clarification, please contact me at 661.251.2040 or svctaskforce@gmail.com

Regards,



Michael Hogan
Chairperson

Submission B017 (Terri K. Crain, Santa Clarita Valley Chamber of Commerce,
August 21, 2014)



Santa Clarita Valley
Chamber of Commerce

27451 Tourney Rd. Ste 160
Santa Clarita CA 91355

August 19, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room, 3-532
Los Angeles, CA 90012

RE: Palmdale to Burbank Project Section

Dear Mr. McLoughlin:

I am writing on behalf of the Santa Clarita Valley Chamber of Commerce (“SCV Chamber”) to state our position regarding the alignments to be evaluated within the environmental documents for the Palmdale to Los Angeles segment of the California High Speed Rail Authority (CHSRA) proposed project, specifically focused on the Palmdale to Burbank project section. Thank you for the opportunity to provide comments during the scoping phase of the project and for holding the August 5, 2014, community meeting in Santa Clarita.

On March 28, 2014, the Santa Clarita City Council sent a five-signature letter (from all 5 members of the Council) to CHSRA Chairperson Dan Richard outlining our preferences related to the high speed rail segment as it traverses our community. For purposes of the scoping meetings, on behalf of the Santa Clarita Chamber of Commerce, I am writing in support of those preferences.

The SCV Chamber’s *preferred alignment* is the direct connection between Burbank and Palmdale, bypassing the Santa Clarita Valley entirely. Based upon information which we have received to date, this potential alignment will be less disruptive to residents of the Santa Clarita Valley and unincorporated areas north of the City of Santa Clarita, including Agua Dulce and Acton.

It is our understanding that the tunneling requirements for the direct alignment between Burbank and Palmdale are substantially similar to those for the previous proposed alignments through the Santa Clarita Valley, which roughly parallel the State Route 14 corridor. Additionally, the direct alignment appears to contribute critical time savings in the overall trip duration between Los Angeles Union Station and Palmdale, and hence, between Los Angeles and San Francisco. We urge the California High Speed Rail Authority to formally incorporate evaluation of this alternative corridor study area into the environmental review process.

Submission B017 (Terri K. Crain, Santa Clarita Valley Chamber of Commerce,
August 21, 2014) - Continued



Santa Clarita Valley
Chamber of Commerce

27451 Tourney Rd. Ste 160
Santa Clarita CA 91355

With respect to the evaluation of the one remaining surface alignment and the tunnel extension alignment in Santa Clarita, the SCV Chamber of Commerce believes the tunnel extension creates far less environmental and community damage than the proposed surface alignment. While the Chamber understands that the environmental review process demands a thorough review of a variety of alternatives, we strongly oppose the proposed surface alignment, as it has the potential of eliminating homes and devastating neighborhoods, two local schools, and an approved job center in the eastern area of our community.

While we appreciate the CHSRA Board and staff responding favorably to the City Council's June 2012 request to evaluate an extension of the proposed tunnel alignment for an additional two miles under the eastern neighborhoods of Santa Clarita, the Chamber is concerned about the impacts that both construction and operation of the rail line will have throughout the community. The Chamber requests that the CHSRA fully consider the impacts of noise and vibration of the rail alignment under homes, businesses, schools and open space areas. Furthermore, regarding the construction phase, in addition to typical construction activities associated with a large scale tunneling project, the Chamber asks that the environmental documents specifically reflect the need to remove substantial amounts of soil to construct the tunnels and how removal of that material may impact local roadways and air quality, in addition to maintaining the integrity of existing surface structures and uses.

Thank you for your consideration of the comments on behalf of the Santa Clarita Valley Chamber of Commerce. Should you need additional information or clarification, please contact me at (661) 702-697 or tcrain@scvchamber.com.

Respectfully,

Terri K. Crain

Terri K. Crain
President/CEO
661.702.6977 O
661.877.8075 C
661.702.6980 Fax
tcrain@scvchamber.com
www.scvchamber.com

Submission B017 (Terri K. Crain, Santa Clarita Valley Chamber of Commerce,
August 21, 2014)

Palmdale - Burbank - RECORD #209 DETAIL

Status : Pending
Record Date : 8/23/2014
Response Requested : No
Submission Date : 8/21/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : Terri K.
Last Name : Crain
Professional Title : President/CEO
Business/Organization : Santa Clarita Valley Chamber of Commerce
Address : 27451 Tourney Road
Apt./Suite No. : Suite 160
City : Santa Clarita
State : CA
Zip Code : 91355
Telephone : 661.702.6977
Email : tcrain@scvchamber.com
Cell Phone : 661.877.8075

Email Subscription :

Add to Mailing List :

Stakeholder Comments/Issues : Good Afternoon,

The Santa Clarita Valley Chamber of Commerce respectfully submits the attached letter.

Respectfully,
Terri K. Crain
President/CEO
661.702.6977 O
661.877.8075 C
661.702.6980 Fax
tcrain@scvchamber.com
www.scvchamber.com<http://www.scvchamber.com>
[chamber logo badge]

EIR/EIS Comment :

Yes

Need PI response :

Yes- Standard Response

General Viewpoint on Project :

In Support of Alternative Corridor

Attachments :

High Speed Rail.pdf (124 kb)

Submission B018 (Kerry Frick, SCV High Speed Rail Task Force, August 30, 2014)

Palmdale - Burbank - RECORD #452 DETAIL

Status : Pending
Record Date : 9/3/2014
Response Requested : No
Submission Date : 8/30/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Project Email
First Name : Kerry
Last Name : Frick
Professional Title :
Business/Organization : SCVHighSpeedRailTaskForce
Address :
Apt./Suite No. :
City :
State :
Zip Code : 00000
Telephone :
Email : scvtaskforce@gmail.com
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues :

> From: <kfrick@socal.rr.com>
> Date: August 29, 2014 at 9:22:22 PM PDT
> To: palmdale_burbank@hsr.ca.gov
> Cc: scvtaskforce@gmail.com
> Subject: Palmdale to Burbank Section EIR/EIS
>
> Dear Mr. Mark A. McLoughlin,
>
> Please know that this Sand Canyon Resident is opposed to the useless "Bullet Train" as it is being called.
>
> PLEASE:
> Support The preferred alignment direct from Burbank to Palmdale, bypassing the Santa Clarita Valley all together (as proposed by Supervisor Antonovich).
>
> We definitely oppose the above ground alignment:
> 1. Much too close to two schools putting over 1000 elementary school children in danger and the sound will negatively impact learning in the classroom
> 2. Eliminates a community church
> 3. Eliminates houses and negatively impacts neighborhoods, reducing property values and stripping people of retirement equity.
> 3. Sound Impacts would be negative for all residents throughout the East end of Santa Clarita, adversely affecting quality of life and property values.
> 4. Visual impacts would be negative for all residents throughout the East end of Santa Clarita. Same issues as above
> 5. Eliminates a job center approved for our community which would help bring back the property values that have already been affected by the last economic downturn.
>
> Thank you,
>
> Kerry Frick

EIR/EIS Comment : Yes

Submission B018 (Kerry Frick, SCV High Speed Rail Task Force, August 30, 2014) - Continued

Need PI response : Yes- Standard Response
General Viewpoint on Project : Oppose CAHSR Project, Prefer Alternative Corridor
Form Letter :

Submission B019 (Suzanne Rosengrant, SCV High Speed Rail Task Force, August 30, 2014)

Palmdale - Burbank - RECORD #451 DETAIL

Status : Pending
Record Date : 9/3/2014
Response Requested : No
Submission Date : 8/30/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Project Email
First Name : Suzanne
Last Name : Rosengrant
Professional Title :
Business/Organization : SCV HighSpeedRailTaskForce
Address :
Apt./Suite No. :
City :
State :
Zip Code : 00000
Telephone :
Email : scvtaskforce@gmail.com
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues :

> From: Suzanne Rosengrant <mybuttercupgirl@yahoo.com>
> Date: August 29, 2014 at 6:29:36 PM PDT
> To: "palmdale_burbank@hsr.ca.gov" <palmdale_burbank@hsr.ca.gov>
> Subject: Palmdale to Burbank Section EIR/EIS
> Reply-To: Suzanne Rosengrant <mybuttercupgirl@yahoo.com>
>
>
> Dear Mr. Mark A. McLoughlin,
>
> We are very much opposed to the "train to nowhere" and we want you to know how much this impacts our family, the schools around our home, the children and the property values of the homes in the area.
>
> Please support the preferred alignment direct from Burbank to Palmdale, bypassing the Santa Clarita Valley all together (as proposed by Supervisor Antonovich).
>
> Please take a moment to read just a few of the reasons NOT to have the high speed rail passing through Sand Canyon.
>
> 1. It is much too close to two elementary schools, and it endangers over 1000 school children. The frequency of the train passing by will negatively impact the children's ability to learn, and will make it extremely difficult for the teachers to be able to do their job. God forbid the train derails, who is going to be held responsible for all of the destruction/deaths that could occur?! The very thought is terrifying.
>
> 2. The community church will be destroyed and so many of us attend services there on a regular basis.
>
> 3. Destroys houses and negatively impacts neighborhoods, reducing property values and it would take away our life time investment. Our home is our largest investment and if the train comes through our neighborhood, we will have lost that. We are close to retiring & this would be such a tremendous setback. It will impact our whole family.

Submission B019 (Suzanne Rosengrant, SCV High Speed Rail Task Force, August 30, 2014) - Continued

>
> 4. The sound of the train will be very disruptive & the sight of it will be take away from the natural beauty of Sand Canyon, which is why so many residents have chosen to make this neighborhood their home.
>
> Please find another solution for this train. It affects and impacts our lives on a daily basis. We do not know what our future holds, and it is an awful feeling not being able to control your destiny. We are very stressed out about this situation & all of the negative impacts that it will cause in our community.
>
> Sincerely,
> Suzanne Rosengrant
>
>
>
>

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project : Oppose CAHSR Project
Form Letter :

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014)

September 9th, 2014

Mark A. McLoughlin, Director of Environmental Services
palmdale_burbank@hsr.ca.gov (email)
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
LA, CA 90012

Dear Mr. McLoughlin:

I am appalled at how poorly the
communication about the HSR rail has
been from the officials. I am upset
about the environmental threats the
threat to the equestrian lifestyle of
Shadow Hills, and the threat to our
homes and lifestyle. It must be less
expensive to use existing corridors, such
as the 5 freeway and 14 freeway, which
will save tax dollars.

I call for the immediate exclusion
of the new study area and advocate for
the building of the HSR by the 14/5
freeways.

Sincerely,

Name
Street Address
City, State ZIP
Email address

Lisa Holt
Lisa Holt
11085 Hershey St
Sun Valley, CA 91352

lholt@
lholt@
yahoo.
com

cc:
felipe.fuentes@lacity.org
Claudia.rodriguez@lacity.org
Wesly.hernandez@lacity.org
Councilmember.martinez@lacity.org
fifthdistrict@lacbos.org
shpoa@shpoa.us
zev@bos.lacounty.gov
teresa.lamb@mail.house.gov

Paul.krekorian@lacity.org
marcos.sanchez@asm.ca.gov
tbell@lacbos.org
mcano@lacbos.org
raul.bocanegra@asm.ca.gov
mayor.garcetti@lacity.org
jim.dantona@lacity.org

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

September 9th, 2014

Mark A. McLoughlin, Director of Environmental Services
palmdale_burbank@hsr.ca.gov (email)
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
LA, CA 90012

Dear Mr. McLoughlin:

Please help us keep our unique
area rural. We are a rare spot
left with over crowding all around us.
High speed rail would destroy our
neighborhood.

We have so little natural environment
left - We can't lose any more -
especially when heavy sanders already
exist. We are a wild life corridor !!!

Sincerely,

Carol Kay Biele

Name
Street Address
City, State ZIP
Email address

cc:
felipe.fuentes@lacity.org
Claudia.rodriguez@lacity.org
Wesly.hernandez@lacity.org
Councilmember.martinez@lacity.org
fifthdistrict@lacbos.org
shpoa@shpoa.us
zev@bos.lacounty.gov
teresa.lamb@mail.house.gov

Paul.krekorian@lacity.org
marcos.sanchez@asm.ca.gov
tbell@lacbos.org
mcano@lacbos.org
raul.bocanegra@asm.ca.gov
mayor.garcetti@lacity.org
jim.dantona@lacity.org

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

September 9th, 2014

Mark A. McLoughlin, Director of Environmental Services
palmdale_burbank@hsr.ca.gov (email)
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
LA, CA 90012

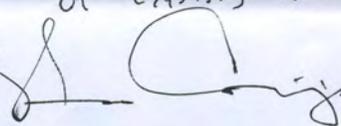
Sept 9th 2014

Dear Mr. McLoughlin:

I am writing this letter to express my strong opposition for the proposed route (Palmdale to Burbank) through the San Gabriel Mtns. and Sunland, Shadow Hills, etc. It is not well thought out: It is expensive, will destroy natural + protected fauna + wildlife, will disturb ground water tables, flood plains; and will result in an unrecoverable decline in property values. It is a better decision to use the 14-5 route: it is an existing right of way and would cause little inconvenience + destruction of existing home + businesses.

Sincerely,

Name - Steven Cornejo
Street Address 10636 Mary Ball Ave.
City, State ZIP Shadow Hills, CA 91040
Email address Steve.Cornejo@earthlink.net



cc:
felipe.fuentes@lacity.org
Claudia.rodriguez@lacity.org
Wesly.hernandez@lacity.org
Councilmember.martinez@lacity.org
fifthdistrict@lacbos.org
shpoa@shpoa.us
zev@bos.lacounty.gov
teresa.lamb@mail.house.gov

Paul.krekorian@lacity.org
marcos.sanchez@asm.ca.gov
tbell@lacbos.org
mcano@lacbos.org
raul.bocanegra@asm.ca.gov
mayor.garcetti@lacity.org
jim.dantona@lacity.org

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

September 9th, 2014

Mark A. McLoughlin, Director of Environmental Services
palmdale_burbank@hsr.ca.gov (email)
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
LA, CA 90012

Dear Mr. McLoughlin:

As a resident of Shadow Hills i am
very concerned about the HSR destroying
our unique way of life. I feel
that were blindsided by the rerouting
of the HSR! To even think of
destroying an established, onique and
loved neighborhood is unacceptable
Shadow Hills is the only equestrian
area left in the city and needs to
be left unmolested. Please the best
and most logical route is to follow
the 5/14 as originally planned, and
exclude the new study area
from further consideration.

Sincerely,

Name
Street Address
City, State ZIP
Email address

Sincerely: Susan Stanford

cc:
felipe.fuentes@lacity.org
Claudia.rodriguez@lacity.org
Wesly.hernandez@lacity.org
Councilmember.martinez@lacity.org
fifthdistrict@lacbos.org
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Paul.krekorian@lacity.org
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mcano@lacbos.org
raul.bocanegra@asm.ca.gov
mayor.garcetti@lacity.org
jim.dantona@lacity.org

10331 Clybourn
Shadow Hills
Ca

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

To the Proponents of HSR

This letter is being written to express my protest of the High Speed Rail Initiative, specifically the plan to build a high speed rail track through my community of Shadow Hills and for the State's use of Imminent Domain to force residents from their homes. Firstly the idea of a high speed rail is ludicrous at this point in time. It's common knowledge that California is bankrupt and completely unable to fully finance a project of this size, including providing adequate compensation for those residents who would be affected by an Imminent Domain seizure. The fraudulence behind this project has already been exposed and its continued proposition by Governor Jerry Brown has made both Him and California a laughing stock to the rest of the Country. Governor Moonbeam's frightening obsession with this high speed rail has brought forth a form of incompetence that in the past would have led to criminal charges or at the very least the demand for an express resignation. It's sickening that rather than focus both time and money on projects that would aid California and Her citizens, such as a desalination plant which would prevent a dust bowl in the north and alleviate drought conditions in the south, Governor Brown would rather use public funds to force people from their homes in order to construct a rail system that nobody wants, and would never yield any profit to the state, as the cost of construction of the rail will never be paid off and will ultimately be compounded annually by its maintenance. Unless the entire track is underground it's going to be a sure fire bet that all property values in Shadow Hills will plummet. Shadow Hills is now and has always been horse country, as it is we're just far enough from the freeway that the horses aren't agitated by the traffic. However putting a high speed train complete with an excessive amount of noise pollution straight through the neighborhood is just the

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

thing to make a bunch of ranch property incapable of housing livestock of any kind. This decline in property value would luckily only affect those who weren't forced to leave their homes under an act of Imminent Domain. Imminent Domain is in the 5th Amendment of the Constitution which grants the Federal Government the ability to take control of private land so long as adequate compensation is provided, and the 14th Amendment grants this power to the states. However the concept of Imminent Domain was that it would only be used in matters of national security, the building of a strategically important military base for example, but starting in the early 90's state law makers saw imminent domain as a means to forcibly "gentrify" neighbor hoods they deemed as run down. We in Shadow Hills faced this once before when former L.A. Mayor Antonio Villaraigosa wanted to seize a bunch of property for a low rent housing complex. The biggest problem with imminent domain apart from the incredible abuse of power as well as the moral failing by politicians that it demonstrates is that often times adequate compensation is never fully given. For example both my Husband and I are elderly, and apart from the memories we have of our home, the cost and strain of having to move at our age would be far more than the assessed value of our property. We need to send a message to the people backing the HSR that we will not stand for this. In addition to using any legal means to obstruct the development of the HSR I suggest we also make it a point to inform every opponent of the current politicians of their actions regarding the HSR and Imminent Domain. We should send a message that in every campaign for the rest of their careers the HSR will be used as ammunition against them, this includes the current Governor Jerry Brown. His re-election may be assured, but at some point soon due to obvious creeping dementia he will have to step down, and we should inform any current politicians with aspirations of Governorship that an endorsement by Brown is a political death sentence, and as such hopefully instill the notion that what the

Submission B020 (David DePinto, Shadow Hills Property Owners Assn.,
September 9, 2014) - Continued

people of California want is an abandonment of disastrous policies and projects, such as the HSR, and an implementation of good common sense leadership, that values the rights and wellbeing of the people of California over misguided and dangerous political idealism.

Sincerely,

Mary Noble

Howard Noble
Mary Noble

Mr. Howard Noble
11305 Sheldon St.
Sun Valley, CA 91352-1120

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014)



Shadow Hills Property Owners Association
Dedicated To Preserving Rural Community

Sent Via Email:
palmdale_burbank@hsr.ca.gov

September 11, 2014

Mark A. McLoughlin, Director of
Environmental Services
ATTN: PALMDALE TO BURBANK
PROJECT SECTION
California High-Speed Rail Authority 700
North Alameda St. Room 3-532
Los Angeles, CA 90012

Surface Transportation Board
Chairman Elliot and Honorable Board
Members
395 E. Street, SW
Washington, DC 20423

California High Speed Rail Authority Board
Chairman Dan Richard and Honorable Board
Members
c/o Mr. Mark McLoughlin
1770 "L" Street, Ste. 800
Sacramento, CA 95814

Mr. Horace Greczmiel
Associate Director for NEPA Oversight
Council on Environmental Quality
Executive Office of the President
722 Jackson Place N.W.
Washington, DC 20503

Federal Railroad Administration
Joseph C. Szabo, Administrator
c/o Mr. David Valenstein
MS-20, W38-303
1200 New Jersey Ave, SE
Washington, DC 20590

Re: Elimination of High Speed Rail/Palmdale to Burbank Alternative Route
Through Angeles National Forest; Lake View Terrace; Big Tujunga Wash;
Shadow Hills; La Tuna Canyon; and Verdugo Mountains

Dear Environmental Services, California High Speed Rail Authority Board, Federal
Railroad Administration, Surface Transportation Board, Mr. Horace Greczmiel:

This letter is a supplement to the August 29, 2014 letter from the Shadow Hills
Property Owners Association. As Noted, I am also sending this letter and the August

P.O. Box 345 • Sunland, California 91041-0345

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
September 11, 2014
Page 2 of 10

29, 2014 letter directly to the Board which we hope will have the opportunity to review in advance of its September 16, 2014 meeting.

1. Applicable Law: Voter approved Proposition 1A added Streets and Highways Code Section 2704 et seq. This voter approved measure must be followed and dictates the planning and construction of the High-Speed Rail aka Bullet Train. Said Code Section reads in part as follows:

“2704.09 The high-speed train system to be constructed pursuant to this chapter shall be designed to achieve the following characteristics:

- (g) In order to reduce impacts on communities and the environment the alignment for the high-speed train system shall follow existing transportation or utility corridors to the extent feasible and shall be financially viable as determined by the authority.
- (i) The high-speed train system shall be planned and constructed in a manner that minimizes urban sprawl and impacts on the natural environment.
- (j) Preserving wildlife corridors and mitigating impacts of wildlife movement where feasible as determined by the authority, in order to limit the extent to which the system may present an additional barrier to wildlife’s natural movement.”

These sections will be discussed separately in subsequent sections.

2. Considering the Angeles National Forest as an Alternative Route for the Palmdale to Burbank High-Speed Rail Violates Streets and Highways Code §2704.09 (g): As noted previously, voter approved Proposition 1A (Streets and Highways Code §2704.09(g)) provides as follows:

“(g) In order to reduce impacts on communities and the environment the alignment for the high-speed train system shall follow existing transportation or utility corridors to the extent feasible and shall be financially viable as determined by the authority.”

There are no “existing transportation or utility corridors” through the Angeles National Forest. There are a few two lane roads that meander throughout the forest as well as a few utility poles but none of them constitute a transportation or utility corridor. In comparison, the initial route follows the 14 Freeway (SR 14) and existing rail tracks. The SR 14 route has been studied to the extent that there are detailed plans which show the route(s) including the portions that are at grade, elevated, or through

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
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Page 3 of 10

tunnels. The SR 14 route parallels existing freeways and train tracks. The alternative route lacks any specificity to know what, if any, part is above ground, at grade, or through tunnels and there are no such transportation or utility corridors. When the Bullet Train/HSR reaches Kagel Canyon, Lake View Terrace, the Big Tujunga Wash, Sunland Tujunga, Shadow Hills, La Tuna Canyon, and the Verdugo Mountains it will dissect the existing, cohesive, well defined communities and will traverse, not parallel, existing transportation corridors. This is the most disruptive possible route and as a matter of law cannot be an alternative.

Since the proposed SR 14 route is feasible and it follows existing transportation or utility corridors, it must be selected over the proposed alternate route which does not follow any existing transportation or utility corridors, and even if it did, it is not feasible. This language of the law is mandatory. The Board lacks the legal authority to select the alternate route.

3. The Bullet Train/ HSR Proposed Palmdale/Burbank Alternate Route Violates Proposition 1A/Streets and Highways Code § 2704.09(i): As previously stated Streets and Highways Code§2704.09(i) provides as follows:

“(i) The high-speed train system shall be planned and constructed in a manner that minimizes urban sprawl and impacts on the natural environment.”

As with Streets and Highways Code§2407.09(g) the language states that these rules shall be followed. The language is not “may” follow, “hope” to follow or would be “nice to follow”. In law, the word “shall” is synonymous with the word “must”. As set forth in the “Not A Feasible Alternative” section of this letter (Paragraph 8), the proposed alternative route maximizes the impacts on the natural environment which is the exact opposite of what is required by the law. In short, the alternative route will impact the following natural environment:

- 3.1 The Angeles National Forest
- 3.2 Dewatering portions of the Angeles National Forest
- 3.3 Adversely effecting the flora, fauna, and animals which depend on the water in the Angeles National Forest which water will be lost by dewatering the Angeles National Forest
- 3.4 Loss of, or impediments to, the wildlife corridors in the Angeles National Forest and elsewhere caused by the Bullet Train/ HSR
- 3.5 The adverse effects from the sound, wind, and vibrations on the natural habitat in the Angeles National Forest and the Big Tujunga Wash
- 3.6 If the Bullet Train/ HSR tunnels under the Big Tujunga Wash then the same dewatering concerns related to the Angeles National

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
September 11, 2014
Page 4 of 10

Forest exist with the Big Tujunga Wash except the Big Tujunga Wash is the home to endangered plants and animals, holds drinking water which percolates down through the Angeles National Forest and provides 10% of the drinking water for the City of Los Angeles.

- 3.7 The same issues that effect the natural environment of the Angeles National Forest will also effect the Verdugo Mountains through which the Bullet Train/HSR must traverse.

These are only some of the impacts on the natural environment which will be caused by the selection of the alternate route. These impacts are far more severe on the proposed alternate route than on the SR 14 route and as such the Bullet Train/HSR Board is mandated by law to select the SR 14 route. Please refer the August 29, 2014 letter for a more complete list of impacts on the natural environment.

4. The proposed Palmdale/Burbank Alternate Route Does Not Meet the Requirements of Proposition 1A/Streets and Highways Code§2407.09(j): As previously mentioned, Proposition 1A/Streets and Highways Code§2407.09(j) provides as follows:

“[the HSR shall be designed to achieve the following characteristics] (j) Preserving wildlife corridors and mitigating impacts of wildlife movement where feasible as determined by the authority, in order to limit the extent to which the system may present an additional barrier to wildlife’s natural movement”

The Bullet Train/HSR Palmdale to Burbank alternate route will inhibit wildlife corridors and wildlife movement. Running a 200 mile per hour train over, under, and through the Angeles National Forest, the Big Tujunga Wash, and the Verdugo Mountains will impede wildlife corridors and wildlife’s natural movement to a far greater extent than using the SR 14 route which roughly parallels the 14 freeway and the existing railroad tracks both of which already impede wildlife corridors and wildlife movement. Additionally there is far more wildlife in existence on the alternate route than on the SR 14 route, which is the only legally permissible route under Streets and Highways Code§2407.09(j).

5. Proposition 1A/Streets and Highways Code §2707.08(f) Dictates that the Palmdale to Burbank Alternate Route Cannot Legally be Selected: Proposition 1A/Streets and Highways Code§2407.08(f) provides in part as follows:

“(f) In selecting corridors or usable segments thereof for construction, the authority shall give priority to those corridors

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
September 11, 2014
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or usable segments thereof that are expected to require the least amount of bond funds as a percentage of total cost of construction...”

Again this language is mandatory since the word “shall” is used. There is no discretion in this language. The question is what is the cost of construction in the SR 14 Route compared with the Alternate Route through the Angeles National Forest and over, under, or through Lake View Terrace the Big Tujunga Wash, Shadow Hills, La Tuna Canyon, and the Verdugo Mountains. The projected cost of the SR 14 Route has been calculated. Tunneling through the Angeles National Forest, the Big Tujunga Wash, Verdugo Mountains, and the aforementioned communities has not been publically estimated but it is undoubtedly more expensive to tunnel through a mountain range which includes the San Andreas Fault, the San Gabriel Fault, the San Fernando Fault and other faults at the proper angle so that the Bullet Train/HSR will not ascend or descend more than 1° every 2,000 feet, have a 5 mile turning radius and still reach Burbank at the necessary 85 feet below the surface. The reason that it must be 85 feet below the surface is that the Bullet Train/HSR must tunnel under the Interstate 5 and the existing flood control channel which is next to the airport and must be at least 35 feet below the surface of the airport because of the FAA requirements concerning static electricity.

If the Bullet Train/HSR tries to tunnel under Kagel Canyon, Lake View Terrace, The Big Tujunga Wash, Sunland Tujunga, Shadow Hills, La Tuna Canyon, and the Verdugo Mountains, that will substantially increase the costs. Bedrock for the Big Tujunga Wash is 200 to 400 feet below the surface. The increased pressure (PSI) from drilling at those depths exponentially increases the construction costs. In any event, there is no chance that the cost of the alternate route is less than the SR 14 Route. Even if the selected route is only partially through tunnels, the expense of selecting the alternate route will exceed the cost of the SR 14 Route. Therefore, the Board is legally required to select the SR 14 Route.

6. It is Likely Impossible to Build the Bullet Train Over The Tuiunga Wash Given the Engineering Requirements and the In-Place Structures: The Board has yet to determine whether the Bullet Train/HSR will be built over, under, or through the Big Tujunga Wash. Because of various restrictions, the Bullet Train/HSR likely cannot be built over the Big Tujunga Wash. Environmental concerns aside, there are laws of physics which cannot be ignored. They are as follows:

- 6.1 Since the Bullet Train/HSR must go under Interstate 5 and the Flood Control Channel at the Burbank Airport, the ending point is 85 feet below the elevation of the airport.
- 6.2 The elevation of the Burbank Airport is 778 feet which means that

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
September 11, 2014
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- at the end of the route, the elevation of the Bullet Train/HSR must be 694 feet on the north side of the flood control channel/Interstate 5.
- 6.3 Because the 210 Freeway is on the north side of the Big Tujunga Wash, the Bullet Train/HSR must go over the 210 Freeway and, depending on where the train crosses the 210 Freeway, it must go over the high tension electric lines from SCE and DWP. The Hansen Dam spillway's elevation is 1075 feet which makes the 210 freeway elevation plus additional space needed above the freeway for the existing high tension power lines at least 1175 feet.
 - 6.4 The difference between the ending elevation of 694 feet and the 1175 feet estimated elevation of the space above the 210 Freeway is 481 feet.
 - 6.5 Because of the maximum 1° change in elevation every 2,000 feet (approximately 35 feet per 2,000 feet) there are limits on whether the project can actually be engineered above the Tujunga Wash.
 - 6.6 It is approximately 5 miles in a straight line from the north side of the Interstate 5/flood control channel to the 210 Freeway. This equals 26,400 feet or 13.2 segments of 2,000 feet which equals a maximum change in elevation of 462 feet when the elevation change required is 481 feet. The Bullet Train/HSR may be able to serpentine through Shadow Hills in an effort to make the trip longer than 5 miles, but that just adds to the cost. It is highly unlikely that there is an above ground route which could satisfy the minimum engineering requirements and the laws of physics and which is otherwise acceptable.
 - 6.7 Because of the grade elevation limitations, the Bullet Train/HSR will have to surface somewhere in La Tuna Canyon or Shadow Hills. This 200 mile per hour projectile will destroy the communities through which it travels. The location of ground zero is calculable and the public deserves to know where that is.
 - 6.8 The environmental obstacles to the placement of the Bullet Train/HSR over the Tujunga Wash are set forth in the August 29, 2014 letter from the Shadow Hills Property Owner's Association, a copy of which is attached hereto as Exhibit A. These factors must be included in any engineering analysis.

The exact proposed location of the Bullet train/HSR has not yet been disclosed but almost any above ground route selected cannot meet the engineering requirements.

7. It Is Impossible To Place The Bullet Train Under the Big Tujunga Wash: The alternative to attempting to place the Bullet Train/HSR over the Tujunga Wash is to

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Mark A. McLoughlin
Re: Bullet Train/HAS
September 11, 2014
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place it under the Big Tujunga Wash. Drilling through the sand and gravel aggregate of the Big Tujunga Wash has all of the dewatering issues described in Exhibit A. Additionally, drilling through water laden non uniform rocks up to the size of large boulders is exceedingly difficult, expensive, and causes significant environmental impacts set forth in the August 29, 2014 letter from the Shadow Hills Property Owner's Association.

The alternative to tunneling through the Big Tujunga Wash is to tunnel about 50 to 100 feet or more below bedrock of the Big Tujunga Wash. Depending on where the tunnel crosses the wash, bedrock is 200 to 400 feet below the surface which would put it at an approximate sea level elevation of 600 feet. While the change in grade to Burbank would not seem to be a problem, we are not aware of any studies which describe the geological attributes of the bedrock in the Big Tujunga Wash or whether the "bedrock" is so fractured that the water laden sand will pour through with the result that even below-bedrock tunneling will lead to the dewatering of the Big Tujunga Wash with the inevitable environmental disaster.

Additionally, tunneling through bedrock of the Big Tujunga Wash at 400 feet will mean that the Bullet Train/HSR will have to tunnel under almost the entire length of the Angeles National Forest at enormous cost and expense. Additionally, the depth at which the tunnel must be drilled will increase the PSI which increases the construction costs exponentially.

8. The Alternative Route for the Palmdale to Burbank Bullet Train/HSR is Not Feasible or Reasonable: The California Environmental Quality Act (CEQA) does not require the applicant (HSR) to consider alternatives which are not feasible (CEQA Guidelines Section 15126.6). As set forth in this letter and in the August 29, 2014 letter from the Shadow Hills Property Owners Association, the Alternate Route is not feasible. In addition to not being feasible, the alternate route is not reasonable. It cannot meet the basic objectives of the project as set forth in Proposition 1A and the Streets and Highways Code. As set forth in the CEQA guidelines, an alternative may be rejected as part of the scoping process [CEQA guideline 15126.6(c)]. Some of the factors which may be used to eliminate alternatives from a detailed analysis are:

"(i) failure to meet most of the basic project objectives (ii) infeasibility, or (iii) inability to avoid significant environmental impacts."

As set forth elsewhere in this letter and the letter dated August 29, 2014 the Angeles National Forest alternative must be eliminated at the scoping stage. The Angeles Forest alternative does not meet most of the basis project objectives such as being in a transportation or utility corridor, is not feasible because the alternative costs are far

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more than the SR14 route and the alternate route exponentially increases the environmental impacts over the SR 14 route. All of this leads to the inevitable conclusion that the alternative route cannot be selected as a matter of law.

Additionally, CEQA guidelines section 15126.6 (f) (2) (a) states as follows:

“Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR. ”

As demonstrated elsewhere, none of the significant effects of the project would be avoided or substantially lessened by putting the SR14 project in another location. In fact the alternative route through the Angeles National Forest, Kagel Canyon, Lake View Terrace, the Big Tujunga Wash, Sunland Tujunga, Shadow Hills, La Tuna Canyon and the Verdugo Mountains only increases the significant effects of the project. Since that is the case, the alternate route cannot even be considered. For your reference I have included as Exhibit B a copy of Section 15126.6 of the CEQA guidelines.

The lack of feasibility can be determined by the scoping process. There is no need to spend the tens of millions of dollars in environmental studies to establish the obvious. This Alternate Route needs to be discarded immediately and not considered further.

9. The Scoping Request Will Not Receive the Appropriate Response: Due to the amorphous nature of the Alternative Route there are some regulatory or resource agencies which might not pay proper attention to this scoping request until such time as the project is better defined. At the least, the project description should be clarified so that the relevant resource agencies could focus their comments rather than having to discuss the broad panoply of issues raised by all of the possible iterations of the Alternate Route.

By way of example, the Bullet Train/HSR website has an animation of the SR 14 Route showing in detail the proposed route. The animation of the alternate route does not show La Tuna Canyon, Shadow Hills, Sunland Tujunga, Lake View Terrace or Kagel Canyon and has a fly over of the Angeles National Forest with absolutely no detail.

10. Conclusion: With all the technical and legal explanations offered herein, it's abundantly clear that introduction of the "new study area" or "yellow banana" was a MISTAKE. A policy MISTAKE. An engineering MISTAKE. High Speed Rail must

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succeed or fail on its own merits and without politics throwing our community literally under the train. It would be unconscionable, illegal, bad policy and wrong for HSR to proceed any further with environmental studies which are based on a MISTAKE. Now, before any more tax dollars are wasted, before our property values are further depressed, before more of our time is wasted, and before our communities' patience is worn any thinner, the "new study alternative" must be eliminated as infeasible. Our community will leave no stone unturned and pursue every recourse to stop this "train" right now and right here.

Very truly yours,



Shadow Hills Property Owners Association
David J. DePinto
President



Shadow Hills Property Owners Association
William E. Eick
Land Use Chairman

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MRCA
Fond Land Preservation Foundation
Dan Weikel - LA Times
David DePinto
Full SHPOA Board

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September 11, 2014)

Exhibit A

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September 11, 2014) - Continued



Shadow Hills Property Owners Association
Dedicated To Preserving Rural Community

Sent Via Email:
palmdale_burbank@hsr.ca.gov

August 29, 2014

Mark A. McLoughlin, Director of Environmental Services
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High-Speed Rail Authority
700 North Alameda St. Room 3-532
Los Angeles, CA 90012

Re: High Speed Rail/Palmdale to Burbank

Dear Palmdale-Burbank HSR:

This letter/email is written on behalf of the Shadow Hills Property Owners Association which is a non profit entity whose membership is voluntary. We represent more than 2,200 households and are tightly networked with the neighboring communities of Lake View Terrace, La Tuna Canyon, Sun Valley and Sunland Tujunga. We have been in existence for fifty years. We are providing our Public Scoping Comments to the Palmdale to Burbank section of the proposed High Speed Rail (HSR). In particular our comments relate to the Alternative Corridor/New Study Area. We believe that there are significant environmental concerns for the Alternative Corridor which dictate the **immediate removal of this alternate route from consideration** and we hereby demand its removal. Our comments are as follows:

1. As set forth hereafter, the alternative route through the Shadow Hills and the Angeles National Forest is not feasible and as such cannot be used as an alternative in the Environmental Impact Report. Again, demand is hereby made that the alternative route immediately be eliminated from the project proposal.
2. The scoping of the alternative route for an EIR is premature because the proposed alternative is too vague and covers too vast an area (approximately 400 square miles). The original proposal shows detailed, specific tunnel locations, grade changes and the actual location of the route. In comparison the location of the alternative route is vague. There is no description of where the HSR will be above ground or below ground. There is just a 40 mile long yellow shaded figure that looks like a banana and runs through the Angeles National Forest, the Big Tujunga Wash, Lake View Terrace, Shadow Hills and La Tuna Canyon. The alternate

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area requires further delineation in order to focus on the environmental and social issues. It's last minute and hasty introduction into the scoping process raises serious issues, not the least of which is an ominous and real threat to all property values and all property transactions.

3. The San Fernando Fault traverses the north side of the Big Tujunga Wash. It runs in an east west direction and is an active fault. The EIR must contain a full description of that fault and provide detailed engineering plans to confirm if and how the HSR can be built through that and other faults. The engineering must take into consideration both slip faults and thrust faults.
4. The HSR appears to travel under the Big Tujunga Wash. The Big Tujunga Wash is a flood plain and the water that flows through the wash is part of the system designed to recharge the San Fernando Valley aquifer which supplies 10% of the drinking water for the City of Los Angeles. Depending on rainfall, the water table sits ten to twenty feet below the surface of the wash. There are natural springs which bubble to the surface. The EIR must take this into consideration. Not only does it supply drinking water to the City but the water is also necessary to preserve the habitat for the endangered Santa Ana Sucker and also provides a habitat for the endangered or listed Slenderhorned spine flower, the Least Bells Vireo and the Cactus Wren. These water supplies are more precious now than ever given the seriousness of the current drought restrictions on imported water deliveries and long-term climate change.
5. A portion of the Big Tujunga Wash just east of Foothill Blvd., and located within the "yellow swath" is also a 210 acre mitigation bank operated by the County of Los Angeles Department of Public Works. This mitigates other activities conducted by that agency. It is not proper to put the HSR through a mitigation bank.
6. The Big Tujunga Wash is also the home for Hansen Dam which is operated by the Army Corp of Engineers. This dam serves two purposes. The primary purpose is to protect the City of Los Angeles from the historic floods. Prior to its construction in the late 1930's, flooding caused terrible damage and cut the City of Los Angeles in two for about 4 months. The EIR should fully investigate what effect the HSR would have on the integrity of the Hansen Dam. The environmental consequences of a dam failure would be catastrophic.
7. The EIR should fully analyze the environmental effects of tunneling

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under a water source such as the Big Tujunga Wash. The EIR should study what happened when the Los Angeles Metro Rail tunneled under Runyon Canyon. Metro rail had to pump out water for a very long time and the surface water/natural springs all evaporated. The City of Los Angeles calls this "Dewatering". That analysis should be applied to the HSR project where the surface contains endangered plants and animals that rely on that water. The quantity of the subsurface water in the Big Tujunga Wash dwarfs that which existed in Runyon Canyon.

8. In addition to the San Fernando Fault the EIR should analyze the existence of other faults within the "yellow swath" or proposed new study area. When the Angeles Golf Course EIR was completed, it disclosed the existence of a fault which separated the pristine water which came from the Angeles Forrest from the high nitrate water on the other side of the fault line. That fault line had trapped high nitrate septic tank water. The drinking water pumping stations on the septic tank side of the fault line have been shut down by the Los Angeles Department of Water and Power. The EIR should analyze whether the tunnel or above ground structures will puncture the fault line and allow the unacceptably high nitrate water to merge into the drinking supply water for the City of Los Angeles.
9. The Alternative route would likely study tunneling under portions of the Angeles National Forrest which have not been studied extensively from a subsurface point of view, The EIR should carefully analyze the geological aspects of that route including numerous drill holes to check for earthquake faults, oil and gas deposits, sub surface water and other environmental concerns. This must all be accomplished before the DEIR is circulated for review. Will HSR "dewater" the Angeles National Forest?
10. The state earthquake maps have not been revised in years due to lack of funding. They are out of date and must be brought current to determine the nature and extent of all old and newly discovered earthquake faults. The EIR must determine the consequences of tunneling through earthquake faults in the projected path of the alternate route.
11. The Los Angeles City General Plan talks about the geology of the city through which the alternate route is planned. While out of date, the general plan discusses ways of dealing with building through the water table. It refers to the metro rail project as discussed above. The City's solution is "dewatering" which means pumping out all of the ground water. What are the environmental consequences of "dewatering" the Big Tujunga Wash east of Hansen Dam? Even if possible, from an

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engineering point of view, why would one destroy one of the main sources of water storage by “dewatering” the Big Tujunga Wash.

12. In addition to the 210 acre mitigation bank, immediately west of Foothill Blvd. as it crosses the Big Tujunga Wash is the Tujunga Ponds which was a mitigation measure required by the building of the 210 freeway. It funnels natural spring water which feeds the remainder of the Big Tujunga Wash. What effect will the tunneling have on this property?
13. There are blue line streams in the Angeles National Forest and in the Verdugo Mountains. What effect will tunneling have on these protected areas? These blue streams support flora and fauna which are protected by federal, state and local laws.
14. Chapter IV of the Ground Water Basin Reports for the Upper Los Angeles River Area Basins details critical water storage needs. The EIR needs to analyze the effects of tunneling through or under the water supply.
15. If “dewatering” occurs, will that lower the level of the Big Tujunga Wash such that it will effect the structural integrity of the Hansen Dam, the 210 Freeway, Foothill Blvd. or other structures?
16. The Flood Management and Water Conservation Report prepared by the County of Los Angeles describes water and flood control issues. All of this must be considered in any EIR.
17. There are sensitive sites operated by the City of Los Angeles which are important to regional security and which must be considered.
18. When the Metro Rail was built, the tunneling shook the ground enough to substantially destroy portions the Hollywood Walk of Fame. What effects will tunneling have on the structures near the tunneling, especially given the composition of the subsurface material through which the shock waves traverse.
19. The scoping should also include the anticipated Rim of Valley Trail which is being proposed in Congress (Adam Schiff) and the possible designation of portions of the Angeles National Forest as a Federal Recreation Area (Carol Liu). The HSR could substantially and adversely effect those projects.
20. An EIR does not have to consider alternatives which are not feasible. Tunneling through the Angeles National Forrest, The Big Tujunga Wash

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and the Verdugo Mountains is not economically or otherwise feasible. The tunnel would have to go through, above or below, existing earthquake faults. The San Fernando Fault is surface reflected. The consequences to the ground water and the surface habitats that rely on the ground water would be significant and unmitigable. Additionally tunneling through the water laden sand of the Big Tujunga Wash is not economically feasible. Tunneling through a water source creates substantial additional maintenance issues to HSR itself.

21. The cost of condemning the land over, under or through Shadow Hills and the 600 acres in the Verdugo Mountains owned by the Fond Land Preservation Foundation will also make the alternative not feasible. Whereas the initial route relies on already existing rights of ways which do not need to be condemned, no such pre-existing rights exist. The HSR only has 13% of the land needed to start this project in the Central Valley. Acquiring other land in and around Shadow Hills will be ever so much more expensive and time consuming and will result in protracted litigation.
22. The Fond Land Preservation Foundation owns approximately 600 acres in the Verdugo Mountains just south of the Tujunga Wash. This is a privately owned, publically accessible open space. Installing the HSR through, under or on such a preserve area is not appropriate and will adversely impact that protected area.
23. In 1969 and again in 1978 the Tujunga Wash flooded, washed out bridges and cascaded boulders the size of Volkswagens down the wash. It destroyed everything in it's path. If the HSR is above ground through the wash, it too will be destroyed.
24. In addition to the Hansen Dam, the Tujunga Wash also contains two very large aquatic features built and great expense and as a mitigation measures when the Army Corp of Engineers (ACOE) removed sand and gravel from behind the Hansen Dam after the 1978 catastrophic flood. These mitigation measures cannot be undone by the HSR.
25. During prior environmental reports in the area, Native American burial grounds were discovered. The exact location of which was not disclosed due to the possibility that they would be disturbed. Those sites need to be identified and avoided.
26. There are high tension power lines which traverse the Tujunga Wash and they must be avoided. Relocation is not an option.

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27. Shadow Hills and nearby communities are governed by the Scenic Corridor Plan which protects ridge lines when viewed from the scenic corridors of Sunland Blvd., La Tuna Canyon Blvd., Wentworth and Foothill Blvd. Installing the HSR would destroy these already established scenic corridors.
28. The HSR, if above ground at any point through Shadow Hills will subdivide one of the last equestrian districts in the City of Los Angeles. It would cause great economic hardship, reduce property values and destroy the community. These adverse consequences are very important and by themselves constitute grounds for eliminating the alternative route as an option.
29. The HSR will have adverse effects on the Hansen Dam Recreational Area which is designated by the City of Los Angeles as a Regional Recreational Area with facilities including equestrian uses, athletic fields, swimming, fishing, a new ranger station, baseball, soccer, picnic grounds and more.
30. Another serious concern which we must register is the historic weakness and shortcomings of HSR overall with respect to funding and entitlements. HSR has always been on shaky ground and this clearly infeasible new study area presents gargantuan environmental and economic impacts and challenges that HSR is incapable of handling. The people and the economy of the new study area should not have been, and should not continue to be, threatened by what is clearly a short-sighted political reflex action/proposal by the County Supervisor in response to constituents near the two, initial alternatives.
31. In considering the new study area, in addition to each of the environmental impacts, the cumulative impacts ALREADY borne by the populated areas of Los Angeles' Council Districts 7, 2 and 6 must be taken into consideration. The heavy presence of major freeways (5, 170, 210, 118), MetroLink Rail line, Hansen Dam, DWP Power Plant, landfills and trash facilities, Burbank Airport, Whiteman Airport, gravel pits and quarries and many other heavy industrial uses demonstrate that this area (Shadow Hills, et al.) Is already over burdened and over saturated with infrastructure projects that benefit the region. The two already-studied project alternative areas pale in comparison when cumulative impacts are considered and are far more equitable alternative for study and implementation of HSR.
32. The cumulative obstacles addressed above mean that this alternative project route is not feasible.

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In conclusion, the Shadow Hills Property Owners Association hereby demands that this alternative route be permanently eliminated from consideration.

Very truly yours,



Shadow Hills Property Owners Association
David J. DePinto
President



Shadow Hills Property Owners Association
William E. Eick
Land Use Chairman

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Full SHPOA Board

Submission B021 (David J DePinto, Shadow Hills Property Owners Association,
September 11, 2014) - Continued

Exhibit B

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Section 15126.6. Consideration and Discussion of Alternatives to the Proposed Project.

(a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors(1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California(1988) 47 Cal.3d 376).

(b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

(c) Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

(d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (County of Inyo v. City of Los Angeles(1981) 124 Cal.App.3d 1).

(e) "No project" alternative.

(1) The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).

(2) The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

(3) A discussion of the "no project" alternative will usually proceed along one of two lines:

(A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically this is a situation where

<http://www.pcifoundation.org/publications/ceqaguidelines/Article-9.html#sec151266>

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other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

(B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

(C) After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

(f) Rule of reason. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.

(1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (Citizens of Goleta Valley v. Board of Supervisors(1990) 52 Cal.3d 553; seeSave Our Residential Environment v. City of West Hollywood(1992) 9 Cal.App.4th 1745, 1753, fn. 1).

(2) Alternative locations.

(A) Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.

(B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

(C) Limited new analysis required. Where a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for projects with the same basic purpose, the lead agency should review the previous document. The EIR may rely on the previous document to help it assess the feasibility of potential project alternatives to the extent the circumstances remain substantially the same as they relate to the alternative. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 573).

(3) An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. (Residents Ad Hoc Stadium Committee v. Board of Trustees(1979) 89 Cal. App.3d 274).

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Section 15127. Limitations on Discussion of Environmental Impact.

The information required by Section 15126.2(c) concerning irreversible changes, need

<http://www.pcifoundation.org/publications/ceqaguidelines/Article-9.html#sec151266>

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Submission B022 (William Eick, Shadow Hills Property Owners Association,
August 29, 2014)



Shadow Hills Property Owners Association
Dedicated To Preserving Rural Community

Sent Via Email:
palmdale_burbank@hsr.ca.gov

August 29, 2014

Mark A. McLoughlin, Director of Environmental Services
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High-Speed Rail Authority
700 North Alameda St. Room 3-532
Los Angeles, CA 90012

Re: High Speed Rail/Palmdale to Burbank

Dear Palmdale-Burbank HSR:

This letter/email is written on behalf of the Shadow Hills Property Owners Association which is a non profit entity whose membership is voluntary. We represent more than 2,200 households and are tightly networked with the neighboring communities of Lake View Terrace, La Tuna Canyon, Sun Valley and Sunland Tujunga. We have been in existence for fifty years. We are providing our Public Scoping Comments to the Palmdale to Burbank section of the proposed High Speed Rail (HSR). In particular our comments relate to the Alternative Corridor/New Study Area. We believe that there are significant environmental concerns for the Alternative Corridor which dictate the **immediate removal of this alternate route from consideration** and we hereby demand its removal. Our comments are as follows:

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2. The scoping of the alternative route for an EIR is premature because the proposed alternative is too vague and covers too vast an area (approximately 400 square miles). The original proposal shows detailed, specific tunnel locations, grade changes and the actual location of the route. In comparison the location of the alternative route is vague. There is no description of where the HSR will be above ground or below ground. There is just a 40 mile long yellow shaded figure that looks like a banana and runs through the Angeles National Forest, the Big Tujunga Wash, Lake View Terrace, Shadow Hills and La Tuna Canyon. The alternate

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area requires further delineation in order to focus on the environmental and social issues. It's last minute and hasty introduction into the scoping process raises serious issues, not the least of which is an ominous and real threat to all property values and all property transactions.

3. The San Fernando Fault traverses the north side of the Big Tujunga Wash. It runs in an east west direction and is an active fault. The EIR must contain a full description of that fault and provide detailed engineering plans to confirm if and how the HSR can be built through that and other faults. The engineering must take into consideration both slip faults and thrust faults.
4. The HSR appears to travel under the Big Tujunga Wash. The Big Tujunga Wash is a flood plain and the water that flows through the wash is part of the system designed to recharge the San Fernando Valley aquifer which supplies 10% of the drinking water for the City of Los Angeles. Depending on rainfall, the water table sits ten to twenty feet below the surface of the wash. There are natural springs which bubble to the surface. The EIR must take this into consideration. Not only does it supply drinking water to the City but the water is also necessary to preserve the habitat for the endangered Santa Ana Sucker and also provides a habitat for the endangered or listed Slenderhorned spine flower, the Least Bells Vireo and the Cactus Wren. These water supplies are more precious now than ever given the seriousness of the current drought restrictions on imported water deliveries and long-term climate change.
5. A portion of the Big Tujunga Wash just east of Foothill Blvd., and located within the "yellow swath" is also a 210 acre mitigation bank operated by the County of Los Angeles Department of Public Works. This mitigates other activities conducted by that agency. It is not proper to put the HSR through a mitigation bank.
6. The Big Tujunga Wash is also the home for Hansen Dam which is operated by the Army Corp of Engineers. This dam serves two purposes. The primary purpose is to protect the City of Los Angeles from the historic floods. Prior to its construction in the late 1930's, flooding caused terrible damage and cut the City of Los Angeles in two for about 4 months. The EIR should fully investigate what effect the HSR would have on the integrity of the Hansen Dam. The environmental consequences of a dam failure would be catastrophic.
7. The EIR should fully analyze the environmental effects of tunneling

Submission B022 (William Eick, Shadow Hills Property Owners Association,
August 29, 2014) - Continued

Re: High Speed Rail
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Page 3 of 7

under a water source such as the Big Tujunga Wash. The EIR should study what happened when the Los Angeles Metro Rail tunneled under Runyon Canyon. Metro rail had to pump out water for a very long time and the surface water/natural springs all evaporated. The City of Los Angeles calls this "Dewatering". That analysis should be applied to the HSR project where the surface contains endangered plants and animals that rely on that water. The quantity of the subsurface water in the Big Tujunga Wash dwarfs that which existed in Runyon Canyon.

8. In addition to the San Fernando Fault the EIR should analyze the existence of other faults within the "yellow swath" or proposed new study area. When the Angeles Golf Course EIR was completed, it disclosed the existence of a fault which separated the pristine water which came from the Angeles Forrest from the high nitrate water on the other side of the fault line. That fault line had trapped high nitrate septic tank water. The drinking water pumping stations on the septic tank side of the fault line have been shut down by the Los Angeles Department of Water and Power. The EIR should analyze whether the tunnel or above ground structures will puncture the fault line and allow the unacceptably high nitrate water to merge into the drinking supply water for the City of Los Angeles.
9. The Alternative route would likely study tunneling under portions of the Angeles National Forrest which have not been studied extensively from a subsurface point of view. The EIR should carefully analyze the geological aspects of that route including numerous drill holes to check for earthquake faults, oil and gas deposits, sub surface water and other environmental concerns. This must all be accomplished before the DEIR is circulated for review. Will HSR "dewater" the Angeles National Forest?
10. The state earthquake maps have not been revised in years due to lack of funding. They are out of date and must be brought current to determine the nature and extent of all old and newly discovered earthquake faults. The EIR must determine the consequences of tunneling through earthquake faults in the projected path of the alternate route.
11. The Los Angeles City General Plan talks about the geology of the city through which the alternate route is planned. While out of date, the general plan discusses ways of dealing with building through the water table. It refers to the metro rail project as discussed above. The City's solution is "dewatering" which means pumping out all of the ground water. What are the environmental consequences of "dewatering" the Big Tujunga Wash east of Hansen Dam? Even if possible, from an

Submission B022 (William Eick, Shadow Hills Property Owners Association,
August 29, 2014) - Continued

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engineering point of view, why would one destroy one of the main sources of water storage by “dewatering” the Big Tujunga Wash.

12. In addition to the 210 acre mitigation bank, immediately west of Foothill Blvd. as it crosses the Big Tujunga Wash is the Tujunga Ponds which was a mitigation measure required by the building of the 210 freeway. It funnels natural spring water which feeds the remainder of the Big Tujunga Wash. What effect will the tunneling have on this property?
13. There are blue line streams in the Angeles National Forest and in the Verdugo Mountains. What effect will tunneling have on these protected areas? These blue streams support flora and fauna which are protected by federal, state and local laws.
14. Chapter IV of the Ground Water Basin Reports for the Upper Los Angeles River Area Basins details critical water storage needs. The EIR needs to analyze the effects of tunneling through or under the water supply.
15. If “dewatering” occurs, will that lower the level of the Big Tujunga Wash such that it will effect the structural integrity of the Hansen Dam, the 210 Freeway, Foothill Blvd. or other structures?
16. The Flood Management and Water Conservation Report prepared by the County of Los Angeles describes water and flood control issues. All of this must be considered in any EIR.
17. There are sensitive sites operated by the City of Los Angeles which are important to regional security and which must be considered.
18. When the Metro Rail was built, the tunneling shook the ground enough to substantially destroy portions the Hollywood Walk of Fame. What effects will tunneling have on the structures near the tunneling, especially given the composition of the subsurface material through which the shock waves traverse.
19. The scoping should also include the anticipated Rim of Valley Trail which is being proposed in Congress (Adam Schiff) and the possible designation of portions of the Angeles National Forest as a Federal Recreation Area (Carol Liu). The HSR could substantially and adversely effect those projects.
20. An EIR does not have to consider alternatives which are not feasible. Tunneling through the Angeles National Forrest, The Big Tujunga Wash

Submission B022 (William Eick, Shadow Hills Property Owners Association,
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Re: High Speed Rail
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and the Verdugo Mountains is not economically or otherwise feasible. The tunnel would have to go through, above or below, existing earthquake faults. The San Fernando Fault is surface reflected. The consequences to the ground water and the surface habitats that rely on the ground water would be significant and unmitigable. Additionally tunneling through the water laden sand of the Big Tujunga Wash is not economically feasible. Tunneling through a water source creates substantial additional maintenance issues to HSR itself.

21. The cost of condemning the land over, under or through Shadow Hills and the 600 acres in the Verdugo Mountains owned by the Fond Land Preservation Foundation will also make the alternative not feasible. Whereas the initial route relies on already existing rights of ways which do not need to be condemned, no such pre-existing rights exist. The HSR only has 13% of the land needed to start this project in the Central Valley. Acquiring other land in and around Shadow Hills will be ever so much more expensive and time consuming and will result in protracted litigation.
22. The Fond Land Preservation Foundation owns approximately 600 acres in the Verdugo Mountains just south of the Tujunga Wash. This is a privately owned, publically accessible open space. Installing the HSR through, under or on such a preserve area is not appropriate and will adversely impact that protected area.
23. In 1969 and again in 1978 the Tujunga Wash flooded, washed out bridges and cascaded boulders the size of Volkswagens down the wash. It destroyed everything in it's path. If the HSR is above ground through the wash, it too will be destroyed.
24. In addition to the Hansen Dam, the Tujunga Wash also contains two very large aquatic features built and great expense and as a mitigation measures when the Army Corp of Engineers (ACOE) removed sand and gravel from behind the Hansen Dam after the 1978 catastrophic flood. These mitigation measures cannot be undone by the HSR.
25. During prior environmental reports in the area, Native American burial grounds were discovered. The exact location of which was not disclosed due to the possibility that they would be disturbed. Those sites need to be identified and avoided.
26. There are high tension power lines which traverse the Tujunga Wash and they must be avoided. Relocation is not an option.

Submission B022 (William Eick, Shadow Hills Property Owners Association,
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Re: High Speed Rail
August 29, 2014
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27. Shadow Hills and nearby communities are governed by the Scenic Corridor Plan which protects ridge lines when viewed from the scenic corridors of Sunland Blvd., La Tuna Canyon Blvd., Wentworth and Foothill Blvd. Installing the HSR would destroy these already established scenic corridors.
28. The HSR, if above ground at any point through Shadow Hills will subdivide one of the last equestrian districts in the City of Los Angeles. It would cause great economic hardship, reduce property values and destroy the community. These adverse consequences are very important and by themselves constitute grounds for eliminating the alternative route as an option.
29. The HSR will have adverse effects on the Hansen Dam Recreational Area which is designated by the City of Los Angeles as a Regional Recreational Area with facilities including equestrian uses, athletic fields, swimming, fishing, a new ranger station, baseball, soccer, picnic grounds and more.
30. Another serious concern which we must register is the historic weakness and shortcomings of HSR overall with respect to funding and entitlements. HSR has always been on shaky ground and this clearly infeasible new study area presents gargantuan environmental and economic impacts and challenges that HSR is incapable of handling. The people and the economy of the new study area should not have been, and should not continue to be, threatened by what is clearly a short-sighted political reflex action/proposal by the County Supervisor in response to constituents near the two, initial alternatives.
31. In considering the new study area, in addition to each of the environmental impacts, the cumulative impacts ALREADY borne by the populated areas of Los Angeles' Council Districts 7, 2 and 6 must be taken into consideration. The heavy presence of major freeways (5,170,210,118), MetroLink Rail line, Hansen Dam, DWP Power Plant, landfills and trash facilities, Burbank Airport, Whiteman Airport, gravel pits and quarries and many other heavy industrial uses demonstrate that this area (Shadow Hills, et al.) Is already over burdened and over saturated with infrastructure projects that benefit the region. The two already-studied project alternative areas pale in comparison when cumulative impacts are considered and are far more equitable alternative for study and implementation of HSR.
32. The cumulative obstacles addressed above mean that this alternative project route is not feasible.

Submission B022 (William Eick, Shadow Hills Property Owners Association,
August 29, 2014) - Continued

Re: High Speed Rail
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In conclusion, the Shadow Hills Property Owners Association hereby demands that this alternative route be permanently eliminated from consideration.

Very truly yours,



Shadow Hills Property Owners Association
David J. DePinto
President



Shadow Hills Property Owners Association
William E. Eick
Land Use Chairman

cc: felipe.fuentes@lacity.org
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Dean Wallraff enviodefenders.org
MRCA
Fond Land Preservation Foundation
Dan Weikel - LA Times
David DePinto
Full SHPOA Board

Submission B023 (William Eick, Shadow Hills Property Owners Association,
August 16, 2014)

Palmdale - Burbank - RECORD #126 DETAIL

Status : Pending
Record Date : 8/18/2014
Response Requested : No
Submission Date : 8/16/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : William
Last Name : Eick
Professional Title :
Business/Organization : Shadow Hills Property Owners Association
Address : 2604 Foothill Blvd. Ste C
Apt./Suite No. :
City : La Crescenta
State :
Zip Code : 91214
Telephone :
Email : bill@eickfreeborn.com
Cell Phone :
Email Subscription :
Add to Mailing List :

Stakeholder Comments/Issues : This letter/email is written on behalf of of the Shadow Hills Property Owners Association which is a non profit entity whose membership is voluntary. We have been in existence for fifty years. We are providing our initial Public Scoping Comments to the Palmdale to Burbank section of the the proposed High Speed Rail (hsr). In particular our comments relate to the Alternative Corridor/New Study Area. We believe that there are significant environmental concerns for the Alternative Corridor. These concerns need a full environmental analysis. I believe that this site creates significant unmitigateable environmental problems as follows:

1. The San Fernando Fault traverses the north side of the Big Tujunga wash. It runs in an east west direction and is an active fault. The EIR must contain a full description of that fault and provide detailed engineering plans to confirm that the hsr can be built through that fault.

2. The hsr appears to travel under the Big Tujunga Wash. The Big Tujunga Wash is a flood plain and the water that flows through the wash is part of the system designed to recharge the San Fernando Valley aquifer which supplies 10% of the drinking water for the City of Los Angeles. Depending on rainfall the water table sits ten to twenty feet below the surface of the wash. There are natural springs which bubble to the surface. The EIR must take this into consideration. Not only does it supply drinking water to the City but the water is also necessary to preserve the habitat for the endangered Santa Ana Sucker and also provides a habitat for the Slenderhorned spine flower which is endangered and the endangered Least Bells Vireo.

3. A portion of the Big Tujunga Wash is also a mitigation bank operated by the County of Los Angeles Department of public works. The EIR will have to determine what effect that might have on that mitigation area.

4. The Big Tujunga Wash is also the home for Hansen Dam which is operated by the Army Corp of Engineers. This dam serves two purposes. The primary purpose is to protect the City of Los Angeles from the historic floods. Prior to its construction in the late 1930's, flooding caused terrible

Submission B023 (William Eick, Shadow Hills Property Owners Association,
August 16, 2014) - Continued

damage and cut the City of Los Angeles in two for about 4 months. The EIR should fully investigate what effect the hsr would have on the integrity of the Hansen Dam. The environmental consequences of a dam failure would be catastrophic.

5. The EIR should fully analyze the environmental effects of tunneling under a water source such as the Big Tujunga Wash. The EIR should study what happened when the Los Angeles Metro rail tunneled under Runyon Canyon.

Metro rail had to pump out water for a very long time and the surface water/natural springs all evaporated. That analysis should be applied to the hsr project where the surface contains endangered plants and animals that rely on that water. The quantity of the subsurface water in the Big Tujunga Wash dwarfs that which existed in Runyon Canyon.

6. In addition to the San Fernando Fault the EIR should analyze the existence of other faults. When the Angeles Golf Course EIR was completed, it disclosed the existence of a fault which separated the pristine water which came from the Angeles Forrest from the high nitrate water on the other side of the fault line. That fault line had trapped high nitrate septic tank water. The drinking water pumping stations on the septic tank side of the fault line have been shut down by the Los Angeles Department of Water and Power. The EIR should analyze whether the tunnel will puncture the fault line and allow the unacceptable high nitrate water to merge into the drinking supply water for the City of Los Angeles.

7. The Alternative route is being tunneled under portions of the Angeles National Forrest which have not been studied extensively from a subsurface point of view. The EIR should carefully analyze the geological aspects of that route including numerous drill holes to check for earthquake faults, oil and gas deposits, sub surface water and other environmental concerns. This must all be accomplished before the DEIR is circulated for review.

These are the initial scoping comments on the alternative route of the Palmdale to Burbank hsr line. There are other issues related in general to tunneling projects. I only wanted to touch on the concerns which are site specific and about which I am aware.

Bill Eick, Land Use Chairman, Shadow Hills Property Owners Association

William E. Eick,
Attorney at law

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Submission B023 (William Eick, Shadow Hills Property Owners Association,
August 16, 2014) - Continued

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EIR/EIS Comment :

Yes

Need PI response :

Yes- Standard Response

General Viewpoint on Project :

Submission B024 (Sue Mansis, Shadow Hills Property Owners Association,
September 5, 2014)

Palmdale - Burbank - RECORD #727 DETAIL

Status : Pending
Record Date : 9/8/2014
Response Requested : No
Submission Date : 9/5/2014
Affiliation Type : Individual
Interest As : Individual
Submission Method : Project Email
First Name : Sue
Last Name : Mansis
Professional Title :
Business/Organization :
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City : Shadow Hills
State : CA
Zip Code : 91040
Telephone : 818-554-8113
Email : suemansis@gmail.com
Cell Phone :
Email Subscription :
Add to Mailing List : No
Stakeholder Comments/Issues : September 5, 2014

Mark A McLaughlin, Director of Environmental Services
ATTN: PALMDALE TO BURBANK PROJECT SECTION
California High- Speed Authority
700 North Alameda St. Room 3-532
Los Angeles, CA 90012

Dear Mr. McLaughlin, et al:

Our property overlooks the Big Tujunga Wash in Shadow Hills. In the 15 years since lived here, we have experienced very few "productive" uses of our open spaces and since the 210 freeway was completed to join the 15, we can attest to a massive increase in freeway traffic and noise which significantly reduces the solitude and quality of life we originally bought here to enjoy. Except for a few 'wise' uses of our open space (ie, hiking and horse trails, a championship golf course and a few nature preserves) this area continues to get "clobbered," if you will, by developers who in one sense or another, view our "unspoiled land" as buildable, usable and nonsusceptible. Our devoted community tirelessly fights these 'land grabs' for the sake of property values, residential quality of life, environmental protection and native wildlife and preservation. Seldom do we get to input as a community before a project is thrust upon us, thus, our community regularly becomes vulnerable to whatever is threatening to push through our open spaces here.

The fact that your High Speed Rail plans for the Palmdale to Burbank route are SO vague terrifies us. Your spokespeople explain that the HSR is 'quiet' and non-invasive because it will bore through mountains, creating 20+ mile tunnels; carve out land bridges & crossings for wildlife to be able to keep their native corridors; build attractive "sound walls" to muffle train noises, etc. etc etc. These are absolutely ludicrous pledges

Submission B024 (Sue Mansis, Shadow Hills Property Owners Association,
September 5, 2014) - Continued

because the entire plan will *demolish* these mountains, rivers, valleys, canyons, trails that have existed here for centuries! A high speed rail train, however "environmentally friendly" it claims to be simply is NOT. Conversely, I submit that a high speed rail train with all its tracks, tunnels, bridges and trestles is environmentally DESTRUCTIVE, not to mention the years of construction it will require to blast, bludgeon and build through countless mountain ranges, unstable flood plains, wetlands and native wildlife preserves, as well as destroy and deconstruct established residential communities that have existed for decades.

Dangerously overlooked is the usage of the WATER it will take for years of construction on this railway..... *WATER WE DO NOT HAVE!* In my opinion, this HSR project is *fiscally and highly irresponsible* and irrelevant, when Californians are facing the worst water crisis in recent history and being continually threatened with rationing and drastic measures for the near future. When the concept of this high speed rail was voted on in 2008, I sincerely believe it was vague and deceptive at best, not clearly engineered at that point - a vision perhaps - but not a meticulously exhaustive blueprint. And now, times and needs have changed. We are clinging desperately to water sources; our ponds, lakes and natural streams are drying up - area wildlife species are diminishing and/or moving more aggressively into residential communities in order to survive. Construction of a high speed rail through mountain passes, over and around water sources, under fault lines and natural springs is a potential for disaster that *NO ONE can predict*. And what is this all for? To keep up a political agenda, a corporate vision and a business plan..... which will bring SO many natural wildlands and communities to ruin. This is madness.

Frankly I resent HSR's claim that "ridership" will exponentially increase by the year 2020 as your spokespeople repeat to us, when statistically all other forms of California public transportation are not increasing - the only thing that is increasing is the PRICE of riding those modes of transportation! A high speed rail will NOT transport more jobs from one place to another, when businesses are moving OUT of California because of the rising costs of business ownership here. And the majority of people moving INTO California are *not* those who have the financial means to ride a high speed rail - this will not be a boon to our economy; it will be a fiscal and environmental drain, despite its "green" energy usage..... To guarantee that a high speed rail will remove "X" amount of cars from OUR highways, thereby "reducing greenhouse emissions" is PURE SPECULATION and PROPAGANDA - there is NO substantiation to that at all. It is highly insulting to our intelligence to keep propagating these manipulative claims.

All up and down this state, we are reading how HSR is disruptive and threatening to tax paying citizens who clearly do not want this train. The massive cost and amount of disruption to our environment far outweighs the necessity for any such train. And now the costs of effectively implementing this HSR statewide have exponentially increased while our economy has comparatively "decreased". The amount of land and private property being bought up by the Transit Authority in order to see this project through is both obscene & unconstitutional. Our rights to keeping our properties are being trampled statewide to fulfill a political agenda that was deceitful and poorly planned out from the original costs projected on the ballot in 2008.

Scrap this plan, spend the billions on finding water for our parched state instead: THAT would be politically heroic! Stop threatening established communities' way of life in an economy that is already unstable and losing jobs to other states, and where residents are running scared of losing their property values when they have worked so hard to maintain and invest in them. Don't punish us for owning our homes, we support & stabilize this state by paying property taxes through our home ownership. You are now threatening to ruin many lives by ramming a HSR train through where no one wants it.

Submission B024 (Sue Mansis, Shadow Hills Property Owners Association,
September 5, 2014) - Continued

Stop this madness, stop trying to make a "wrong" idea right by manipulating
and coercing.

Susan L. Mansis

Vice President, Shadow Hills Property Owners Association

10654 Mary Bell Avenue, Shadow Hills, CA 91040

818-554-8113

EIR/EIS Comment :

Yes

Submission B025 (Tom Williams, Sierra Club Los Angeles Chapter, August 15, 2014)

Palmdale - Burbank - RECORD #33 DETAIL

Status : Pending
Record Date : 8/15/2014
Response Requested : No
Submission Date : 8/15/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : Tom
Last Name : Williams
Professional Title :
Business/Organization : Sierra Club Los Angeles Chapter
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City : Los Angeles
State : CA
Zip Code : 90032-1712
Telephone : 323-528-9682
Email : ctwilliams2012@yahoo.com
Cell Phone :
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : DATE: August 15, 2014
TO: California
High-Speed Rail Authority, So.Cal.Regional Office
Mark A. McLoughlin, Director of
Environmental Services

ATTN: Project Sections - Palmdale to Burbank
Burbank to Los Angeles

CC: Gloria
Molina, LACo Supervisor
Micheal
Antonovich, LACo Supervisor
Sierra
Club, Angeles Chapter,
Transportation Committee

FROM: Dr.
Tom Williams,
Sierra Club, Angeles Chapter,
Transportation Committee
4117 Barrett Road , Los Angeles , CA 90032-1712
ctwilliams2012@yahoo.com, 323-528-9682

SUBJECT: CaliforniaHigh Speed Rail - Palmdale- Los Angeles Sections -
Plan Scoping

RE: a. Request for Extension of Scoping Comments Deadline to Sep.7,
5pm
b. Examples of Scoping Comments

a. Request for Extension of Scoping Comments Deadline to Sep.7, 5pm
The current deadline to submit all comments regarding Scoping for the two
CalHiSpdRail. segments: Palmdale-Burbank and Burbank-Los Angeles Union
Station by Sunday evening August 31, 2014 appears confused and does not
reflect the season and timing. The end-of-summer days are commonly used
for vacations , the weekend of the deadline is a national holiday, and the

Submission B025 (Tom Williams, Sierra Club Los Angeles Chapter, August 15, 2014) - Continued

deadline does not specify the hour, presumably 23:59:59. We request an extension of the deadline for Scoping Comments for both the Palmdale-Burbank and Burbank-Los Angeles Union Station segments of the CHSR to September 7, 5pm.

In presentations, the presenter stated that the State has set the timeline for comments as if it was fixed, while the State is a minimum of 30 days. As the NOI/NOPs stated to receive comments in 30 days from the notices (072414) which would have been 082414 but this apparently was extended by one week (both ending on a Sunday/0831/14) and now ahead of a State/Fed holiday.

This shows the deadline is not fixed and can be extended as requested above to avoid the holiday weekend which would avoid the apparent conflict with public participation in this flawed process so far.

b. Scoping Comments

In three Scoping sessions that I have attended, the presentation has limited comments to only written comments, and the sessions did not provide dictation by an experienced stenographer, but in the Lake View Terrace session, the presenter indicated that the CHSR staff would be available to write the comments for those who had verbal comments. Such practices are not consistent with those of other State departments, Department of Conservation, Caltrans, and State Water Quality Control Board, and California Air Resource Board. Having prepared >300 EIRs/EISs/EAs, I was shocked by such practices in the CHSR Scoping sessions.

In addition, CEQA/NEPA Scoping has several specific issues for commenting, none of which were mentioned or provided as examples in what the CHSR representatives presented, e.g., prospective alternatives, important natural or community resources, assessment practices/analyses, and mitigation/compensation measures.

EIR/EIS Comment :

Yes

Need PI response :

Yes- Standard Response

General Viewpoint on Project :

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014)

SMILAND CHESTER LLP

601 WEST FIFTH STREET
SUITE 1100
LOS ANGELES, CALIFORNIA 90071
TELEPHONE: (213) 891-1010
FACSIMILE: (213) 891-1414
www.smilandlaw.com

Mary C. Alden

Email: malden@smilandlaw.com

September 10, 2014

Via E-Mail and Federal Express

Mark A. McLoughlin
Director of Environmental Services
ATTN: (Palmdale to Burbank)
California High-Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Re: **Scoping Comments Re Palmdale to Burbank Alignments**

Roar Foundation
PO Box 189
Acton, CA 93510
Attn: Tippi Hedren (tippilion@aol.com)
661-268-0380
www.Shambala.org

Scoping Meeting: August 11, 2014
Meeting Location: Acton Public Library

Dear Mr. McLoughlin:

On behalf of our clients, the Roar Foundation and Tippi Hedren, a resident of Acton and the founder and Director of the Roar Foundation, we hereby submit the following comments with respect to the High Speed Rail Authority's scoping meeting conducted on August 11, 2014 at the Acton Public Library in regard to the proposed Palmdale to Burbank Alignments.

The Roar Foundation is a 501(c)(3) non-profit organization that operates the Shambala Preserve ("Shambala" or the "Preserve"), a 75- acre preserve in Soledad Canyon on the Santa Clara River in Acton California.

C:\Users\Smiland\Documents\McLoughlin Ltr re High Speed Rail-Final.docx

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Mark A. McLoughlin
Director of Environmental Services
California High-Speed Rail Authority
September 10, 2014
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The Shambala Preserve is the home presently for over 35 exotic felines and has provided sanctuary since 1983 for over 250 big cats, including lions, tigers, cougars, black and spotted leopards, servals, bobcats, Asian leopard cats, snow leopards, cheetahs, lynxes, tigers, and ligers. The animals come to the Preserve after confiscation by government authorities, including California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, the U.S. Department of Agriculture, Society for the Prevention of Cruelty to Animals and the Humane Society. The animals are cared for by a dedicated group of professionals. The animals live out their lives in a place, while not their natural habitat, which provides a comfortable and healthy environment, vastly superior to cages or zoos or the deplorable conditions from which some of them were rescued. The Preserve offers large areas (much larger than any zoo), carefully planned diets to keep them healthy and expert veterinarian care. The annual cost to house, feed and care for the animals is nearly \$1,000,000 which is raised solely from donations from the public. Please see the attached [Exhibit 1](#) for more information regarding the Preserve.

Although unclear from the maps provided by HSRA (and in spite of several request for more definitive maps), the Preserve appears to be in the direct line of the proposed HSR's Palmdale to Burbank alignments. The Preserve is located in Soledad Canyon, just north of Soledad Canyon Road and its boundaries extend north of the existing Southern Pacific/Metrorail right-of-way. Recently Roar commissioned a survey of its boundaries. That survey was recorded on October 30, 2013 as RS258-085. A copy of the Land Records Viewer (dpw.lacounty.gov) shows the recently completed survey and the boundaries of the Preserve. (See [Exhibit 2](#)). As seen on the map, the railway right-of-way (by easement) runs through the Preserve at the north end (See attached [Exhibit 3](#)). At the Scoping Meeting on August 11, 2014, the HSRA engineers advised that the proposed alignments would include a viaduct that would run through the Shambala Preserve.

In addition to the comments below, Roar objects to the proposed alignments, SR14 E and SR14 W Hybrid. County Supervisor Michael Antonovich proposed an alternate direct alignment initially in a letter to the HSRA in October of 2013 and most recently in a letter dated April 8, 2014 to Jeff Morales, CEO of the CHSRA. The alignment suggested by Mr. Antonovich included a tunnel-oriented alternative between Palmdale Transportation Center (PTC) and the Burbank airport. The Roar Foundation supports an underground alternative below the Angeles Crest Forest (slightly outside the Antonovich proposed "alternative corridor study area" as identified in the Notice of Preparation dated July 24, 2014, the "SLUG") which would pose no impact to the Preserve or the residents of Acton. As set forth in 40 C.F.R Section 1502.13, lead agencies have a duty to "rigorously explore and objectively evaluate all reasonable alternatives. The Slug appears to be approximately 6-8 miles wide, but no specific route is identified. While we agree that the least harm would be caused by the tunnel alternative suggested by Mr. Antonovich, we believe that the Slug study area should be shifted slightly east to the Angeles

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Crest Forest (which is within the confines of Acton). Such a route would likely have no impact on Acton residents, its wildlife, its water resources or its rural and peaceful atmosphere. A suggested addition to the northerly portion of the Slug study area is attached hereto as [Exhibit 4](#). The Roar Foundation requests that the HSRA "rigorously explore and objectively evaluate" this alternative alignment as required by CEQA, and also adhere to the requirements for the entire proposed SLUG route such that no communities along such route are negatively impacted needlessly.

In addition to the above comments and requests, the Roar Foundation has the following additional comments in response to the HSRA's request for scoping comments.

1. **Aesthetics.** According to HSRA engineers present at the Scoping Meeting, the proposed alignments would run the HSR over a viaduct in the rail right of way ("ROW") within the Preserve's boundaries. The viaduct would necessarily substantially damage the rural vista looking across the Preserve as it is proposed to be approximately 16 feet above ground. It is noted that the proposed viaduct would likely be constructed on large concrete pillars with a twin box girder structure (as seen in the General Guidelines for HSR in Fresno/Elevated Structures [Exhibit 5](#)). This monolithic structure is referred in the Design Guidelines as "very visible" and would run along the back side of the Preserve clearly blighting the view towards the mountains. The view is already impacted by the Metro and Southern Pacific RR, however, those are at grade and the proposed viaduct would be 16 feet above grade at Shambala and further impair the view. The character of the area is rural and mountainous and the views are an important part of that character. The beauty of the area is the quiet and peaceful setting (See [Exhibit 6](#) for views at the Preserve).

In December of 1995, the Los Angeles County Code was amended to add Section 22.44.126, the Acton Community Standards District. The Intent and Purpose of the District was to "protect and enhance the rural, equestrian and agricultural character of the community and its sensitive features including Significant Ecological Areas, flood plains, hillsides, National Forest, archaeological resources, multi-purpose trail system and the Western heritage architectural theme. "The standards are intended to ensure reasonable access to public riding and hiking trails and to minimize the need for installation of infrastructure such as sewers, street lights, concrete sidewalks and concrete flood control systems that would alter the community's character. Additionally, the standards at Section 22.44.126 (c,8) require that exterior lighting must "minimize off-site illumination where lights are required, cut-off fixtures in keeping with Western frontier architectural style..." In fact, Shambala's conditional use permit requires that it "is required to direct security lighting away from natural areas and use motion detectors to minimize the use of outdoor lighting." Clearly the interest of all of these standards is to maintain the beauty and natural surroundings. The HSRA should take into account these standards to

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“minimize disruption of view corridors, scenic vistas...,” and must address these impacts in the EIR/EIS.

In addition to the Acton Community Standards District, the Antelope Valley Plan policies require that non-residential development (Non-Urban-1) designs be “compatible with and sensitive to surrounding scenic and natural resources.” Shambala was required, in order to obtain its conditional use permit to operate the Preserve, to comply with these policies as well as to comply with all requirements of the California Department of Fish and Game, the U.S. Army Corps of Engineers, the California Regional Water Quality Control Board and the California Department of Fish and Game. The HSRA should take into account all of the requirements to which all residents are required to comply and be certain that its EIR/EIS meets all of these standards to maintain the integrity and nature of the scenic and natural resources.

Further, the EIR/EIS should consider the light and glare impacts of the HSR to ensure the peaceful environment can be maintained. Distracting light and glare could be disruptive to the operations of the Preserve and the fact that the HSR would be raised above the site, the aesthetic and light and glare impacts downhill from the site could significantly affect operations of the Preserve, even from long distances. These potential impacts must be addressed in the EIR/EIS.

“Shambala” in Sanskrit means “A meeting place of Peace and Harmony for all beings, animal and human.” The additional disruptions from the trains will render the peaceful Preserve noisy and unfriendly to humans and animals alike. Agencies, such as the Department of Fish and Wildlife are dependent upon Roar to house the animals confiscated from citizens and circuses. If the Preserve isn’t maintained, there will be no place for these animals to be cared for. It would be impossible to recreate the Preserve should relocation (because of the detrimental effects of the HSR) be necessary. There is no comparable site (containing a River and Lake) with the acreage necessary to house the animals in the vicinity or elsewhere. Section 4(f) of the Department of Transportation Act (49 U.S.C. Section 303, 23 U.S.C. Section 138) prohibits the use of historic sites, parks, wildlife refuges or recreation areas for federal transportation projects unless there is no “feasible and prudent alternative” to using the site, and the project includes all possible planning to minimize harm to the site. While Shambala is not a federal wildlife refuge (there are none for exotic big cats), it does provide the Department of Fish and Wildlife and other agencies with a place for confiscated exotics, which the federal system does not have. The work of Shambala would be destroyed by the proposed alignments. The HSRA through the EIR/EIS should address the aesthetics and the loss of the refuge should the HSR alignment cross the Preserve.

2. **Air Quality.** Concern exists for air quality to the big cats and other exotics as well as those working at Shambala, its visitors and patrons. Animals are highly sensitive to air quality. Roar believes that the construction, maintenance, and operational phases of the HSR

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could be catastrophic to the habitat and the Preserve's activities as dust, smoke, and potentially asbestos from the disturbance of serpentine rock which is present in the area (see **Geology and Soils** below), is released into the air. Valley Fever (where spores are released into the air from dirt movement typical in construction) is a concern for the area, not only for humans, but for animals as well. Valley Fever can affect not only domestic animals, but exotic animals are potentially more sensitive to the disease. <https://www.vfce.arizona.edu/ValleyFeverInPets/VFID-other.aspx> Moving the alignment away from the Preserve and the town of Acton is essential to prevent harm to the animals, our employees, our volunteers and guests. All animals are not affected in the same manner and domestic animal studies are not appropriate to evaluate the effects on exotics. The EIR/EIS must address the issues relative to air quality as they specifically impact the exotic animals housed at the Preserve. In addition, the concern for Valley Fever must be addressed in the EIR/EIS with respect to the animals (and humans) living in this area and in particular the exotics housed at the Preserve.

All of the above concerns also apply to the residents and visitors to Acton. The EIR/EIS must address the air quality issues as they affect everyone.

3. **Biological Resources.** There are several known environmentally protected species that exist in the area. In particular, the Unarmored Threespine Sticklebeck (*Gasterosteus aculeatus williamsoni*), an endangered species, is found in the Santa Clara River, designated a Significant Ecological Area ("SEA"), which is adjacent to the Preserve. Arroyo Southwestern Toad (*Bufo microscaphus californicus*) and the California Red-Legged Frog (*Rana draytonii*) also reside in the area. The Red-Legged Frog is on the verge of extinction. Disruption of the habitat by years of construction and on-going repair would decimate the habitat for these species which are already designated as Species of Special Concern and/or Threatened Species. In 2007, the Department of Agriculture (it is notable that the Department of Agriculture was not included in the scoping process for the Palmdale to Burbank alignment) raised concerns with respect to the HSR and its affect on wildlife movement throughout the area. The Department of Agriculture noted that the Santa Clara River is "still wild, supporting a diversity of species, and providing a multitude of ecosystem services that should be maintained." The Santa Clara River runs directly adjacent to the Preserve and the above species may be found on the Preserve (the Sticklebeck in particular). The proposed routes, according the Department of Agriculture would "create a barrier to wildlife movement much more severe than the current railroad for several reasons, including the fact that the entire ROW would be fenced, there would be massive cut and fill slopes along Soledad Canyon with additional impacts in the Santa Clara River, and with the estimated 86 weekday trains (or more) traveling at 200 mph in each direction would create 172 (or more) noise and vibration events per day. The EIR/EIS must evaluate the significant impacts on both sides of the proposed rail line(s) with respect to riparian and aquatic life by reason of the cut and fill slopes and barriers created by the proposed fencing. The Department of Agriculture

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recommended that HSRA consider an alternative alignment “following SR-14 perhaps in the highway median.” It is unclear whether this recommendation was ever considered, but as set forth above, the lead agency is required to consider all reasonable alternatives.

In addition, the Department of Agriculture noted that the Santa Clara River is the most “prominent riparian feature ... meandering along the Forest Service boundary in the southern part of the linkage, from Acton west to Pole Canyon.” Although portions are urbanized, the “remaining riparian areas are crucial for sustaining populations of water-dependent species (e.g. western pond turtle, two-striped garter snakes, and mountain kingsnake).” Therefore, the EIR/EIS should thoroughly consider and address the concerns for the riparian dependent populations and must obtain guidance from the Department of Agriculture with respect to these important interests, taking into account all guidelines and criteria in NEPA, CEQA, CWA, CESA and the federal ESA..

As stated in **Aesthetics**, above, the Los Angeles County Code was amended to add Section 22.44.126, the Acton Community Standards District. The HSR would potentially conflict with the purposes of the local ordinance protecting the Significant Ecological Areas, flood plains, hillsides, National Forest, archaeological resources, and multi-purpose trail system Western heritage architectural theme as well as the protections afforded under the Antelope Valley Plan. Accordingly, the EIR/EIS must consider and address these conflicts.

4. **Noise and Vibration.** The noise of construction and routes of trains traveling 12-15 times (or more) per day at 200+ miles per hour will be extremely disturbing to the exotic animals who reside at Shambala. The Preserve is or has previously handled the following large exotics: lions, tigers, mountain lions, servals, tigers, ligers and on occasion, elephants. These animals are highly sensitive to sound. Loud noise can cause agitation in animals which will likely have negative consequences for the animals’ health and well-being. The construction of the track through the mountain (tunneling) may require explosives which will further agitate the animals. In addition to the noise from initial construction (truck noise, blasting, jackhammering, helicopter movement, etc.) and the trains themselves, train repairs will add to further disruption and noise on an ongoing basis. It should be noted that when helicopters are used for film-making in the area Shambala requires a no-fly zone over the Preserve because of the significant agitation and stress of the animals. Moreover, initial construction of the train and subsequent repairs will likely involve nighttime work hours requiring lighted skies which again are disturbing and pose a threat to these animals. The Preserve is already subjected to the noise from the Metrorail and the Southern Pacific RR. Adding high-speed trains as often as is projected (especially when traveling at such speeds) and across a large concrete viaduct will make the habitat unlivable for animals as well as humans.

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Southern California Edison has a construction project in Acton which has caused unbelievable disruption to the area. Explosive devices causing dust and noise were used in the process. Clearly, the project of SCE is small compared to the HSR which will take years to build. Helicopters, explosive blasting, and truck noise are only to be more common with the building of the HSR. The constant assault on the local environment will be devastating. Noise studies in the EIR/EIS must take into account the animals that will be subjected to the noise in this region, including those at the Preserve. Studies that apply to the startle effect on domestic animals do not necessarily apply to tigers, lions and other exotics living at the Preserve. The Preserve is within 125 feet of the ROW at some points. Assuming that the animals will become “used to the noise” is not established by any studies on animals of the nature living at the Preserve in such close proximity. Furthermore, averaging the noise (dB) over 24 hours as the HSRA has done in the other HSR EIR/EIS reports does not adequately measure the noise levels or the disruption to residents of Acton because the standards being used by HSRA do not take into account the three dimensional topography of the area nor the fact that Acton, as a desert, has very little vegetation cover in most areas and therefore does not provide a “soft-ground” as compared, for example, to the Merced-Fresno EIR/EIS. At 100 feet from the HSR, the sound of the train will produce 100 dB per sound, 85 dB is the point at which sustained exposure may result in hearing loss. By averaging the sound over 24 hours (at 12 trains per day), the HSRA is able to reduce the dB level to 77.5. The actual sound will not be “averaged” by the animals or humans affected. Attached to these comments ([Exhibit 7](#)) are the Scoping comments from Jacki Ayer, a local resident and engineer who has done significant research on the potential noise impacts of the HSR. Roar hereby incorporates those comments by reference and requires that the EIR/EIS carefully and thoroughly study and address these significant noise impacts to ensure that the operations at the Preserve, as well as those to Acton’s residents, are not impacted (or are sufficiently mitigated) by the proposed HSR alignments. CEQA requires consideration of actual impacts resulting from actual project noise conditions, not the “average” sound levels for areas that are not comparable. Accordingly, the EIR/EIS must address these issues without “assuming” impacts based upon data that is either inappropriate or diluted.

The vibration created by the construction of the train and the ultimate running of trains along the Soledad Canyon corridor must be addressed in the EIR/EIS. The Preserve resides in the Soledad Canyon. The Canyon walls are steep and rock falls and slides are common. Vibration from the HSR (both construction and operation of) may cause slope instability. The destabilization of the slopes caused by the construction and operation of the HSR, including grading and excavation, could undermine the foundation and cause damage not only to the Preserve, but to the nearby properties and roads (in particular, Soledad Canyon Road which borders the Preserve). The EIR/EIS must thoroughly address the site-specific geologic conditions to ensure that the Preserve and the Canyon walls are not negatively impacted.

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5. **Hydrology and Water Quality.** A portion of the Santa Clara River flow is diverted through a stream and lake system on the Preserve. The streams and lakes serve as a water source for waterfowl, fish and wildlife on the site. The diversion of river water meets the requirements of the CRWQCB, the California Department of Fish and Game and the U.S. Army Corps of Engineers. In addition to providing a water source for fish and wildlife, the water may be used/pumped by the County Fire Department in the case of fires in the area (the Preserve and the surrounding areas are considered to be "high fire hazard areas"). Loss, disruption and/or heightened use of these water resources by HSRA during construction and operation would be detrimental to the operation of the Preserve and potentially hamper the ability to fight fires in this high fire hazard zone. The EIR/EIS must thoroughly study and address the impact to Shambala's water system and be certain that the Preserve's (and the area's) system and safety is not impacted negatively by the HSRA.

In addition, trenching and tunneling will have a high impact on individual well production. Most, if not all of the residents of Acton, including Shambala, rely on private residential wells for their drinking water. Tunneling and pumping by HSRA will likely have detrimental effects on the water use by the residents. In addition, water is at a great premium while the state is in a drought. Any additional pumping by HSR will likely make the situation worse. The EIR/EIS should address the location of all wells (HSRA must conduct detailed hydrogeological surveys of all proposed routes that extend at least one half mile on either side of the route and which identify all residential well systems within those areas and extend the areas beyond those constraints if there are potential well impacts resulting from the HSR construction). The EIR/EIS must also identify in its survey the location of wells that may be adversely impacted and the extent to which they may be impacted to determine the thresholds for "significant"/"severe" well impact. In addition, the EIR/EIS should address the water shortage, the plan for the acquisition of water and the effects on all community members. Use of District 14 water is a concern for the community and the EIR/EIS should address the source of water proposed so that the community can better evaluate the water issues. At a meeting on July 30, 2014 Michelle Boehm, High-Speed Rail Authority Regional Director, advised the community members present that if "they lost their well, they would get a new one." Accordingly, the EIR/EIS must address the impact on individual wells to ensure that all residents will not be impacted or will be provided a new well that is consistent in all respects with a lost well. The EIR/EIS must also address the control of run-off during construction, how it will prevent disruption to hydroecological patterns and demands of water during construction and beyond.

6. **Land Use and Planning.** The Roar Foundation requests that the land use and planning impacts of the alternative proposed alignments be evaluated for their appropriateness. Both the SR 14 East and SR14 Hybrid (and the SLUG if not extended as suggested) would cut the town of Acton in two. The splitting of the town under NEPA would be considered a substantial effect and would have a significant impact under CEQA. Construction of the HSR

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conflicts with the general plan of the community which has been designated as rural. THERE IS NO BENEFIT TO THE COMMUNITY of Acton—including the fact that there is no train stop, and the proposed alignments would necessarily destroy the small rural community's nature. In addition, the equestrian and public hiking trails are located within the proposed alignment corridors. Residents of Acton also maintain private trails for their horses—one of the very reasons the residents have moved here. The EIR/EIS should address the access to these trails in light of the proposed fencing of the HSR. Please also see the comments raised in **Aesthetics**, above.

7. **Geology and Soils.** Several earthquake faults, including the San Andreas Fault are within a few miles of the city of Acton. The Acton Quadrangle has been named an official seismic zone and listed as VERY HIGH RISK. The USGS database shows that there is a 94.66% chance of a major earthquake of 5.0 magnitude within 50km of Acton, CA within the next 50 years. The largest earthquake within 30 miles of Acton, CA was a 6.7 Magnitude in 1994. Liquefaction can occur at 5.5 magnitude earthquake (there is an 82.36% chance of a 5.5 earthquake in the same area and same time-frame). The EIR/EIS should thoroughly examine and discuss the risk to residents and the community of a high speed rail through this area in light of the geological nature of the area. Furthermore the EIR/EIS must address the issue of soil contamination from trenching, drilling and boring. Serpentine rock, which contains naturally occurring asbestos is found in the Acton area. Disturbance of serpentine rock is dangerous to the health of the residents (including the animals) and the EIR/EIS must thoroughly study and address the issue as the cost of containment and removal (during the construction process) is significant, but the failure to do so could potentially be lethal.

In the event of a derailment or other accident, serious damage to the enclosures and the Preserve could endanger not only the animals, but individuals as well. High speed rail accidents have occurred in other countries with devastating results. The EIR/EIS should address the question of derailments and other dangerous accidents (for example, human error), especially in connection with an earthquake, to ensure that potential accidents can be avoided and safely maintained.

8. **Public Services.** SR 14 Hybrid proposes to cross the mouth of Red Rover Mine Canyon Road. There is a safety issue relative to this alignment in that the canyon road dead-ends at two miles into a mountainside. There is no alternative evacuation route in the event of a derailment or other disaster. The EIR/EIS must address this safety concern and any others created by the proposed alignment.

The SR 14 East alignment passes close to the public middle school and high school and poses concerns about the potential traffic impacts through the construction phase (estimated to last 3-4 years). The effects of increased traffic must be considered to ensure that emergency

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personnel can access the area. The nearest hospital to Acton is 20 miles north of the town. Response time in emergencies will be impacted by road closures. The EIR/EIS must identify study and address all of these emergency response issues.

9. **Economic and Social Impacts, Environmental Justice (Blighting).** The funding to operate the Preserve will be greatly impacted by the HSR. Shambala depends on the donations of supporters and visitors. The loud noise of a train traveling at 200+ mph (12-15 (or more) times per day), the traffic impacts, road closures and general disruption during construction will be a distraction and/or deterrent to the visitors upon whose donations the Preserve depends. Roar holds monthly safaris for interested donors as well as several major fundraising events. All of these events would be impacted by the proposed trains. Safaris with trains speeding past at 200+ miles per hour are not consistent with a peaceful habitat for these endangered animals and fundraising activities to cover the cost of providing the habitat. The EIR/EIS must take into account the significant negative impacts to the economics of the community and, in particular, Shambala.

The property values of the residents will be reduced drastically by the intrusion of the HSR (estimated by local realtors to be 70% down). There is no planned stop in Acton so there is no benefit-- economic or otherwise-- whatsoever to the citizens of Acton. Property owners are already starting to sell with no new buyers likely given the responsibility of realtors to advise of the train possibility (without any specific alignment designated). The three alignments (as currently proposed) all will divide the Acton communities. Proximity to schools of the HSR will likely require the closure of the school during construction and possibly beyond. The students will be bused to other towns. Loss of income for citizens and the community is likely. Teachers will leave for other towns, local businesses will be impacted as street closures (permanent and temporary) will impact drive times, distances and cost. The EIR/EIS must consider and study all of these economic impacts to the residents.

As mentioned above, Roar went through an extensive and expensive conditional use permit process to be able to operate the Preserve. All of the following agencies were consulted and approved the use. The costs to date have been extremely expensive. Further costs to move (should the train noise and other matters be, as expected, detrimental to the animals), would be exorbitant and it is likely that the Preserve would have to be shut down.

Department of Fish and Wildlife
Department of Health Services
Department of Animal Care and Control
County Fire Department
California Regional Quality Water Control Board
California Department of Fish and Game

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US Army Corp of Engineers
Acton Town Council

While all of the listed considerations are important, the Roar Foundation would like to emphasize that all environmental categories of the EIR/EIS should consider the serious impact to the Acton community and its residents, including the Shambala Preserve. Shambala provides an essential and important service to not only the town of Acton, but to the state of California and, indeed, the United States. The placement of the HSR through this town would forever destroy the peaceful community and likely destroy the Foundation's good works and future ability to provide sanctuary to the animals.

The Roar Foundation requests that the EIR/EIS consider a direct alternative from Palmdale to Burbank as suggested by Mr. Antonovich, however, Roar requests that the SLUG be extended as set forth in the attached Exhibit 4 to avoid the severe consequences to Acton and its residents. Both CEQA and NEPA require HSRA to consider a range of project alternatives that would substantially meet project objectives and protect the environment and the community resources. The suggested extension of the SLUG study area must be considered in order to ensure compliance with CEQA and NEPA. In addition, it appears that key agencies may have been omitted from the scoping process without explanation (U.S. Forest Service/U.S. Department of Agriculture) for the Palmdale to Burbank project. In light of the request for consideration of the SLUG alignment, as well as the issues pertaining to biological resources, both of these agencies should have been included in the scoping EIR/EIS process. The EIR/EIS must consider the alternatives that protect these locations and other sensitive areas. The Roar Foundation believes that exploration of this alternative must be completed to ensure that the EIR/EIS and its analysis strictly complies with federal and state laws and regulations regarding the placement of transportation projects near sensitive uses like that of Shambala and Acton, especially in light of the fact that a nearly identical route to the SLUG would virtually avoid all harm to the residents (human and animals) of Acton.

Very truly yours,



Mary C. Alden

MCA

Enclosures (*as stated*)
cc: Tippi Hedren, President, Roar Foundation

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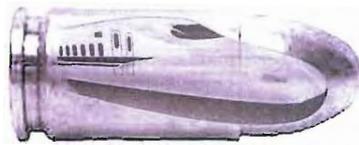
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SHAMBALA

EXHIBIT 1

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STOP THE BULLET!!



**BEFORE IT KILLS
ACTON!!!**

Dear Friends and Roar Supporters,

THIS IS AN URGENT APPEAL!!! The Shambala Preserve and the Acton Community desperately needs your help. The California High-Speed Rail Authority has decided to route the Bullet Train with a number of options all of which go right through the heart of Acton. This could be a death nall for Acton and the surrounding area. Everything in the approximate vicinity will be greatly impacted including The Shambala Preserve. The Rail Authority has nothing positive to offer the local community...only ruination on many facets. There is overwhelming local opposition to this cavalier monumental fiasco of irresponsible stupidity. On this coming Monday-August 11, highest ranking officials of the CHSRA are holding a "Scope" meeting to pitch their case to the Acton Community. They need to see a strong united show of opposition present. The more people who show up the better. The meeting will be held on Monday, August 11 at 5:30 PM, in the Acton-Agua Dulce Library, 33792 Crown Valley Road (just north of the 14 FWY). Please help by participating with me in this historical watershed public event with your attendance. **THIS IS CRITICALLY IMPORTANT!**

With Love and Protection for the Shambala Wild Ones,

A handwritten signature in black ink, appearing to read "Tippi Edren". The signature is stylized and includes a large flourish above the name.

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LETTER TO CONGRESS from TIPPI HEDREN July 13, 1014

The Captive Wildlife Safety Act, which passed unanimously and was signed into law by President Bush on December 19, 2003, is to stop the interstate traffic of big cats for sale as pets or for financial exploitation. That bill was inspired by a prototype I brought to my U.S. Representative "Buck" McKeon. The bill now before Congress, (H.R. 1998, S.1381) "Big Cats and Public Safety Protection Act", I also brought to Rep. McKeon in 2007. This bill is to stop the breeding of big cats (apex predators) to be sold as pets and/or used for financial exploitation. It will be up for review in the Senate in the middle of this week, July 14-17, 2014, hopefully to be voted upon.

I'm urging you to support this bill. Not one more human adult, or child, should be maimed for life or killed by a big cat. Not one more big cat should be abused by being born in captivity under the misunderstanding that they will be a good pet; or be brutalized into doing tricks for our "entertainment".

My qualification to ask for this support is: I have rescued and provided sanctuary for big cats born in the U.S. since 1972. I founded The Roar Foundation in 1983 to become the financial support arm for The Shambala Preserve and to educate the public against owning wild animals. We have rescued and given lifetime care to over 250 exotic big cats over these years. I also have been the sitting President of the American Sanctuary Association, an accrediting organization for wild animal facilities, as well as a wildlife placement organization, since 2000.

Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This instinct/gene manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out". In the human species, these kinds of

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

dictates are referred to as psychopathic. Our jails are filled with psychopaths who can, and will, harm or kill any being, with no sense of conscience or remorse. These conscience and remorse instinct/genes are absent in the big cat predator as well.

In my studies of the big cat since 1972, and while living at Shambala alongside them since 1976, I have found them to be infinitely fascinating – and life threatening. Their physical beauty is magnificent and it is the combination of that and their relationships, their sense of humor, their affection towards each other, and sometimes toward us that draws many of them to us.

But, their memories of a bad relationship with another animal or human, their possessiveness of objects and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, serial killers!

Those who we call "pets" live in our homes; we cuddle them, sleep with them, feed them well, play with them, call them family, playmates and friends. We are able to trust them. They are from an entirely different genetic mindset than the predator. Don't think of describing an exotic feline as a "pet". Please, vote to stop apex predators from being bred as a pet for exploitation. Stop the misinformation sent to the U.S. population that any exotic feline can, or will, be a 'great pet'.

I thank you for giving your support, because you in our Government are the only hope we have of stopping this insanity. I pray you will pass this vitally important bill, "Big Cats and Public Safety Protection Act".

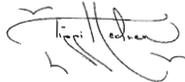
Who of you would put your child, your grandchild, your wife, friend or yourself in harms way for a photo op with a "great cat"? Would you place a loaded pistol on your coffee table?

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Since 2011, over 104 people have been maimed or killed by big cats in the United States.

This responsibility lies with you,

Tippi Hedren



President-Roar Foundation
The Shambala Preserve
www.shambala.org
(661) 268-0380

July 13, 2014

Psychiatric Substantiation to Tippi's Letter to Congress

Enclosed is a psychiatric revision by a well known psychiatrist in the Los Angeles Area, Praveen R. Kambam, M.D., who I asked to read my Letter To Congress regarding the scientific facts of my letter about the instinctive dictates of the big cat predator. I am fortunate that he had the time to work with me on this very important issue. This I did for my own edification. If you would like to use it, I have received approval from Dr.Kambam to use his psychiatric evaluation. I simply want you to have a professional point of view.

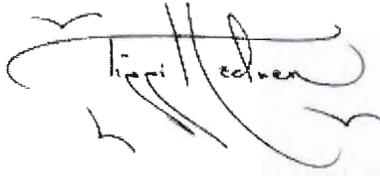
For clarity and ease of reading I have highlighted the text in my letter that corresponds with the highlighted suggested revisions in the psychiatric response letter.

I must say I am so proud that my studies since the 1970's have been proven to be correct. This is the most important time in my life. May my vision of the great cat never being abused in captivity again, nor any human, child or adult be maimed or killed by these magnificently beautiful killers come to fruition.

Please know, I love these predators more than my next

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

breath, but they are not pets, nor can they ever be "trained" to do so. I love them, I fear them being bred in captivity. They should never have to know that kind of life.....!!!!



Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This instinct/gene manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out". In the human species, these kinds of dictates are referred to as psychopathic. Our jails are filled with psychopaths who can, and will, harm or kill any being, with no sense of conscience or remorse. These conscience and remorse instinct/genes are absent in the big cat predator as well.

Consider revising to:

Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This hard-wired instinct manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out." "Montecore" attacked his long-time human companion without any remorse, empathy, or conscience, only reflexive predatory instinct. In the human species, individuals who lack conscience and empathy are frequently referred to as

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

psychopaths. They can harm or kill with no sense of remorse. This is true for the big cat predator as well.

But, their memories of a bad relationship with another animal or human, their possessiveness of objects, and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, serial killers!

Consider revising to:

But, their memories of a bad relationship with another animal or human, their possessiveness of objects, and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, predatory killers!

Praveen R. Kambam, M.D.
Board Certified in the Specialty of Psychiatry
Board Certified in the Subspecialty of Child and Adolescent Psychiatry
Board Certified in the Subspecialty of Forensic Psychiatry
Assistant Clinical Professor
Department of Psychiatry and Biobehavioral Sciences
David Geffen School of Medicine at UCLA

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

IMPORTANT INFORMATION FROM TIPPI HEDREN
PRESIDENT OF THE ROAR FOUNDTION

MARCH 29, 2014

Co Author of "Big Cats and Public Safety Protection Act"-H.R.1998/S.1381 which I presented to U. S. Rep. "Buck" McKeon
Has rescued and provided sanctuary to 235 Big Cats since 1983 when it became The Shambala Preserve.

I have been rescuing Big Cats bred and born in the US for over 40 years, to be sold as pets or for financial exploitation. They live in sanctuary at The Shambala Preserve which is also my residence outside of Acton, CA. I sit as President of the Roar Foundation which I founded in 1983, that serves as the 501 (C) (3) Non-Profit California Corp. and the financial support arm for the Preserve. I served as Director of the Shambala Preserve until 2009. In the year 2000, I was elected President of The American Sanctuary Association, which is an accrediting organization for Wild Animal facilities throughout the U.S. as well as a Wild Animal placement organization. I have successfully co-authored "The Captive Wildlife Safety Act" which my U.S. Representative "Buck McKeon" introduced and was passed unanimously in the House of Representatives and Senate. It was signed into federal law on Dec. 19, 2003. It was a beginning step for a bill to stop the breeding of these exotic Big Cats which has become a huge business in the U.S. and which, over decades, has been responsible for hundreds of killings and maimings of children and adults. There currently are 9 States that have no laws banning ownership of the Big Cats making a true census impossible to determine. Authorities estimate that there are tens of thousands of these animals in captivity inside the U.S.

I have currently co-authored a federal bill to stop the breeding of the Exotic Feline for personal possession or financial gain. It is now titled "Big Cats, Public Safety Protection Act, H.R.1998 and was introduced by Representative "Buck" McKeon along with Representative Loretta Sanchez in the House on May 16, 2013. The Senate version of the bill, S.1381, was also introduced under the same title on July 19, 2013 by Senator Richard Blumenthal.

My bill simply stated "Stops the Breeding of the Exotic Feline for Personal Possession or Financial Gain". I will continue to fight for the right of the Great Cats not to be born in captivity, until it becomes law. I would still like to continue my belief in the strength and moral fabric of our legislative system. H.R. 1998 and S. 1381 must be passed for public safety reasons and because it is the right thing to do! You, the voting public, can play a major role in stopping the insanity of breeding Great Cats. These are Apex Predators, top of the food chain, one of four of the most dangerous animals in the world maiming and killing humans. I know from where I speak as members of my family, myself and numerous film crew members of my film production ROAR have been seriously injured by these predators including one who was almost killed by a lion bite to the neck.

Demaneing the life of these magnificent, wild, dangerous animals by confining them to small cages and exploiting them for financial gain must be stopped. This bill is to protect human life as well as the humane treatment of the wild animal.

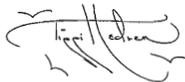
Your voice is important, please use it!!! You will be a very important part of changing history to save the lives of these Great Cats, from being born in captivity forever!!!! Not one more human child or adult should be maimed or killed by these apex predators.

These animals, being born in captivity by the thousands, many living in squalor, or beaten to do ridiculous tricks for circuses and shows, are often confiscated by authorities because of animal abuse. This is where facilities like The Shambala Preserve come in to place, providing sanctuary for Exotic Cats to live out their lives in dignity.

Your help is needed right now!!!!... Please support H.R. 1998 and S. 1381, to stop the breeding of these extremely dangerous Big Cats. I love these animals more than my next breath, but they are not pets, nor should they be subjected to being abused for our entertainment or kept in private homes, apartments or hovels.

I strongly urge you to protect human life, and stop the exploitation of Lions and Tigers by convincing our legislators to become involved and co-author "Big Cats and Public Safety Protection Act" -- H.R.1998/S.1381.

With love for all beings, animal and human,



Tippi Hedren
President Roar Foundation
Shambala Preserve
www.shambala.org
(661)268-0380

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

These are three sample letters to be used as a source for letters you can write to your own U.S. Congressional representatives to support H.R. 1998 and S. 1381-“Big Cats and Public Safety Protection Act”.

There are more sample letters posted on the Current Legislation page at www.shambala.org

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Dear Representative XXXX,

Please co-sponsor H.R.1998 and S.1381-“Big Cats and Public Safety Protection Act”!

Big cats are not pets!! No human being is equipped to keep one of the four most dangerous animals on the planet in a cage in his or her backyard!!

Imprisoning a lion or tiger in a private neighborhood is not only indescribably cruel to the animal, who should instead be roaming the Serengeti and jungles of India and Asia....but it is also unfair to neighbors and to first responders.

In today's day and age, parents have enough to worry about regarding their children's welfare. They have to keep an eye out for sexual predators on the internet....they shouldn't have to worry about apex predators in the neighborhood!! Not to mention, small children are the easiest prey for a hungry tiger.

When lions or tiger do get loose, and that inevitably will happen at some point, first responders are also put in jeopardy. The life of a police officer should not be put on the line simply because a selfish individual feels the need to own wild cats! Also, first responders are not trained to handle such situations (as was proven in Zanesville, OH in 2011), putting them in the regrettable position of having to shoot and kill the escaped big cats.

For the rest of their lives, the officers are burdened with guilt and forced to deal with the public's scrutiny of having had to murder innocent animals...not to mention, the ultimate price having been paid by the big cats, who lose their lives for not other reason than having been born in the United States.

Please co-sponsor H.R.1998 and S.1381-“Big Cats and Public Safety Protection Act”.
Exotic cats don't belong in family neighborhoods.

Thank you!

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Dear Congressman XXXX,

I am writing to ask you to support H.R. 1998 and S. 1381-“Big Cats and Public Safety Protection Act”.

This bill would prohibit the private ownership of big cats for personal possession or financial gain. Current owners would be grandfathered in to keep their exotic cats, but they could not acquire more or breed the ones they have. All exotic cat owners would be required to register their animals. Lions and tigers would still be found at accredited zoos and sanctuaries.

Passing H.R. 1998 and S. 1381 into law is crucial for two reasons: it preserves the safety of every person living in our country and it saves countless exotic cats from a captive life of neglect, abuse and outright misery.

In the past 21 years in the United States, big cats were directly responsible for the deaths of 5 children and 17 adults. In that same time, hundreds of savage attacks by captive exotic cats have been catalogued with injuries sustained being loss of limbs, brain damage, full body paralysis, broken bones, blindness, deafness, severe lacerations, etc.

Humans suffer when these apex predators act naturally on their instincts. But it is the lions and tigers in cages that suffer every single second of every single day by being deprived of their freedom. On top of that, they are often confined to tiny ramshackle cages with no shelter from the heat and cold, are fed poor diets, receive no veterinary care, and are offered no mental stimulation or emotional enrichment. Also, due to these animals being massive, powerful and aggressive, handlers use barbaric methods to control them such as stun guns, cattle prods, whips, pepper spray and even hot sauce.

Please support H.R.1998 and S.1381! You will not only be preventing future tragedies of people being mauled, but you will also be saving exotic cats from a pathetic substandard imprisoned existence.

Thank you!

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Dear Representative XXXX,

I am in 100% support of H.R.1998 and S.1381-"Big Cats and Public Safety Protection Act". As your constituent, I am asking you to support this bill as well.

Below are just some of the many benefits that will result from this legislation:

- Big cats would no longer be allowed as pets.
- Public contact with big cats would be completely banned.
- Cubs would no longer be exploited for entertainment purposes at birthday parties, photo opportunities at malls, or "pay-to-play" exhibits.
- Big Cats would no longer be victims of canned hunting.
- Lions would no longer be farmed for meat.
- Breeding of big cats would only occur at accredited facilities.
- The USDA can perform more thorough inspections as the number of Big Cats in captivity decreases.

H.R. 1998 and S.1381 would also require current owners, who would be grandfathered in, to keep their cats and to register their animals with the USDA. Right now, there is no accurate count on how many big cats are living in the United States, posing a burden to first responders on an emergency scene.

Please be my voice in Congress and support H.R.1998 and S.1381-"Big Cats and Public Safety Protection Act".

Thank you!

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Calendar for 2015 Afternoon Safari

Jan 10-11
Feb 14-15
Mar 14-15
Apr 11-12
May 16-17
June 13-14
July 11-12
Aug 8-9
Sept 12-13
Oct 10-11
Nov 14-15
Dec 12-13

Calendar for 2015 Sunset Safari

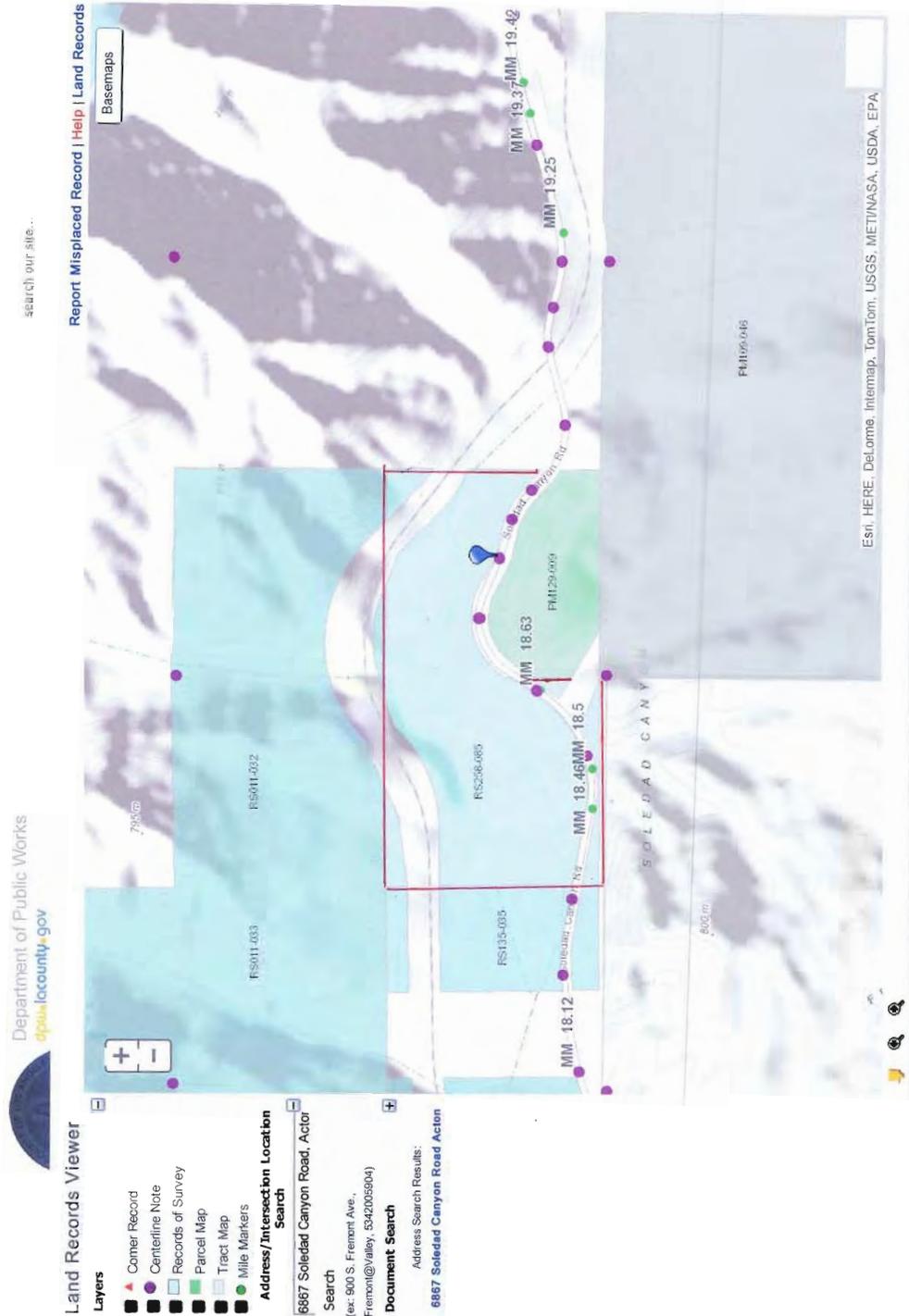
May 30th 7pm-10pm
June 27th 7pm-10pm
July 25th 7pm-10pm
Aug 29th 6pm-9pm
Sept 26th 6pm-9pm

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

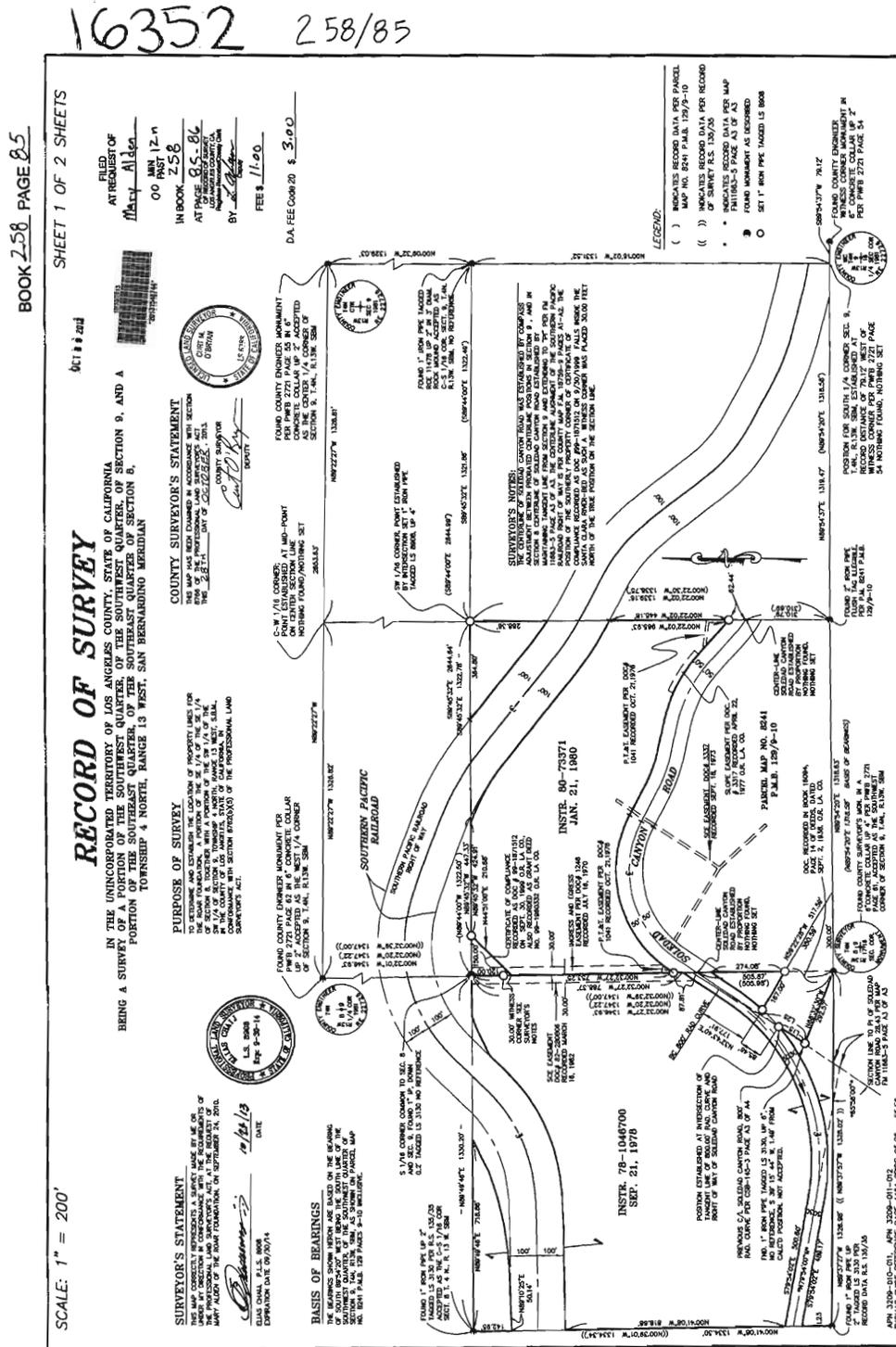
SURVEY BOUNDARIES

EXHIBIT 2

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

**Train Right-of-Way at Back of
Shambala Preserves**

EXHIBIT 3

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Suggested Widening of SLUG

EXHIBIT 4

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

Figure 1. Area Where Corridor Enters the Angeles National Forest to Avoid Acton Homes

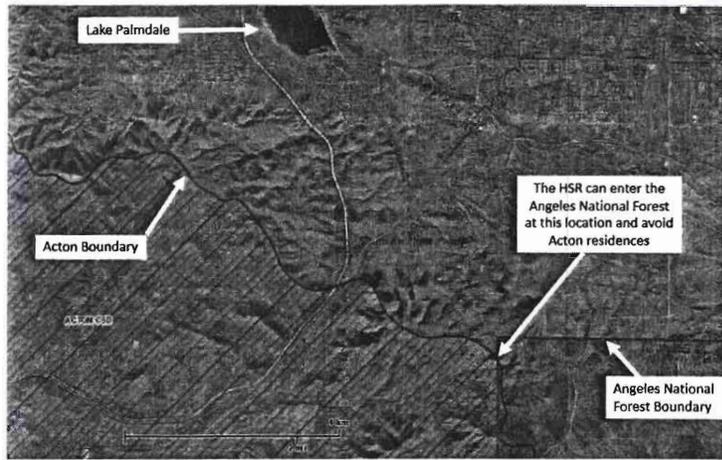
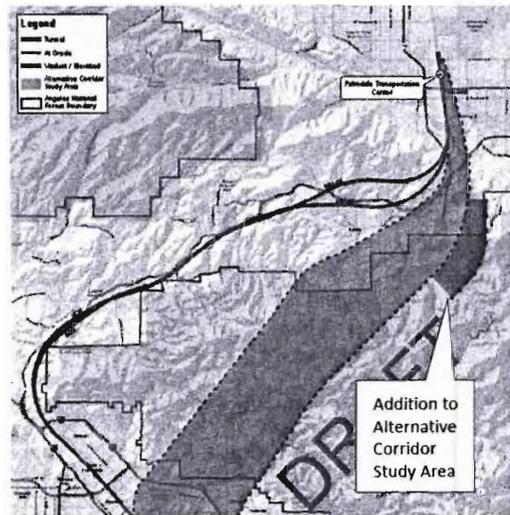


Figure 2: Alternative Corridor Study Area Adjustment



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

General Guidelines for HSR Fresno

EXHIBIT 5

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO Elevated Structures • Typical Guideway

The design of elevated structures and bridges will be a key element in the overall image of high speed rail as it passes through Fresno. These very visible elements should be coordinated with one another in Fresno, and with the rest of the system throughout the state.

The typical elevated portion of the alignment throughout much of the state-wide alignment and portions of Fresno is a single or twin box girder structure on single, flared piers. As indicated in the Concept Approach to HSR Design above and building on the CHSRA Architectural Guidelines, the recommended aesthetic design is aerodynamic, monolithic and curved/softened edges. The primary components are piers, a flared box section, deck overhangs with parapet type edge barriers and twin OCS poles. Steel superstructure box girder options may require additional work with deck and pier top to create a smooth relationship between pier and flared girders.

Recommendations: aerodynamic forms; curved edges; monolithic surfaces.

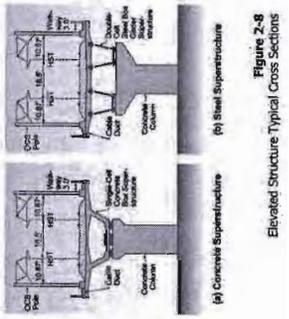
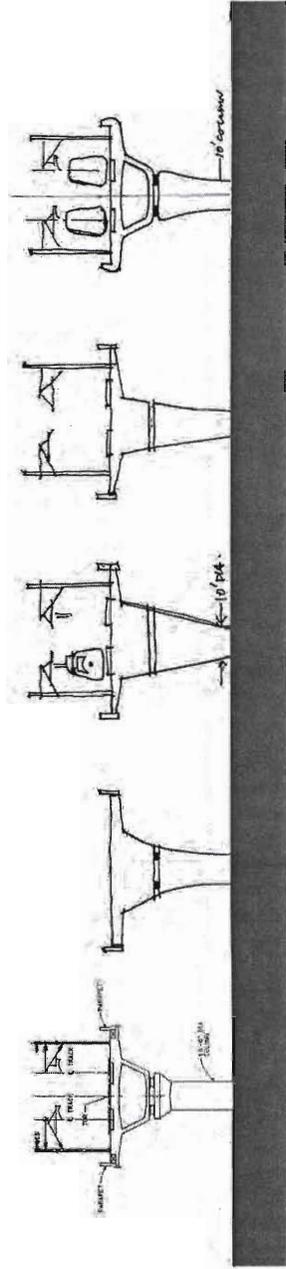


Figure 2-8
 Elevated Structure Typical Cross Sections

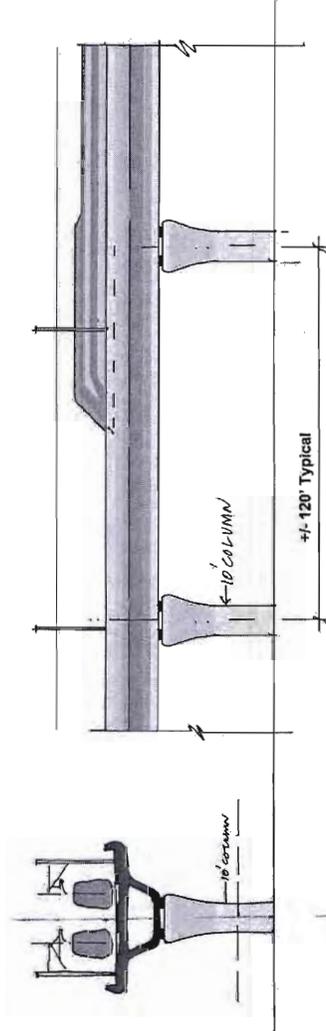


Example: Flared piers

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Evolution of the Design Concept. Several variations were explored for the basic form of columns, viaducts and parapet walls.



Recommended Viaduct Section/Elevation: Curved, smooth elevated structures, to match the speed and design of HSR vehicles.

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO Elevated Structures • Barriers & Piers

Deck/Barrier Edge

The recommended design calls for the edge between deck bottom and parapet barrier face to be rounded to complete the aerodynamic shape of the composite guideway. The solid parapet barrier also screens views of the track bed, rails and other equipment at track grade from the first few floors of adjacent buildings.

Recommendations: aerodynamic forms; curved edges; monolithic surfaces; solid concrete barrier.

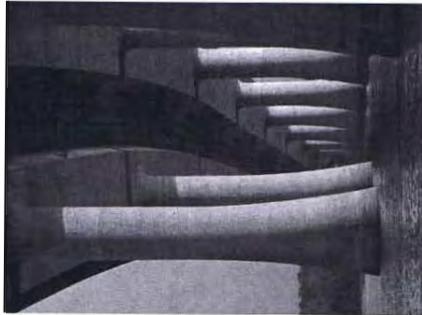
Piers

The recommended pier design is round in cross section, flaring out at the top before intersecting with the box girder.

Recommendations: round section; aerodynamic forms; monolithic surfaces.



Example: Integrated viaduct and rounded parapet barrier



Example: Rounded, flared piers

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO Elevated Structures • Straddle Bents

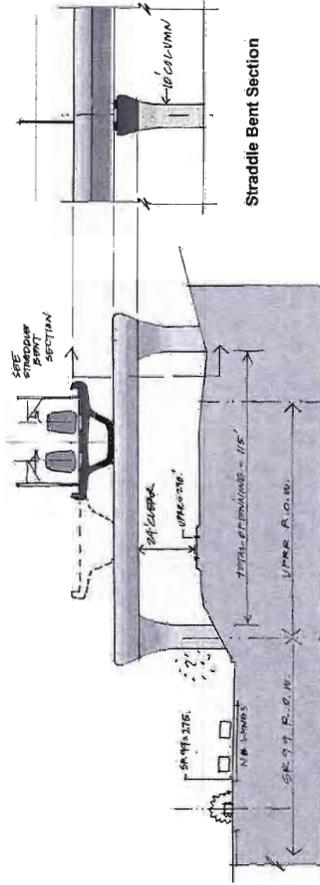
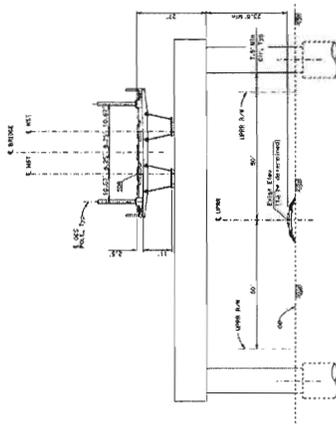
In several critical segments of the HST project, where single, center piers are impossible due to conflicts at grade such as property, rights-of-way, highway and street lanes, straddle bents will be used to provide for continuity of support. While the scale and form of straddle bents will diverge from many of the other standard elevated structures, straddle bents should be viewed as being in the same family as viaduct and bridge structures.

Our recommendation is that straddle bents follow the same aesthetic guidelines applied to the general guideway: twin piers of the same flared form as the single, center pier, joined by a robust beam with curved edges and ends and cross section that approximate the flare of the piers. In order to convey the uniform and smooth appearance, integrated bents are preferred over composite bents. This will give a continuous line to both structures and keep straddle bents in the unified family of forms.

Recommendations: round pier section; aerodynamic forms; curved edges; monolithic surfaces.



Example: Straddle bents over two roadways



Recommendation: Curved, smooth saddle bents to match the speed and design of HSR vehicles.

City of Fresno • Design Guidelines for California High Speed Train Project • 11

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

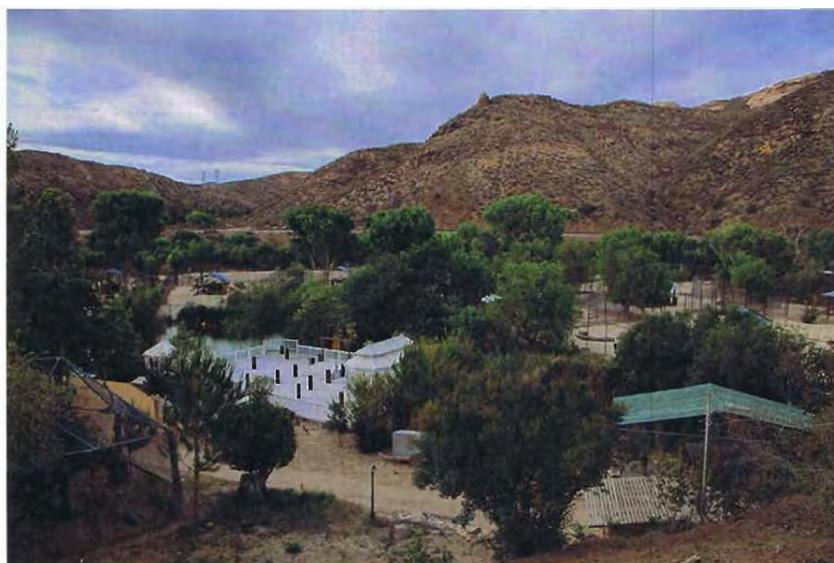
PHOTOS OF PRESERVE

EXHIBIT 6

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued



Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

**Scoping Comments Re Noise Impact
Jacqueline Ayer**

EXHIBIT 7

Submission B026 (Mary Alden, Smiland Cheste LLP/ Roar Foundation, September 22, 2014) - Continued

**COMMENTS ON THE PALMDALE-BURBANK
HIGH SPEED RAIL NOISE IMPACT ANALYSIS**

The three essential elements of the Palmdale-Burbank high speed train noise impact assessment are:

1. Quantify train noise level projections using computer modeling based on train configuration, operating parameters, and sound propagation conditions.
2. Develop noise descriptors to assess noise impacts and establish impact criteria and apply these results to project area data to ascertain the location and number of receivers for whom the project presents potentially "severe" or "significant" adverse impacts.
3. Apply impact mitigation measures and ascertain the extent to which significant impacts are reduced.

Comments, concerns, and recommendations regarding each of these elements of the Palmdale-Burbank high speed train noise impact study are addressed separately below. In addition, a brief discussion of issues unique to Acton are provided

1. HIGH SPEED TRAIN NOISE LEVEL PROJECTIONS

The high speed train noise estimation methods employed by FRA/HSRA are set forth in detail in Chapters 4 and 5 of the FRA's "High Speed Ground Transportation Noise and Vibration Impact Manual" published in September 2012. These methods consider various locational and operational parameters that contribute to the high speed train Sound Exposure Level ("SEL") that is experienced at any given location. The manual is written in a simple and straightforward manner and it directs that equations (provided in Table 5-4) be reconciled with applicable train parameters (provided in Table 5-2) to project sound levels generated by a high speed train operated under the expected conditions.

Notwithstanding the erroneous value for len_{ref} that is provided in Table 5-2 for the propulsion subsource component of EMU trains (the value should be 73, not 634), the SEL calculation methods provided in the manual can easily be used by the public to assess the accuracy of FRA's/HSRA's noise profile results and (by extension) the validity of FRA's/HSRA's noise impact analysis. Unfortunately, the public has not been able to perform these assessments on previous environmental impact studies prepared by FRA/HSRA because these studies failed to provide the information necessary for such analyses. For example, the Merced-Fresno EIR failed to provide information such as the number and length of power units and the length of passenger cars in the modeled trainset, so the subsource SEL value at 50 feet could not be calculated. Similarly, the Merced-Fresno EIR/EIS failed to provide shielding and ground effect data for any location along the corridor, so it is impossible to calculate any SEL at any distance for any location. Even if some of this information had been provided so that members of the public could "spot check" the calculated SEL results for at least some locations, there is nothing to compare

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these calculated values against because FRA/HSRA *failed* to publish any of the actual high speed noise levels computed by the noise prediction model!!! All of these omissions are explicitly contrary to the instructions provided by the 2012 FRA Noise Impact Assessment Manual, which states that the environmental impact analysis must list the data that is input to the noise prediction model, and it must provide a detailed accounting of predicted noise levels resulting from the high speed rail project (See Page 11-2).

FRA/HSRA has not provided *any* noise prediction levels in *any* of the EIR/EIS documents prepared to date. Instead, FRA/HSRA has plotted "dots" which identify locations where the calculated difference between the predicted "cumulative" noise level (averaged over 24 hours) and the existing "cumulative" noise level exceed specific threshold values (see for example Figures 7-2 to 7-5 of the Technical Noise Study prepared for the Merced-Fresno EIR/EIS). The plain language contained in the 2012 FRA Noise Assessment Manual clearly directs FRA/HSRA to provide the actual noise levels that are predicted by the high speed train noise model; it does NOT allow this requirement to be satisfied by mere "dot plots" of locations where differences between 24-hour averaged "project" noise levels and "existing" noise levels meet some pre-established threshold. These omissions (which constitute substantial deficiencies) are unacceptable to the community of Acton and must not occur in the environmental impact analysis that is conducted for the Palmdale-Burbank segment. FRA/HSRA must provide contour maps of actual sound exposure levels (SELs) in 10 dBA increments that range from the maximum value to 60 dBA for all high speed train corridors proposed in Acton. In addition, and consistent with the requirements imposed by FRA's 2012 Noise Assessment Manual, FRA/HSRA shall provide relevant noise model inputs (including sound propagation parameters that properly reflect that G=0 throughout most of Acton) which will enable the public to confirm at least some of the SEL values that are projected. Of particular concern is projected pantograph noise levels that can exceed 100 dBA, and which occur high (16 ft) on the train and are therefore not effectively shielded by the 12 foot sound barriers typically relied upon by FRA/HSRA to mitigate sound impacts.

In any action or project for which an EIS is prepared, NEPA requires consideration of "direct effects, which are caused by the action and occur at the same time and place" [40 C.F.R. § 1508.8(a)]. The "direct effects which are caused" by high speed rail operation include significant noise levels which "occur at the same time and place" in which the train passes by. Similarly, CEQA requires HSRA to disclose the "direct impacts" of a project to the public. **There is no question** that both NEPA and CEQA require public disclosure of the actual high speed train noise levels that are projected for the Palmdale-Burbank segment. The fact that FRA/HSRA have failed to produce such information in previous environmental reviews is irrelevant; previous compliance failures do not justify future compliance failures. The best way to disclose this information is to provide high speed train noise contour maps for Acton that are plotted in 10 dBA increments which range from the maximum value to 60 dBA or less. In prior environmental assessments, FRA and HSRA have only reported the locations at which calculated 24-hour "average" noise parameters exceeded established thresholds. These calculated 24-hour "average" noise results (which were not published either) combined existing ambient noise data with projected high speed train noise data to derive some sort of "cumulative" noise impact. While this 24-hour "average" value may be construed to represent some sort of indirect impact or perhaps a

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cumulative impact (both of which must also be considered under CEQA), it does not, *by any stretch of the imagination*, represent the “direct effects” of the high speed train which occur only at the time when, and in the place where, the high speed train passes by. FRA’s continual violations of NEPA and HSRA’s continual violations of CEQA will **not** be tolerated by the community of Acton, which demands that *actual* noise levels be provided in the Palmdale-Burbank EIR/EIS.

In addition to the deficiencies noted above, there are additional concerns with the procedures that FRA/HSRA implemented in previous environmental studies to establish sound propagation rates and identify appropriate screening distances and noise study areas. According to Figure 7-1 of the “Noise and Vibration Technical Report” prepared for the Merced-Fresno EIR/EIS, it appears that FRA/HSRA assume a “soft-ground” propagation rate in which sound attenuation occurs at approximately 4.5 dBA per distance doubling. This attenuation rate is NOT appropriate for the community of Acton, which (as a desert community) has very little vegetation cover in most areas. A maximum attenuation rate of 3 dBA per distance doubling is more appropriate for Acton. It also appears that this “soft ground” propagation rate was used to establish impact screening distances and study areas necessary for ensuring proper identification of all impacted receivers. According to the Merced-Fresno “Noise and Vibration Technical Report”, a screening distance of 2,500 feet from the proposed alignment was established based on specific “project factors”. However, the study failed to specify these “project factors”. Some factors (such as train speed) are obvious, but others are not. In any event, FRA/HSRA must not assume a 4.5 dBA per distance doubling “soft-ground” propagation rate in determining appropriate screening distances for Acton, since a 3 dBA per distance doubling is more appropriate. Additionally, the assumptions relied upon by FRA/HSRA in determining screening distances, noise projections, sound propagation, etc., must be clearly and thoroughly documented in the Palmdale-Burbank noise impact study to such an extent that it will allow members of the public to confirm the accuracy of the results that are reported.

2. FRA/HSRA NOISE DESCRIPTORS AND IMPACT CRITERIA

FRA/HSRA address high speed train noise effects using 3 different “noise descriptors”, each of which has a “severe” impact criterion that is used to establish whether or not the effect is significant. The primary descriptor (used to assess human impacts) relies on the principal of averaging cumulative sound exposure levels over a 24 hour period, and the impact criteria associated with this descriptor is similarly averaged. A secondary descriptor (referred to as noise “onset rate”) addresses potential startle effects; FRA/HSRA considers this noise effect to be “informational” only and its associated impacts are not actually assessed. The third descriptor addresses noise impacts on animals. Each of these noise descriptors and their associated impact criteria are discussed below (along with the attending problems and deficiencies they present).

2.1 Primary High Speed Rail Noise Descriptor.

The primary noise descriptor adopted by the FRA/HSRA employs a noise “averaging” model to determine the extent to which a high speed rail project will create significant **cumulative** noise impacts on human populations, and it ostensibly establishes the noise impacts experienced by an individual on average over a 24-hour period at a particular

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location¹. This 24-hour averaging noise impact approach has been employed in the United States for decades to assess noise effects of conventional locomotives with operating speeds below 125 mph. This 24 hour averaging parameter is referred to as “The Day Night Sound Level” (L_{dn}) and it does not represent actual noise events, rather it “dilutes” these noise events by averaging them in with other noise events that occur over a 24-hour period.

L_{dn} values are calculated for a particular receiver location by reconciling the calculated high speed train SEL results at that location (described above) with system operating data (such as the number of trains per day) and “shielding” parameters (if applicable). The L_{dn} value calculated at a particular receiver location is then compared to actual existing L_{dn} levels (measured at representative receiver locations under existing [non-project] conditions). If the difference between these L_{dn} values meets or exceeds the “severe” impact criterion, the noise impact at that particular location is deemed “severe”. Areas where “severe” impacts occur are flagged for potential mitigation measures to reduce project noise impacts.

L_{dn} fails to properly characterize significant noise events that are created by frequent, 220 mph high speed train trips, therefore FRA’s and HSRA’s reliance on L_{dn} as the metric for determining “significance” or “severity” of noise impacts attributed to high speed train operation is misplaced. The fact is, sound levels generated by trains operating at these speeds can be more than 20 dBA higher (and therefore 4 times louder) than conventional locomotives², and they occur with much more suddenness due to high train speeds. Worse yet, the frequency at which these sound events occur is also higher; high speed train trips through Acton are expected to exceed 20 per hour³, which is significantly greater than conventional train travel rates. L_{dn} fails to accurately represent the significant noise impacts created by these rapid, frequent, high dBA “peak” noise events because it masks their significance by averaging them over a 24 hour time period, thereby rendering them insignificant.

This is illustrated in Table 1, which presents L_{dn} as a function of train traffic volume at a location where the actual Sound Exposure Level (SEL) is 90 dBA. To an individual at this location, what is heard is louder than a jackhammer operating 50 feet away⁴. The traffic volumes considered in Table 1 range from one train every 10 minutes to one train every 30 seconds. Obviously, the impact of being constantly exposed to 90 dBA noise levels every 1-3 minutes is substantially greater than being exposed every 10 minutes; under such circumstances, one could not have a conversation, read, think, or reasonably function. Yet, incredibly, the value of L_{dn} is nearly the same for both these circumstances. In other words, the value of L_{dn} hardly changes at all, even when train volumes *increase by a factor of 10*. Equally important is the fact that that L_{dn} misrepresents a 90 dBA sound events as being at least 4 times quieter than they actually are (noting that every 10 dBA increase in sound level will actually doubles the sound volume). This gives a disingenuously false representation of actual noise events. As Table 1 demonstrates, L_{dn} intrinsically fails to accurately represent “actual” noise events, and is therefore insufficient to establish the noise impacts of, and appropriate mitigation measures for, the California High Speed Rail project. The HSRA is reminded that CEQA requires consideration of **actual** impacts resulting from **actual** project noise conditions rather than contrived and watered down

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representations of 24-hour average noise estimations. In other words, the high speed rail project will expose Acton residents to frequent, 100 dBA noise events which are 40-60 dBA higher than current noise conditions, therefore CEQA demands that the actual impacts generated by these actual conditions be assessed in HSRA's environmental review; L_{dn} is insufficient for this purpose.

Table 1. L_{dn} Variations as a Function of Train Passing Rate.

Daytime Trains per hour	Nighttime Trains per hour	L_{dn}
6 (one every 10 minutes)	2	64
20 (one every 3 minutes)	2	67
60 (one every minute)	2	69
120 (one every 30 seconds)	2	73

Based on an SEL of 90 & no excess shielding from trees/ buildings (appropriate for Acton)

The fact that FRA has historically relied upon L_{dn} to assess noise impacts of conventional locomotive systems that operate at speeds less than 125 mph is irrelevant, and it certainly does not provide any basis for using L_{dn} to ascertain noise impacts of 220 mph train systems. The propulsion and mechanical sound profiles generated by conventional locomotives are substantially lower than the aerodynamic sound profiles generated by high speed trains operating at 220 mph⁵. Equally important is the fact that the lower speed of conventional locomotives limits the frequency with which conventional locomotives can run (in terms of trains per day), thus high speed train traffic volumes are many times greater than conventional train systems. In other words, 21st century high speed trains present significantly higher sound exposure levels and run far more often than 19th century conventional locomotives. Despite these remarkable differences, and without any engineering justification or efficacy studies, the FRA has simply chosen to evaluate high speed train noise impacts using the same old 24 hour averaging model that it has used for decades on slower, quieter, less frequent and significantly less impactful conventional train systems. Clearly, this is inappropriate, given that the 24 hour average noise exposure model (L_{dn}) perceives very little difference between a 90 dBA noise event that occurs once every 10 minutes and a 90 dBA noise event that occurs once every minute.

FRA/HSRA use the 24-hour noise averaging model to not only determine high speed train noise impacts, but also to determine the threshold at which these impacts are deemed "severe". The 24-hour average noise impact thresholds of significance adopted by FRA/HSRA (which are also referred to as "Noise Impact Criteria") are depicted in Figures 3-1 and 3-21 of the FRA's 2012 Noise Assessment Manual. These noise impact criteria are particularly troubling to Acton, which is a relatively remote community that has a predominantly quiet sound profile. Existing noise levels in Acton (expressed in terms of L_{dn}) that occur near the proposed high speed train corridors are on the order of 45 dBA. Some areas of Acton are so quiet that conversations can be heard at a distance of half a mile! Yet, according to the established "Noise Impact Criteria", FRA/HSRA does not

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consider high speed train noise impacts in these areas to be “significant” or “severe” unless they increase the L_{dn} value BY 15 dBA, which corresponds to a 3-fold increase over Acton’s existing average sound profile⁶. According to the 2012 FRA Noise Assessment manual, this significant impact threshold was established based on data presented in Figure A-4 (which only addresses urban environments and is therefore not relevant to Acton) and Figure A-5, which ostensibly indicates “the lowest threshold where impact start to occur” [See pg A-14]. FRA concludes (from Figure A-5) that “there are very few people highly annoyed when the L_{dn} is 50 dBA, and that an increase in L_{dn} from 50 to 55 dBA results in an average of 2 percent more people highly annoyed”. This conclusion is drawn from a mathematically “fitted” response curve that overlays Figure A-5 and is supposed to represent the data points that are plotted therein. However, inspection of the fitted response curve and the data plotted in the range of interest (40-55 dBA) reveals that, for this data range, the curve is so substantially biased that it introduces an unacceptable level of error and is therefore mathematically invalid. Simply put, FRA’s conclusion is mathematically insupportable. This is confirmed by the fact that, for $L_{dn} < 55$, most of the data points lie significantly *above* the curve, and in fact only one data point lies below the curve. The substantial error in Figure A-5 within the 40-55 dBA range of interest completely invalidates FRA’s conclusion that an L_{dn} increase from 50 to 55 dBA is “the lowest threshold where impacts start to occur”.

What Figure A-14 clearly shows is that, for people who live in quiet environments like Acton (where existing L_{dn} values are less than 50 dBA), upwards of 10 percent (and certainly far more than 2 percent) of people will become “highly annoyed” if L_{dn} sound levels increase by as little as 5 dBA. This is not surprising; people move to communities like Acton specifically because they want to escape the noise and bustle of urban and suburban areas, and they do indeed become “highly annoyed” when the noise level is suddenly increased to a range commensurate with suburban living (i.e. 60 dBA). Stated more clearly, a substantial portion of Acton’s population will become “highly annoyed” if the L_{dn} increases by even 5 dBA. This is a fact made clearly evident by the data presented in Figure A-5. For this reason, the FRA Noise Impact Criteria depicted in Figures 3-1 and 3-2 of the 2012 Noise Assessment Manual are not appropriate for Acton, and they are certainly not mathematically supportable. To be consistent with the data presented in Figure A-5, the FRA/HSRA should adopt a “severe” impact L_{dn} noise criterion of 5 dBA for all areas in which the existing L_{dn} value is less than 55 dBA.

Even if we pretend for a moment that FRA’s assumptions are valid regarding 50 dBA being the lowest annoyance level (it isn’t) and 5 dBA representing only a 2% increase in annoyance (it doesn’t); these erroneous assumptions still do not justify FRA’s determination that, for quiet communities like Acton, incremental noise increases are not deemed “severe” until they reach 15 dBA *on average*. FRA provides absolutely no data to support this outrageous determination, which must be abandoned in the Palmdale-Burbank HSR EIR/EIS.

It is also noted that a key element that is missing from all FRA/HSRA noise impact assessments is a consideration of the *actual* sound level increases that high speed trains create. This is specifically contrary to noise assessment and impact procedures adopted by

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high speed rail agencies outside the United States. The calculation procedures presented in the 2012 FRA Noise Assessment Manual clearly demonstrate that noise levels outside the high speed train right-of-way width will commonly exceed 100 dBA and do so with great frequency (up to 20 times per hour), yet the very real impacts created by these significant noise events (such as sleep disorders, inattentiveness, etc.) are completely ignored in every environmental assessment that is performed. In fact, prior environmental reviews conducted by FRA/HSRA have gone to great lengths to avoid reporting any Sound Exposure Levels (SEL) for high speed trains *even though* this is precisely the information that is of primary interest to the public! For example, the only instance in which the Merced-Fresno EIR/EIS even considers “actual” sound exposure levels is in the discussion of “animal impacts”, and that analysis was cursory at best. Residents in the communities of Fresno, Merced and Bakersfield have not been provided any information regarding the actual noise levels that they will be forced to endure. This is not acceptable to the community of Acton, which must be provided a full and complete picture of the actual sound exposure levels that will be occur along all of the high speed train corridors that are proposed.

2.2 Onset Rate

Despite its reliance on a 24 hour averaging method to determine the “significance” of high speed train impacts, FRA acknowledges that “The presence of a high-speed rail system in close proximity to homes may result in a new noise unlike other existing sources of community noise”, and further acknowledges that this new noise exposure can be characterized “by sudden onset of high noise levels for a short duration”⁷. FRA cites research done by the U.S. Air Force which indicates that a “startle” effect occurs for noise onset rates as low as 15 dBA/second⁸ FRA’s own data clarify that, for steel wheel systems operated at 220 mph (which are proposed for the Palmdale-Burbank segment), a 15 dBA/second noise onset rate can occur within 100 ft of the train corridor⁹ Nonetheless, FRA has declared (without citing any studies or actual evidence) that a 30 dBA/second noise onset rate will be the basis upon which “startle” effects will be considered significant¹⁰ even though such an assumption is inconsistent with, and substantially more than, published studies. Of equal concern is the fact that FRA/HSRA consider data relevant to “startle” effects to be informational only¹¹, which means that “startle” effects are not considered to be a legitimate element of any high speed rail noise impact assessment or mitigation effort. In other words, FRA/HSRA acknowledge that “startle” effects present a new and significant noise impact that is unique to high speed rail systems, but do not intend to consider the “startle” effect to be as an actual impact which requires mitigation. This is not surprising, given FRA’s/HSRA’s intractable (and inappropriate) commitment to using the 24-hour noise averaging “Ldn” model to establish high speed train noise impacts. The 24-hour noise averaging model does not (and cannot) accommodate “startle” effect and rapid onset rate impacts, so FRA/HSRA simply disregards these impacts based on an arbitrary (and technically insupportable) impact threshold of 30 dBA/second rather than the 15 dBA/second threshold supported by published studies. The 30 dBA/second noise “Onset Rate” threshold is inadequate and technically insupportable, therefore the Community of Acton demands that 1) An onset rate significance threshold of 15 dBA/second be established for the Palmdale-Burbank segment, and 2) The areas where high speed train noise models indicate a 15 dBA/second onset rate will occur must be clearly mapped for all the high speed train corridors that are proposed.

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2.3 Animal Impacts

FRA admits that it has not established any “criteria relating high speed train noise and animal behavior” though it acknowledges that high speed train noise characteristics “are similar to low overflights of aircraft”, and that such noises “can have a disturbing effect on both domestic livestock and wildlife”¹². FRA further admits that hearing in animals differs from hearing in humans, thus it may not be appropriate to establish noise impacts on animals via the “A-weighting” approach implicit in FRA’s noise impact assessment procedures¹³. Nonetheless, and despite the fact that “Long-term effects [of noise on livestock and wildlife] continue to be a matter of speculation” and the lack of sound weighting data “established for representing the hearing characteristics” of animals, FRA has adopted “interim” criteria for establishing high speed rail noise effects on animals, and declared that these “interim” criteria are to be used until “further research results are known”¹⁴. The problems with this approach are almost too numerous to count, not the least of which is that FRA has been using this “interim criteria” for more than 10 years, and has failed to conduct *any* of the research needed to properly establish an accurate and responsive approach for determining high speed train noise impacts on animals¹⁵.

FRA has shirked its duties and abdicated a fundamental responsibility by failing to develop an appropriate means for assessing and mitigating this high speed train noise impact. Rather than properly developing appropriate noise impact criteria for animals, FRA has merely “borrowed” the 100 dBA SEL criteria developed by the U.S. Air Force without any consideration of whether the Air Force criteria is even applicable to high speed rail operation! For the record, it is not. The Air Force established the 100 dBA SEL for *turkeys* experiencing *occasional* low aircraft overflights that do not occur continuously or at the same frequency as high speed rail systems¹⁶. In other words, the low aircraft overflights considered in the Air Force turkey study do not occur 272 times per day, every day of every week of every year (which is the high speed train schedule proposed for the Burbank-Palmdale section¹⁷), so it is clearly inappropriate to rely on this study as the basis for developing a high speed rail noise impact threshold for all animals. More to the point, a turkey’s response to infrequent and unscheduled 100 dBA noise events is not *in any way* representative of all animal responses to frequent (272 times per day) noise events that will exceed 100 dBA. This fact is made clear in the FRA’s 2012 Noise Impact Assessment Manual, which clarifies that mammals will break and run at noise levels as low as 77 dBA¹⁸. The failure of FRA/HSRA to establish an effective means of assessing high speed train noise impacts on animals is a matter of substantial concern in Acton, which is not only an equestrian community (whose residents ride extensively throughout the proposed HSR corridors) but also has numerous and extensive agricultural and animal rescue facilities which accommodate a wide range of domestic and wild animals including horses, cows, chickens, sheep, tigers, llamas, emus, etc.

To address these failures, FRA/HSRA must provide accurate Sound Exposure Level (SEL) contour maps for each of the high speed rail corridors proposed in the community of Acton. Some horses are exceptionally skittish, and will react in panic at noise levels that are quite low (in fact, FRA’s own data establishes that sounds as low as 77 dBA will cause antelope to run). Therefore, these SEL maps must be sufficiently detailed to enable Acton residents to

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ascertain where it may be unsafe or inappropriate to ride their horses or establish other equestrian or animal uses based on their own knowledge of their animal's intrinsic temperament. At a minimum, noise contours for the community of Acton must be provided in 10 dBA increments and extend to areas where the SEL = 60 dBA. Notably, FRA/HSRA have not developed SEL contour maps in *any* of the environmental impact studies that have been completed to date (including the Merced-Fresno EIR/EIS and the Fresno-Bakersfield EIR/EIS). When I asked an FRA/HSRA engineer at a recent scoping meeting why SEL maps were not included in prior HSR environmental reviews, I was told that "they are not required by the Manual". The engineer who made this statement is very much mistaken; the 2012 FRA Manual clearly requires that high speed train impact assessments must include tabulated noise prediction results that are also illustrated by "contours, cross sections, or shaded mapping" [See page 11-2].

3. NOISE MITIGATION

For areas in which modeling results indicate "severe" project noise impacts will occur, FRA/HSRA is supposed to implement mitigation measures to reduce noise levels. According to the 2012 FRA Noise Assessment Manual (which addresses federal NEPA issues), the need for mitigation depends on the magnitude of the impact, cost, and other factors. CEQA imposes different mitigation requirements, and in fact mitigation measures and/or project alternatives that successfully reduce significant impacts while achieving most project objectives **must** be implemented unless it can be conclusively demonstrated (by substantial evidence) that the cost to implement these alternatives or mitigation measures will make the entire project financially infeasible. Since the high speed train project proposed by the HSRA is subject to CEQA, the more stringent mitigation/project alternative requirement applies.

A number of problems have been found with the manner in which FRA/HSRA addressed noise mitigation measures in previous impact assessments. For example, in the "Noise and Vibration Technical Report" prepared for the Merced-Fresno EIR/EIS, it is impossible for the reader to ascertain the actual level of noise mitigation that was achieved by the limited number of 12 foot sound barriers which were proposed. The Technical Report first maps the locations where noise mitigation measures could be applied (Figures 8-1 to 8-4). Then, it maps (in Figures 8-5 to 8-8) where potential sound barriers could be deployed (without explaining how or why these elements differ). Then the Technical study lists the sound barrier lengths that would be "cost-effective", the number of "severe" impact reductions that would be achieved by these sound barriers, and the number of "severe" impacts that would remain (Tables 8-1 to 8-5). Then, in Tables 8-5 to 8-13, the Technical Report lists additional details about the "cost effective" barriers and again identifies the number of "severe" impacts remaining. One obvious problem with this information is that the values reported for residual "severe" impacts in Tables 8-1 to 8-5 don't agree with the values reported in Tables 8-6 to 8-13¹⁹. Another problem is that there appears to be no connection between the "severe impact" numbers reported in Table 7-1 and the numbers reported for "Severe Receptors Protected", "Severe Impacts Eliminated", and "Residual Severe Impacts" in Tables 8-1 to 8-4. A more substantial problem is that the Merced-Fresno EIR/EIS and accompanying Technical Study discuss only "severe" impact reductions

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in those limited areas where noise barriers were deemed “cost effective”. It fails to address reductions in “severe” impacts that were achieved overall for each project alternative, and it fails to clarify why barriers along portions of the proposed corridors were deemed not “cost effective” even though they would have clearly reduced impacts on severely impacted receptors²⁰. In other words, FRA/HSRA failed to explain why severely impacted receptors located in certain areas were deemed not “cost-effective” to protect.

These omissions are inconsistent with the instructions provided in Chapter 11 of the 2012 FRA Noise Assessment Manual, which requires that environmental documentation “provides the vehicle for reaching decisions on appropriate mitigation measures” and “Reasons for dismissing any abatement measures should be clearly stated, especially if such nonimplementation results in significant adverse effects”. In the Merced-Fresno environmental documents, FRA/HSRA fails to even point out that these “cost” decisions actually left many receptors unprotected. This fact only comes to light if one embarks on an exhaustive comparison of tabulated data spread throughout the Technical Report. Worse yet, FRA/HSRA fail to provide any reasons why it was deemed “cost effective” to protect some severely impacted receptors, but not others. Perhaps FRA/HSRA has developed some sort of “unit cost per severe receptor saved” threshold which was applied to the Merced-Fresno project to decide who is protected and who is not. One can only guess, because the matter is left unaddressed in the environmental documents. One thing is certain, the public has a right to know the details of such decisions, therefore it is expected that such information will be provided in the environmental documentation prepared for the Palmdale-Burbank section.

An additional concern is the astonishingly high reduction in “severe impacts” that the “cost effective” noise barriers achieved for Merced-Fresno segment; according to Tables 8-1 to 8-4 of the Technical Study, as much as 95% or more of the “Severe Receptors” are protected. The noise barriers considered for this project are (with few exceptions) only 12 feet high, and are therefore barely tall enough to reduce aerodynamic noise generated at the train nose and are *too short* to reduce aerodynamic noises generated at the (15 foot high) pantograph. Under these conditions, the shielding for this subsource SEL is negligible, and the SEL passby value would remain quite high, corresponding to much higher Ldn values (after mitigation) than the reported results suggest. The FRA/HSRA environmental documents don’t bother to explain how these extraordinary reductions are achieved; they are just presented as fact. This is unacceptable; any mitigation levels claimed in FRA/HSRA environmental documents prepared for the Palmdale-Burbank segment must be conclusively proven and explained.

Beyond these issues, there remains the inescapable fact that **none** of the mountains of data provided in the Merced-Fresno EIR/EIS provide any indication of the actual sound level reductions that will be achieved by the noise barriers that are proposed **even though this** is precisely the issue of primary concern to any and all individuals affected by the CHSRA project. This established FRA/HSRA “pattern” of providing enormous quantities of tabulated mitigation data that is inherently inconsistent and which says virtually nothing about actual noise level reductions is **unacceptable** to the Community of Action. Action residents expect that the EIR/EIS prepared by FRA/HSRA for the Palmdale/Burbank route

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will provide sufficient data to confirm the noise reduction levels that are claimed and it will provide noise contours plots that show the extent to which proposed mitigation measures will reduce projected noise levels. This information must be provided in a format which would enable a reasonable individual to confirm that the results are consistent with the noise exposure level and mitigation calculation procedures provided in the 2012 HRA Noise Assessment Manual.

Additionally, CEQA does not allow the HSRA to avoid environmentally superior alternatives or mitigation measures simply because they are not deemed "cost effective". To the contrary, HSRA must conclusively demonstrate (based on substantial evidence provided in the record) that the incremental cost of implementing either the environmentally superior alternative or the appropriate mitigation measures is so great that it renders the altered project economically infeasible [CEQA Statutes § 21002.] The Merced-Fresno EIR provided no evidence that the entire project would be economically infeasible if sound barriers were placed wherever significantly impacted receivers were found, therefore it violates CEQA statutes. Acton expects that HSRA will not repeat these substantial violations in the Palmdale-Burbank EIR.

Finally, it must be pointed out that **all** of the impacts that the high speed train project will create in Acton, Agua Dulce, Santa Clarita, Sylmar, San Fernando, and all communities north, west and east of the Angeles National Forest ("ANF) can be **completely eliminated** simply by routing the train into the ANF outside of Acton (see location depicted in Figure 1) and maintain it underground along a route that avoids all Acton residential areas. As shown in Figure 2, this "environmentally superior" alternative would require a slight adjustment of the "study area" depicted in Exhibit 1 of the HSRA's Notice of Preparation issued July 24, 2014.

4. ACTON-SPECIFIC ISSUES AND OTHER CONCERNS REGARDING THE PALMDALE-BURBANK HSR NOISE IMPACT ANALYSIS

In addition to the concerns, comments and issues presented above, there are additional issues which must be addressed in the EIR/EIS noise impact analysis, including:

1. Along the eastern and southern portions of Acton, (and particularly in the vicinity of Angeles Forest Highway and Aliso Canyon Road), construction on the Tehachapi Renewable Transmission Project ("TRTP") will continue through the end of next year. Therefore, it is imperative that FRA/HSRA refrain from collecting any "existing" noise data in these areas until after TRTP construction is completed. If this instruction is not heeded, the background data that is collected will not properly represent actual noise conditions in the area, which will invalidate the entire noise impact analysis in Acton.
2. Equestrian uses and unique animal facilities predominate in Acton, and are found in all locations along and within every train corridor proposed for the Palmdale-Burbank segment. Noise impact assessments conducted for these uses and facilities

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must be comprehensive, accurate, and representative. FRA/HSRA staff should work closely with Acton residents to ensure all possible animal issues are addressed.

3. Acton is a desert community with little vegetation or ground cover. Therefore, a "soft ground" sound propagation condition is not an appropriate noise modeling input.
4. Acton has hills, valleys, canyons, and extensive geographical contours. Therefore, careful attention must be paid to elevation and distance parameters assumed in all noise impact calculations.
5. The "Alternative Corridor Study Area" depicted in the CEQA Notice of Preparation is particularly troublesome because it overlays all of Acton's residential neighborhoods on the east side of town and on the south side of town (including the residential areas located within the Angeles National Forest ("ANF") along the Angeles Forest Highway and Aliso Canyon Road). In fact, this "Study Area" appears to intentionally route the train *away* from the ANF to the greatest extent possible, and then enter the Forest only *after* it has passed through Acton. Considering this "Study Area" in conjunction with the two additional routes proposed through Acton, it appears obvious that the CHSRA has no intention of avoiding significant adverse impacts in Acton despite the existence of an alternative that does precisely that. Acton can easily be protected by placing the train corridor in the Angeles National Forest outside of Acton (See Figure 1), and maintaining the train underground and away from residential areas. This can be accomplished by a slight adjustment to the Study Area (See Figure 2). CHSRA must seriously consider this alternative, since it can be configured to avoid impacts to every one of the numerous cities and residential areas that are located north and east of the ANF.
6. Track maintenance operations typically occur at night. According to an acquaintance who lives a short distance from the Acela Station in Boston, nighttime maintenance activities are exceedingly loud and as disruptive as high speed train operations. Yet, none of these impacts are addressed anywhere in previous environmental assessments conducted for the California High Speed Rail. The sound impact analysis for the Palmdale Burbank segment must properly address and thoroughly mitigate any and all maintenance impacts on the community of Acton.
7. FRA/HSRA must perform follow-up noise measurements to confirm the accuracy of their predicted noise levels, and if actual noise levels exceed the predicted values, additional mitigation measures must be implemented.

5. SUMMARY

In summary, the following must be accommodated in the noise impact study that is prepared for the Palmdale-Burbank high speed train project:

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- Develop a route alternative in which the train enters the Angeles National Forest (“ANF”) outside of Acton (see Figure 1), remains underground in Acton, and avoids all residential areas to protect residential wells.
- Recognize that this route alternative eliminates virtually **all** noise impacts on **all** cities and **all** communities to the north, south, and east of the Angeles National Forest and is therefore the “Environmentally Preferred Alternative” as that term is contemplated by CEQA regulations
- NEPA requires to that an FRA project EIS consider “direct effects, which are caused by the action and occur at the same time and place” [40 C.F.R. § 1508.8(a)]. This requirement is not satisfied the disclosure of a 24-hour averaged noise parameter which combines existing ambient noise events with projected train noise events. Similarly, CEQA requires HSRA to disclose the “direct impacts” of a project to the public, which can only be construed to mean that the actual sound level projections must be disclosed in the Palmdale-Burbank EIR. These requirements can only be satisfied by including in the Palmdale-Burbank EIR/EIS detailed high speed train noise contour maps for Acton that are plotted in 10 dBA increments and which range from the maximum value to 60 dBA or less.
- Consistent with the requirements imposed by FRA’s 2012 manual, provide noise modeling assumptions and sound exposure calculation parameters in sufficient detail to allow the public to check SEL results plotted in the noise contour maps.
- Ensure that the noise propagation parameters assumed in all noise modeling efforts are appropriate to geographic and ground conditions in Acton.
- Map L_{dn} noise measurements that establish existing noise conditions in Acton including exact locations, dates, and times of measurements.
- Map L_{dn} noise contours in 10 dBA increments ranging from maximum values to 60 dBA based on projected train noise levels in Acton.
- Consistent with a mathematically accurate interpretation of Figure A-5 provided in the 2012 FRA Noise Assessment Manual, adopt a “severe impact” L_{dn} noise criterion of 5 dBA for all areas in which the existing L_{dn} value is less than 55 dBA.
- Consistent with CEQA requirements that an EIR quantify and mitigate actual project impacts, establish a “severe” noise impact SEL criterion that addresses both high speed train sound exposure levels and projected train passby rates, then map (in 10 dBA contours) all locations in Acton where this “severe” noise impact SE: criterion is met or exceeded, and designate these locations for mitigation.

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- Establish a "severe" noise impact SEL criterion of 15 dBA/second for noise onset rate impacts, then map all locations in Acton where this "severe" noise onset rate noise impact criterion is met or exceeded along all the train corridors proposed for the Palmdale-Burbank route and designate these locations for mitigation.
- Establish a "severe" noise impact SEL criterion of 75 dBA for animal noise impacts, then map (in 10 dBA contour increments) all locations in Acton where animal noise impact criterion is met or exceeded along all the train corridors proposed for the Palmdale-Burbank route and designate these locations for mitigation.
- Provide assumptions and modeling inputs used to derive all mitigated noise projections in sufficient detail to allow members of the public to confirm the accuracy of the mitigation levels claimed.
- If noise mitigation measures are deemed appropriate for some portions of Acton but not for others, provide details regarding such decisions, recognizing that CEQA does not permit the HSRA to reject feasible mitigation measures unless the marginal cost of such measures are so great that they render the entire Palmdale-Burbank project economically non-viable. Note: The fact that the California High Speed Rail Project is intrinsically non-viable from an economic perspective shall not factor into this decision.
- Provide mitigated L_{dn} noise contour maps in 10 dBA increments that range from maximum values to 60 dBA and are based on projected train noise levels (with mitigation)) for all high speed train corridors proposed in Acton.
- Provide mitigated SEL noise contour maps in 10 dBA increments that range from maximum values to 60 dBA and are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton.
- Provide mitigated noise onset rate contour maps that are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton.
- Provided mitigated animal noise impact maps in 10 dBA increments that are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton for Acton.
- Provide both a qualitative discussion and a consistent quantitative analysis of the extent to which mitigation measures successfully reduced severe L_{dn} noise impacts, severe SEL noise impacts, severe noise onset rate impacts, and severe animal noise impacts.
- Along the eastern and southern portions of Acton, (and particularly in the vicinity of Angeles Forest Highway and Aliso Canyon Road), construction on the Tehachapi Renewable Transmission Project ("TRTP") will continue through the end of 2015. Therefore, it is imperative that FRA/HSRA refrain from collecting any "existing" noise data in these areas until after TRTP construction is completed. If this

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instruction is not heeded, the background data that is collected will not properly represent actual noise conditions in the area, which will invalidate the entire noise impact analysis in Acton.

- Equestrian uses and unique animal facilities predominate in Acton, and are found in all locations along and within every train corridor proposed for the Palmdale-Burbank segment. Noise impact assessments conducted for these uses and facilities must be comprehensive, accurate, and representative. FRA/HSRA staff should work closely with Acton residents to ensure all possible animal issues are addressed.
- FRA/HSRA must perform follow up noise measurements to confirm the accuracy of their predicted noise levels, and if actual noise levels exceed the predicted values, additional mitigation measures must be implemented.

Respectfully submitted;

/s/ Jacqueline Ayer
Jacqueline Ayer
AirSpecial@aol.com
2010 West Avenue K, #701
Lancaster, CA 93536

August 29, 2014

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Figure 1. Area Where Corridor Enters the Angeles National Forest to Avoid Acton Homes

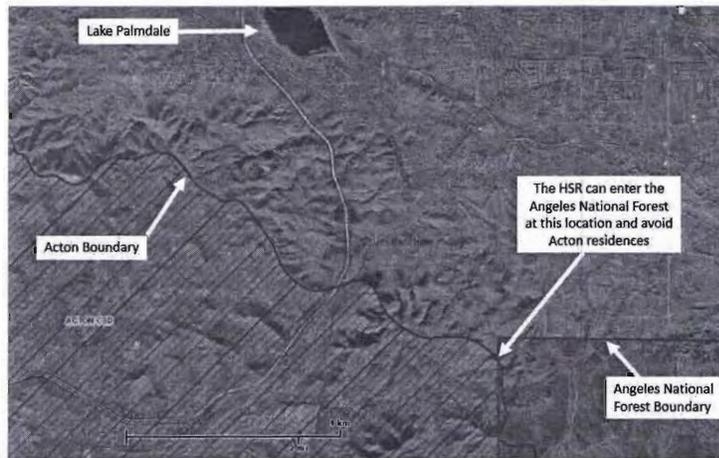
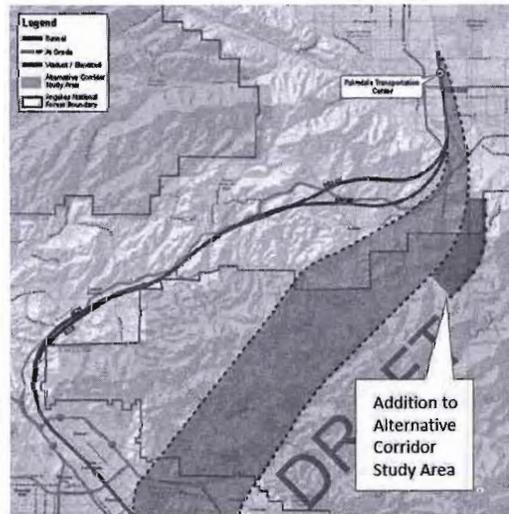


Figure 2: Alternative Corridor Study Area Adjustment



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FOOTNOTES

¹ Page 2-4 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

² Figure 2-6 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation. Note this figure, though generalized, indicates a 30 dB sound increase when going from a conventional locomotive operating at approximately 110 mph to a high speed train operating at approximately 200 miles per hour (where $V_{t1} = 60$ and $V_{t2} = 160$ as indicated in Table 4-5).

³ Page 6-2 of the "Noise and Vibration Technical Report" from the Merced-Fresno Project EIR/EIS issued April 2012, which states that 188 trains (94 in each direction) traveling between San Francisco to LA will pass through or stop in Fresno during the day, and 28 (14 in each direction) will do so at night. In addition, 48 trains (24 in each direction) traveling between Sacramento and Los Angeles will pass through or stop in Fresno during the day, and 8 more trains (4 in each direction) will do so at night. Assuming more than half the day trains run during peak hours results in a trip frequency exceeding 20 trains per hour.

⁴ Figure 2-2 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

⁵ Figures 2-6, 4-1, and pages 2-8 to 2-11 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

⁶ Actual noise exposure levels double with each incremental increase of 10 dBA, so a 10 dBA increase results in a doubled noise exposure level, a 20 dBA increase results in a quadrupled noise exposure level, and a 15 dBA increase approximately results in a tripled noise exposure level.

⁷ Page A-17 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

⁸ Page A-18 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

⁹ Figure 2-2 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation. Note that for ICE systems, an onset rate of 15 dB/second is possible for a speed/distance factor of 2, and

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assuming a train speed of 220 mph, this onset rate can occur within 110 feet of the high speed rail corridor.

¹⁰ Page 2-7 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹¹ Page 2-7 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹² Page 3-2 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹³ Page A-20 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁴ Page A-20 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁵ See 2005 version of the "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁶ F. Bradley, C. Book, and A.E. Bowles. *Effects of Low-Altitude Aircraft Overflights on Domestic Turkey Poults*, Report No. HSD-TR-90-034, U.S. Air Force Systems Command, Noise and Sonic Boom Impact Technology Program, June 1990.

¹⁷ Page 6-2 of the "Noise and Vibration Technical Report" from the Merced-Fresno Project EIR/EIS issued April 2012, which states that 188 trains (94 in each direction) traveling between San Francisco to LA will pass through or stop in Fresno during the day, and 28 (14 in each direction) will do so at night. In addition, 48 trains (24 in each direction) traveling between Sacramento and Los Angeles will pass through or stop in Fresno during the day, and 8 more trains (4 in each direction) will do so at night. This results in a total of 272 trains traveling between Fresno and Los Angeles each day.

¹⁸ Table A-1 on Page A-21 of the 2012 "High-Speed Ground Transportation Noise and Vibration Impact Assessment" Manual published by the Federal Railroad Administration's Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁹ For example, 25 is the number of residual severe impacts for the BNSF alternative reported in Table 8-2, but the sum of all the numbers of residual severe impacts for this alternative that are reported in Tables 8-9 to 8-11 only add up to 17.

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²⁰ For example, Table 7-10 reports that 520 residences, 3 hotels, 1 park and 1 church will have “severe” impacts associated with the proposed hybrid alternative. Yet, Table 8-3 indicates that 416 “severe” receptors will be protected by the “cost effective” noise barriers, and 25 will not. There is no discussion of the extent (if any) to which the remaining 100 receptors will be protected, and why they it was deemed not “cost effective” to protect them.

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Page 1 of 1

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LOS ANGELES, CA 90012

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September 11, 2014)

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August 29, 2014

Via E-Mail and Federal Express

Mark A. McLoughlin
Director of Environmental Services
ATTN: (Palmdale to Burbank)
California High-Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012

Re: **Scoping Comments Re Palmdale to Burbank Alignments**

Roar Foundation
PO Box 189
Acton, CA 93510
Attn: Tippi Hedren (tippilion@aol.com)
661-268-0380
www.Shambala.org

Scoping Meeting: August 11, 2014
Meeting Location: Acton Public Library

Dear Mr. McLoughlin:

On behalf of our clients, the Roar Foundation and Tippi Hedren, a resident of Acton and the founder and Director of the Roar Foundation, we hereby submit the following comments with respect to the High Speed Rail Authority's scoping meeting conducted on August 11, 2014 at the Acton Public Library in regard to the proposed Palmdale to Burbank Alignments.

The Roar Foundation is a 501(c)(3) non-profit organization that operates the Shambala Preserve ("Shambala" or the "Preserve"), a 75- acre preserve in Soledad Canyon on the Santa Clara River in Acton California.

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The Shambala Preserve is the home presently for over 35 exotic felines and has provided sanctuary since 1983 for over 250 big cats, including lions, tigers, cougars, blank and spotted leopards, servals, bobcats, Asian leopard cats, snow leopards, cheetahs, lynxes, tigers, and ligers. The animals come to the Preserve after confiscation by government authorities, including California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, the U.S. Department of Agriculture, Society for the Prevention of Cruelty to Animals and the Humane Society. The animals are cared for by a dedicated group of professionals. The animals live out their lives in a place, while not their natural habitat, which provides a comfortable and healthy environment, vastly superior to cages or zoos or the deplorable conditions from which some of them were rescued. The Preserve offers large areas (much larger than any zoo), carefully planned diets to keep them healthy and expert veterinarian care. The annual cost to house, feed and care for the animals is \$1,000,000 (\$75,000 per month) which is raised solely from donations from the public. Please see the attached [Exhibit 1](#) for information regarding the Preserve.

Although unclear from the maps provided by HSRA, the Preserve appears to be in the direct line of the proposed HSR's Palmdale to Burbank alignments. The Preserve is located in Soledad Canyon, just north of Soledad Canyon Road and its boundaries extend north of the existing Southern Pacific/Metrorail right-of-way. Recently Roar commissioned a survey of its boundaries. That survey was recorded on October 30, 2013 as RS258-085. A copy of the Land Records Viewer (dpw.lacounty.gov) shows the recently complete survey and the boundaries of the Preserve. (See [Exhibit 2](#)). As seen on the map, the railway right-of-way (by easement) runs through the Preserve at the north end (See attached [Exhibit 3](#)). At the Scoping Meeting on August 11, 2014, the HSRA engineers advised that the proposed alignments would include a viaduct through the Shambala Preserve.

In addition to the comments below, Roar objects to the proposed alignments, SR14 E and SR14 W Hybrid. County Supervisor Michael Antonovich proposed an alternate direct alignment initially in a letter to the HSRA in October of 2013 and most recently in a letter dated April 8, 2014 to Jeff Morales, CEO of the CHSRA. The alignment suggested by Mr. Antonovich included a tunnel-oriented alternative between Palmdale Transportation Center (PTC) and the Burbank airport which would avoid the intrusive impacts to Acton's open spaces. The Roar Foundation supports an [underground alternative](#) as it would be, as suggested by Mr. Antonovich, "more direct, faster, less costly and less community intrusive." Importantly, this route if [completely underground](#) and below the Angeles Crest Forest (slightly outside the proposed SLUG) would pose no impact to the Preserve or the residents of Acton. As set forth in 40 C.F.R. Section 1502.13, lead agencies have a duty to "rigorously explore and objectively evaluate all reasonable alternatives." The route suggested by Mr. Antonovich is depicted on the most recent alignment maps provided by HSR as a large irregular shape known as the "Slug". The Slug appears to be approximately 6-8 miles wide, but no specific route is identified. While we

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agree that the least harm would be caused by the tunnel alternative suggested by Mr. Antonovich, we believe that the Slug study area should be shifted slightly east to the Angeles Crest Forest (which is within the confines of Acton). Such a route would likely have no impact to Acton residents, its wildlife, its water resources and its rural and peaceful atmosphere. A suggested addition to the Slug study area is attached hereto as [Exhibit 4](#). The Roar Foundation requests that the HSRA consider and study this alternate alignment as required by CEQA.

In addition to the above comments and requests, the Roar Foundation has the following additional comments in response to the HSRA's request for scoping comments.

1. **Aesthetics.** According to HSRA engineers present at the Scoping Meeting, the proposed alignments would run the HSR over a viaduct in the rail right of way ("ROW") within the Preserve's boundaries. The viaduct would necessarily substantially damage the rural vista looking across the Preserve as it is proposed to be approximately 16 feet above ground. It is noted that the proposed viaduct would likely be constructed on large concrete pillars with a twin box girder structure (as seen in the General Guidelines for HSR in Fresno/Elevated Structures [Exhibit 5](#)). This monolithic structure is referred in the Design Guidelines as "very visible" and would run along the back side of the Preserve clearly blighting the view.

Clearly such a structure would substantially alter and negatively impact the view towards the mountains. The view is already impacted by the Metro and Southern Pacific RR, however, those are at grade and the proposed viaduct would be 16 feet above grade at Shambala and further impair the view. The character of the area is rural and mountainous and the views are an important part of such character. The beauty of the area is the quiet and peaceful setting (See [Exhibit 6](#) for views at the Preserve). In December of 1995, the Los Angeles County Code was amended to add Section 22.44.126, the Acton Community Standards District. The Intent and Purpose of the District was to "protect and enhance the rural, equestrian and agricultural character of the community and its sensitive features including Significant Ecological Areas, flood plains, hillsides, National Forest, archaeological resources, multi-purpose trail system and the Western heritage architectural theme. The standards are intended to ensure reasonable access to public riding and hiking trails and to minimize the need for installation of infrastructure such as sewers, street lights, concrete sidewalks and concrete flood control systems that would alter the community's character. Additionally, at Section 22.44.126 (c,8) exterior lighting must "minimize off-site illumination where lights are required, cut-off fixtures in keeping with Western frontier architectural style..." In fact, Shambala's conditional use permit requires that it "is required to direct security lighting away from natural areas and use motion detectors to minimize the use of outdoor lighting." Clearly the interest of all of these requirements is to maintain the beauty and natural surroundings. The HSRA should take into account these standards "minimize disruption of view corridors, scenic vistas..." and must address these impacts in the EIR/EIS.

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In addition to the Acton Community Standards District, the Antelope Valley Plan policies require that non-residential development (Non-Urban-1) designs be “compatible with and sensitive to surrounding scenic and natural resources.” Shambala was required, in order to obtain its conditional use permit to operate the Preserve, to comply with these policies as well as to comply with all requirements of the California Department of Fish and Game, the U.S. Army Corps of Engineers, the California Regional Water Quality Control Board and the California Department of Fish and Game. The HSRA should take into account all of the requirements to which all residents are required to comply and be certain that its EIR/EIS meets all of these standards to maintain the integrity and nature of the scenic and natural resources.

Further, the EIR/EIS should consider the light and glare impacts of the HSR to ensure the peaceful environment can be maintained. Distracting light and glare could be disruptive to the operations of the Preserve and the fact that the HSR would be raised above the site, the aesthetic and light and glare impacts downhill from the site could significantly affect operations of the Preserve, even from long distances. These potential impacts must be addressed in the EIR/EIS.

“Shambala” in Sanskrit means “A meeting place of Peace and Harmony for all beings, animal and human.” The additional disruptions from the trains will render the peaceful Preserve noisy and unfriendly to humans and animals alike. Agencies, such as the Department of Fish and Wildlife are dependent upon Roar to house the animals confiscated from citizens and circuses. If the Preserve isn’t maintained, there will be no place for these animals to be cared for. It would be impossible to recreate the Preserve should relocation (because of the detrimental effects of the HSR) be necessary. There is no comparable site (containing a River and Lake) with the acreage necessary to house the animals in the vicinity or elsewhere. Section 4(f) of the Department of Transportation Act (49 U.S.C. Section 303, 23 U.S.C. Section 138) prohibits the use of historic sites, parks, wildlife refuges or recreation areas for federal transportation projects unless there is no “feasible and prudent alternative” to using the site, and the project includes all possible planning to minimize harm to the site. While Shambala is not a federal wildlife refuge (there are none for exotic big cats), it does provide the Department of Fish and Wildlife and other agencies with a place for confiscated exotics, which the federal system does not have. The work of Shambala would be destroyed by the proposed alignments. The HSRA through the EIR/EIS should address the aesthetics and the loss of the refuge should the HSR alignment cross the Preserve.

2. **Air Quality.** Concern exists for air quality to the big cats and other exotics as well as those working at Shambala, its visitors and patrons. Animals are highly sensitive to air quality. Roar believes that the construction, maintenance, and operational phases of the HSR could be catastrophic to the habitat and the Preserve’s activities as dust, smoke, and potentially asbestos from the disturbance of serpentine rock which is present in the area (see **Geology and**

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Soils below), is released into the air. Valley Fever (where spores are released into the air from dirt movement typical in construction) is a concern for the area, not only for humans, but for animals as well. Valley Fever can affect not only dogs, cats, and horses, but other exotic animals. <https://www.vfce.arizona.edu/ValleyFeverInPets/VFID-other.aspx> The Fresno HSRA EIR response to the concern for Valley Fever, provided only for the care of construction workers, not animals or humans. Consideration for the protection of the residents is just as important as those building the HSR. Moving the alignment away from the Preserve and the town of Acton is essential to prevent harm to the animals, our employees, our volunteers and guests. All animals are not affected in the same manner and domestic animals studies are not appropriate to evaluate the effects on exotics. The EIR/EIS must address the issues relative to air quality as they specifically impact the exotic animals housed at the Preserve. In addition, the concern for Valley Fever must be addressed in the EIR/EIS with respect to the animals living in this area and in particular the exotics housed at the Preserve.

All of the above concerns also apply to the residents and visitors to Acton. The EIR/EIS must address the air quality issues as they affect everyone.

3. **Biological Resources.** There are several known environmentally protected species that exist in the area. In particular, the Unarmored Threespine Stickleback (*Gasterosteus aculeatus williamsoni*), an endangered species, is found in the Santa Clara River, designated a Significant Ecological Area ("SEA"), which is adjacent to the Preserve. Arroyo Southwestern Toad (*Bufo microscaphus californicus*) and the California Red-Legged Frog (*Rana draytonii*) also reside in the area and the Red-Legged Frog is on the verge of extinction. Disruption of the habitat by years of construction and on-going repair would decimate the habitat for these species which are already designated as Species of Special Concern and/or Threatened Species. In 2007, the Department of Agriculture raised concerns with respect to the HSR and its affect on wildlife movement throughout the area. The Department of Agriculture noted that the Santa Clara River is "still wild, supporting a diversity of species, and providing a multitude of ecosystem services that should be maintained." The Santa Clara River runs directly adjacent to the Preserve and the above species may be found on the Preserve (the Stickleback in particular is present on the Preserve). The proposed routes, according to the Department of Agriculture would "create a barrier to wildlife movement much more severe than the current railroad for several reasons, including the fact that the entire ROW would be fenced, there would be massive cut and fill slopes along Soledad Canyon with additional impacts in the Santa Clara River, and with the estimated 86 weekday trains (or more) traveling at 200 mph in each direction would create 172 (or more) noise and vibration events per day. The EIR/EIS must evaluate the impacts on both sides of the proposed rail line(s) for impacts to riparian and aquatic life by reason of the cut and fill slopes. The Department of Agriculture recommended that HSRA consider an alternative alignment "following SR-14 perhaps in the highway median." It is unclear whether this recommendation was ever considered, but as set forth above, the lead agency is required to consider all reasonable

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alternatives. It appears that the Department of Agriculture was not included in the scoping process for the Palmdale to Burbank alignments. It is important that this key stakeholder participate in the process.

In addition, the Department of Agriculture noted that the Santa Clara River is the most “prominent riparian feature ... meandering along the Forest Service boundary in the southern part of the linkage, from Acton west to Pole Canyon.” Although portions are urbanized, the “remaining riparian areas are crucial for sustaining populations of water-dependent species (e.g. western pond turtle, two-striped garter snakes, and mountain kingsnake).” Therefore, the EIR/EIS should thoroughly consider and address the concerns for the riparian dependent populations.

As stated in **Aesthetics**, above, the Los Angeles County Code was amended to add Section 22.44.126, the Acton Community Standards District. The HSR would potentially conflict with the purposes of the local ordinance protecting the Significant Ecological Areas, flood plains, hillsides, National Forest, archaeological resources, and multi-purpose trail system Western heritage architectural theme as well as the protections afforded under the Antelope Valley Plan. Accordingly, the EIR/EIS must consider and address these conflicts.

4. **Noise and Vibration.** The noise of construction and routes of trains traveling 12-15 times (or more) per day at 200+ miles per hour will be extremely disturbing to the exotic animals who reside at Shambala. The Preserve is or has previously handled the following large exotics: lions, tigers, mountain lions, servals, tigers, ligers and on occasion, elephants. These animals are highly sensitive to sound. Loud noise can cause agitation in animals which will likely have negative consequences for the animals’ health and well-being. The construction of the track through the mountain (tunneling) may require explosives which will further agitate the animals. In addition to the noise from initial construction (truck noise, blasting, jackhammering, helicopter movement, etc.) and the trains themselves, train repairs will add to further disruption and noise on an ongoing basis. It should be noted that when helicopters are used for film-making in the area Shambala requires a no-fly zone over the Preserve because of the significant agitation and stress of the animals. Moreover, initial construction of the train and subsequent repairs will likely involve nighttime work hours requiring lighted skies which again are disturbing and pose a threat to the animals. The Preserve is already subjected to the noise from the Metrorail and the Southern Pacific RR. Adding high-speed trains as often as is projected (especially when traveling at such speeds) and across a large concrete viaduct will make the habitat unlivable for animals as well as humans.

Southern California Edison has a construction project in Acton which has caused unbelievable disruption to the area. Explosive devices causing dust and noise were used in the process. Clearly, the project of SCE is small compared to the HSR which will take years to

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build. Helicopters, explosive blasting, and truck noise are only to be more common with the building of the HSR. The constant assault on the local environment will be devastating. Noise studies in the EIR/EIS must take into account the animals that will be subjected to the noise in this region, including those at the Preserve. Studies that apply to the startle effect on domestic animals do not necessarily apply to tigers, lions and other exotics living at the Preserve. The Preserve is within 125 feet of the ROW at some points. Assuming that the animals will become “used to the noise” is not established by any studies on animals of the nature living at the Preserve in such close proximity. Furthermore, averaging the noise (dB) over 24 hours as the HSRA has done in the other HSR EIR/EIS reports does not adequately measure the noise levels or the disruption to residents of Acton because the standards being used by HSRA do not take into account the three dimensional topography of the area nor the fact that Acton, as a desert, has very little vegetation cover in most areas and therefore does not provide a “soft-ground” as compared, for example, to the Merced-Fresno EIR/EIS. At 100 feet from the HSR, the sound of the train will produce 100 dB per sound, 85 dB is the point at which sustained exposure may result in hearing loss. By averaging the sound over 24 hours (at 12 trains per day), the HSRA is able to reduce the dB level to 77.5. The actual sound will not be “averaged” by the animals or humans affected. Attached to these comments ([Exhibit 7](#)) are the Scoping comments from Jacki Ayer, a local resident and engineer who has done significant research on the potential noise impacts of the HSR. Roar hereby incorporates those comments by reference and requires that the EIR/EIS carefully and thoroughly study and address these significant noise impacts to ensure that the operations at the Preserve, as well as those to Acton’s residents, are not impacted (or are sufficiently mitigated) by the proposed HSR alignments. CEQA requires consideration of actual impacts resulting from actual project noise conditions, not the “average” sound levels for areas that are not comparable. Accordingly, the EIR/EIS must address these issues without “assuming” impacts based upon contrived and diluted data.

The vibration created by the construction of the train and the ultimate running of trains along the Soledad Canyon corridor must be addressed in the EIR/EIS. The Preserve resides in the Soledad Canyon. The Canyon walls are steep and rock falls and slides are common. Vibration from the HSR (both construction and operation of) may cause slope instability. The destabilization of the slopes caused by the construction and operation of the HSR, including grading and excavation, could undermine the foundation and cause damage not only to the Preserve, but to the nearby properties and roads (in particular, Soledad Canyon Road which borders the Preserve). The EIR/EIS must thoroughly address the site-specific geologic conditions to ensure that the Preserve and the Canyon walls are not negatively impacted.

5. **Hydrology and Water Quality.** A portion of the Santa Clara River flow is diverted through a stream and lake system on the Preserve. The streams and lakes serve as a water source for waterfowl, fish and wildlife on the site. The diversion of river water meets the requirements of the CRWQCB, the California Department of Fish and Game and the U.S. Army

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Corps of Engineers. In addition to providing a water source for fish and wildlife, the water may be used/pumped by the County Fire Department in the case of fires in the area (the Preserve and the surrounding areas are considered to be “high fire hazard areas”). Loss, disruption and/or heightened use of these water resources by HSRA during construction and operation would be detrimental to the operation of the Preserve and potentially hamper the ability to fight fires in this high fire hazard zone. The EIR/EIS must thoroughly study and address the impact to Shambala’s water system and be certain that the Preserve’s (and the area’s) system and safety is not impacted negatively by the HSRA.

In addition, trenching and tunneling will have a high impact on individual well production. Most, if not all of the residents of Acton, including Shambala, rely on private residential wells for their drinking water. Tunneling and pumping by HSRA will likely have detrimental effects on the water use by the residents. In addition, water is at a great premium while the state is in a drought. Any additional pumping by HSR will likely make the situation worse. The EIR/EIS should address the location of all wells (HSRA must conduct detailed hydrogeological surveys of all proposed routes that extend at least one half mile on either side of the route and which identify all residential well systems within those areas and extend the areas beyond those constraints if there are potential well impacts resulting from the HSR construction). The EIR/EIS must also identify in its survey the location of wells that may be adversely impacted and the extent to which they may be impacted to determine the thresholds for “significant”/“severe” well impact. In addition, the EIR/EIS should address the water shortage, the plan for the acquisition of water and the effects on all community members. Use of District 14 water is a concern for the community and the EIR/EIS should address the source of water proposed so that the community can better evaluate the water issues. At a meeting on July 30, 2014 Michelle Boehm, High-Speed Rail Authority Regional Director, advised the community members present that if “they lost their well, they would get a new one.” Accordingly, the EIR/EIS must address the impact on individual wells to ensure that all residents will not be impacted or will be provided a new well that is consistent in all respects with a lost well. The EIR/EIS must also address the control of run-off during construction, how it will prevent disruption to hydroecological patterns and demands of water during construction and beyond.

6. **Land Use and Planning.** The Roar Foundation requests that the land use and planning impacts of the alternative proposed alignments be evaluated for their appropriateness. Both the SR 14 East and SR14 Hybrid (and the SLUG if not extended as suggested) would cut the town of Acton in two. Construction of the HSR conflicts with the general plan of the community which has been designated as rural. THERE IS NO BENEFIT TO THE COMMUNITY of Acton—including the fact that there is no train stop, and the proposed alignments would necessarily destroy the small rural community’s nature. In addition, the equestrian and public hiking trails are located within the proposed alignment corridors. Residents of Acton also maintain private trails for their horses—one of the very reasons the

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residents have moved here. The EIR/EIS should address the access to these trails in light of the proposed fencing of the HSR. Please also see the comments raised in **Aesthetics**, above.

7. **Geology and Soils.** Several earthquake faults, including the San Andreas Fault are within a few miles of the city of Acton. The Acton Quadrangle has been named an official seismic zone and listed as VERY HIGH RISK. The USGS database shows that there is a 94.66% chance of a major earthquake of 5.0 magnitude within 50km of Acton, CA within the next 50 years. The largest earthquake within 30 miles of Acton, CA was a 6.7 Magnitude in 1994. Liquefaction can occur at 5.5 magnitude earthquake (there is an 82.36% chance of a 5.5 earthquake in the same area and same time-frame). The EIR/EIS should thoroughly examine and discuss the risk to residents and the community of a high speed rail through this area in light of the geological nature of the area. Furthermore the EIR/EIS must address the issue of soil contamination from trenching, drilling and boring. Serpentine rock, which contains naturally occurring asbestos is found in the Acton area. Disturbance of serpentine rock is dangerous to the health of the residents (including the animals) and the EIR/EIS must thoroughly study and address the issue as the cost of containment and removal (during the construction process) is significant, but the failure to do so could potentially be lethal.

In the event of a derailment or other accident, serious damage to the enclosures and the Preserve could endanger not only the animals, but individuals as well. High speed rail accidents have occurred in other countries with devastating results. The EIR/EIS should address the question of derailments and other dangerous accidents (for example, human error), especially in connection with an earthquake, to ensure that potential accidents can be avoided and safely maintained.

8. **Public Services.** SR 14 Hybrid proposes to cross the mouth of Red Rover Mine Canyon Road. There is a safety issue relative to this alignment in that the canyon road dead-ends at two miles into a mountainside. There is no alternative evacuation route in the event of a derailment or other disaster. The EIR/EIS must address this safety concern and any others created by the proposed alignment.

The SR 14 East alignment passes close to the public middle school and high school and poses concerns about the potential traffic impacts through the construction phase (estimated to last 3-4 years). The effects of increased traffic must be considered to ensure that emergency personnel can access the area. The nearest hospital to Acton is 20 miles north of the town. Response time in emergencies will be impacted by road closures. The EIR/EIS must identify study and address all of these emergency response issues.

9. **Economic and Social Impacts, Environmental Justice (Blighting).** The funding to operate the Preserve will be greatly impacted by the HSR. Shambala depends on the

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donations of supporters and visitors. The loud noise of a train traveling at 200+ mph (12-15 (or more) times per day), the traffic impacts, road closures and general disruption during construction will be a distraction and/or deterrent to the visitors upon whose donations the Preserve depends. Roar holds monthly safaris for interested donors as well as several major fundraising events. All of these events would be impacted by the proposed trains. Safaris with trains speeding past at 200+ miles per hour are not consistent with a peaceful habitat for these endangered animals and fundraising activities to cover the cost of providing the habitat. The EIR/EIS must take into account the significant negative impacts to the economics of the community and, in particular, Shambala.

The property values of the residents will be reduced drastically by the intrusion of the HSR (estimated by local realtors to be 70% down). There is no planned stop in Acton so there is no benefit-- economic or otherwise--whatsoever to the citizens of Acton. Property owners are already starting to sell with no new buyers likely given the responsibility of realtors to advise of the train possibility (without any specific alignment designated). The three alignments all will divide the Acton communities. Proximity to schools of the HSR will likely require the closure of the school during construction and possibly beyond. The students will be bused to other towns. Loss of income for citizens and the community is likely. Teachers will leave for other towns, local businesses will be impacted as street closures (permanent and temporary) will impact drive times, distances and cost. The EIR/EIS must consider and study all of these economic impacts to the residents.

As mentioned above, Roar went through an extensive and expensive conditional use permit process to be able to operate the Preserve. All of the following agencies were consulted and approved the use. The costs to date have been extremely expensive. Further costs to move (should the train noise and other matters be, as expected, detrimental to the animals), would be exorbitant and it is likely that the Preserve would have to be shut down.

Department of Fish and Wildlife
Department of Health Services
Department of Animal Care and Control
County Fire Department
California Regional Quality Water Control Board
California Department of Fish and Game
US Army Corp of Engineers
Acton Town Council

While all of the listed considerations are important, the Roar Foundation would like to emphasize that all environmental categories of the EIR/EIS should consider the serious impact to the Acton community and its residents, including the Shambala Preserve. Shambala provides an

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essential and important service to not only the town of Acton, but to the state of California and, indeed, the United States. The placement of the HSR through this town would forever destroy the peaceful community and likely destroy the Foundation's good works and future ability to provide sanctuary to the animals.

The Roar Foundation requests that the EIR/EIS consider the alternative suggested by Michael Antonovich to route the train underground in the area east of the town (through Angeles Crest Forest—a portion of which is, in fact, in Acton) and avoid the dire consequences of the proposed SR 14 East and SR 14 Hybrid (and possibly the SLUG which alignment has not been identified) routes. Roar requests that the SLUG be extended as set forth in the attached Exhibit 4 to avoid the severe consequences to the area and its residents. Both CEQA and NEPA require HSRA to consider a range of project alternatives that would substantially meet project objectives and protect the environment and the community resources. The suggested extension of the SLUG study area must be considered in order to ensure compliance with CEQA and NEPA. In addition, it appears that key agencies have been omitted from the scoping process without explanation (U.S. Forest Service/U.S. Department of Agriculture). In light of the request for consideration of the SLUG alignment, as well as the issues pertaining to biological resources, both of these agencies should have been included in the scoping EIR/EIS process. The EIR/EIS must consider the alternatives that protect these locations and other sensitive areas. The Roar Foundation believes that exploration of this alternative must be completed to ensure that the EIR/EIS and its analysis strictly complies with federal and state laws and regulations regarding the placement of transportation projects near sensitive uses like that of Shambala and Acton, especially in light of the fact that a nearly identical route to the SLUG would virtually avoid all harm to the residents (human and animals) of Acton.

Very truly yours,



Mary C. Alden

MCA

Enclosures (*as stated*)
cc: Tippi Hedren, President, Roar Foundation

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SHAMBALA

EXHIBIT 1

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THE ROAR FOUNDATION, founded in 1983 by Tippi Hedren. Our mission is to educate the public about the dangers of private ownership of exotic animals and maintain The Shambala Preserve. Huge numbers of exotic dangerous animals are bred and sold in the United States for illegal purposes. Private ownership presents a grave danger to the public, and is cruel and unfair to these animals. More stringent legislation is needed to prohibit breeding and selling. We are actively involved on federal levels.

The Shambala Preserve has been home to exotic felines and has provided lifelong sanctuary to lion, tiger, cougar, black and spotted leopard, serval, bobcat, Asian leopard cat, snow leopard, cheetah, lynx, tigon, African elephants and one magnificent liger. They came to the preserve after confiscation by authorities, such as California Fish and Game, U.S. Department of Agriculture, SPCAs, and Humane Societies. They are from roadside zoos and private citizens who realized they purchased an animal they could no longer handle. According to U.S. Fish and

Wildlife, the exotic cat trade is a huge business, on par with illegal drugs. Once an animal is brought to Shambala, it remains here for the remainder of its life. As a true sanctuary, we do not buy, breed, sell, trade or subject the wild ones to commercial use. Our only purpose is to allow these magnificent animals to live out their lives with understanding, love and dignity. Each has the best human, nutritional, medical, emotional and mental care possible.

There are many ways you can support **THE ROAR FOUNDATION**: You can **Join our Pride** by becoming a member; become a **Wild Parent** through our adoption program; donate an item from our Wish List; attend a Sunset Safari; visit The Shambala Trading Post; volunteer; and for a truly memorable experience spend an entire night in one of our authentic African Tents! Also, one special weekend a month, we open our gates to the public for a small admission (by reservation only).



ALL GUESTS MUST BE 18 YEARS OR OLDER,
 WITH THE EXCEPTION OF OUR SCHOOL PROGRAM

LEADERSHIP



Tippi Hedren
 President
 The Roar Foundation

Screen star **Tippi Hedren** may be most noted for her starring roles in Alfred Hitchcock's "The Birds" and "Marnie", but it was the movie "ROAR" that would become the genesis of **The Shambala Preserve**. When filming was complete, Ms. Hedren transformed the "ROAR" movie set into a safe haven for abused, abandoned or unwanted exotic cats. Most were rescued from deplorable situations. Since 1983 Tippi Hedren, in addition to serving as President of The Roar Foundation, has tirelessly campaigned to pass legislation to prevent illicit breeding of exotic cats as pets. The "Captive Wildlife Safety Act", which Tippi coauthored, was introduced by her Representative Buck McKeon, passed by the House and Senate

and signed by President Bush on December 19, 2003. Ms. Hedren's second bill, which she coauthored as well, "Big Cats and Public Safety Protection Act", was introduced in the House in May and the Senate in July, 2013. On October 24, 2009, Tippi passed Shambala's Director Gavel to **Chris Gallucci** who sits on **THE ROAR FOUNDATION** Executive Board as V.P. of Operations. Chris has been on staff at the preserve since 1975 and plays a major role at **The Shambala Preserve**. Mr. Gallucci says that "This position is filled with enormous responsibility, and I accept it."



Chris Gallucci
 Director
 The Shambala Preserve

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SUNSET SAFARIS

SUNSET SAFARIS

Summertime brings long, warm evenings to the canyon, with special delights to be discovered at Shambala.

Come watch and listen to the changes that come over Shambala as the sun sets. Flocks of birds fly in to settle for the night in the reeds along the lake. As darkness begins to fall, the cats become active - if we're lucky, we will hear the call of the tigers, then a lion will begin to roar. One by one the others join in, until the sound reverberates through your very bones!

We will have a tour of the Wild Ones, and enjoy a tasty light meal and coffee served at sunset. There will be casual entertainment - but the most enjoyable part will be found in the conversations, both animal and human, and the unbelievable beauty of a very unusual place - and you never know what celebrities might be dropping by!

These memorable events are limited to 35 people, guaranteeing an exclusive experience not to be missed! Join us to experience the amazing ambiance of Shambala at Sunset.

Please call the Shambala Preserve for reservations:

661.268.0380

*\$150 per person - Non-Refundable • Limited to 30 guests
 Rescheduling may not be possible. Please keep this in mind when booking.
 All visitors must be at least 18 years old.
 Pets are not allowed on the property and may not be left in vehicles.*



SUNSET SAFARI SCHEDULE

All guests must be at least 18 years old to attend

2014

May 10th	7pm - 10pm
June 14th	7pm - 10pm
July 12th	7pm - 10pm
Aug 9th	6pm - 9pm
Sept 13th	6pm - 9pm

MEMBERSHIP

I WANT TO "JOIN THE PRIDE"

Enclosed is my donation in the amount of \$ _____
 for the membership level indicated by animal (right) _____
 New Member Renewing Member Date _____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

THIS IS A GIFT MEMBERSHIP PLEASE SEND TO:

Name _____

Address _____

City _____ State _____ Zip _____

Message: _____

My Extra Gift for the Wild Ones: \$10 \$25 \$50 Other \$ _____

Check Enclosed Credit Card

Card# _____

Exp Date _____

Signature _____

Men's T-Shirt Size: S M L XL XXL

Ladie's T-Shirt Size: S M L XL XXL

Sweatshirt (black, leopard and above): M L XL XXL

Please do not send Gifts and use my membership donation for the Wild Ones.

MEMBERSHIP LEVELS

\$25 BOBCAT

Benefits: Membership Card and Pin, 10% Discount in Shambala Boutique Invitation to Fall Members Celebration & Special Events, Roar Foundation Decal, and ROAR NEWS.

The Following Annual Membership Levels Include Bobcat Benefits:

\$50 JUNGLE CAT (In memory of Kerniti) - Membership T-Shirt

\$75 SERVAL - *1 Safari Pass and Membership T-Shirt

\$125 MOUNTAIN LION - *2 Safari Passes - Membership T-Shirt

\$150 LEOPARD - *2 Safari Passes - Membership T-Shirt and Cap

\$300 BLACK LEOPARD - *4 Safari Passes - Membership T-Shirt,

Sweatshirt and Cap

\$500 SNOW LEOPARD (In memory of Samson and D'Brug) -

*6 Safari Passes - Membership T-Shirt, Sweatshirt and Cap

\$1,000 CHEETAH (In memory of Subira) - *8 Safari Passes -

Membership T-Shirt, Sweatshirt and Cap

\$1,500 LION - *10 Safari Passes - Membership T-Shirt, Sweatshirt

and Cap

\$2,500 TIGER - *12 Safari Passes - Membership T-Shirt, Sweatshirt

and Cap, Autographed Video of the movie "Roar"

\$5,000 LIGER (In memory of Patrick)* - Membership T-Shirt, Sweatshirt

and Cap, Autographed Video of the movie "Roar"

and a Private Tour for up to 35 guests

\$10,000 ELEPHANT (In memory of Timbo and Cora) -

Membership T-Shirt, Sweatshirt and Cap, Autographed "Roar" Video,

Overnight Safari Getaway Experience for two at Shambala's

"MALAIKA MARQUEE"

*Shambala visits will be scheduled on regular Safari Days

and passes are not accepted for Sunset Safaris.

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ADOPTION

ADOPT A WILD ONE

Our Adopt-A-Wild One program is a unique and special experience. As an adoptive parent you will have the exclusive privilege of visiting your "Wild One" on Parent's Day, currently the first Saturday of the month. You may show off your Wild One by bringing 2 guests to the Preserve per year. You will walk around with the animal crew and the other adoptive parents and watch as your special Wild One gets a femur bone (for the very low cost of \$10 each). You will delight in seeing your animal enjoy this delicious treat! Bring a picnic lunch and after the animals get their bones, you may go to Lake Shambala to eat and enjoy the company of the other adoptive parents.

When you choose to adopt one of our Wild Ones, your contribution helps support the vital work we do in providing a wonderfully safe haven for animals who have previously been abused, abandoned, or forced into acting careers, etc.

The first step in joining the distinctive group of Adoptive Parents is to choose your Wild One. After your third monthly payment you will receive an 8"x10" photo of your Wild One, and a Certificate of Adoption signed by Tippi Hedren. When you visit on Parent's Day a member of the Shambala animal crew will be happy to tell you about the characteristics of the species and the individual personality traits of your special animal. Please consider adopting one of our dear Wild Ones. The cost is so small and the rewards are immeasurable.

I WOULD LIKE TO ADOPT

The Name of the animal I've chosen is _____
 Lion Tiger Bobcat Spotted Leopard Black Leopard
 Asian Leopard Cat Cougar Serval

DONATION SCHEDULE

Lion/Tiger -12 monthly donations of \$75.00 or \$900.00 annually
Cougar/Leopard/Serval/Bobcat/Asian Leopard Cat
 12 monthly donations of \$50.00 or \$600.00 annually

Enclosed is my: (check one) 1st Monthly donation of \$ _____
 or Annual donation of \$ _____

I would like to contribute an extra gift for the Wild Ones \$ _____

I understand that my donation will help to feed, house and care for my "Wild One," and that he/she will continue to reside at The Shambala Preserve. I further understand that my exclusive privileges as an "Adoptive Parent" will remain for as long as I continue my tax-deductible support of the "Wild One" I have chosen to adopt. **All visitors must be at least 18 years old. Pets are not allowed on the property and may not be left in vehicles.**

Please sign below: Adoption Date _____

Signature _____

Name _____ Birthday _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

AFTERNOON SAFARIS



AFTERNOON SAFARI SCHEDULE

All guests must be at least 18 years old to attend

**ALL TOURS START AT 12 NOON
CHECK IN OPENS AT 11:30**

2013	2014
Sept 14-15	Jan 11-12 May 17-18 Sept 20-21
Oct 12-13	Feb 8-9 June 21-22 Oct 11-12
Nov 9-10	Mar 8-9 July 19-20 Nov 8-9
Dec 14-15	Apr 12-13 Aug 16-17 Dec 13-14

All photos © Bill Dow 2013 unless otherwise noted.

AFTERNOON SAFARIS

A three hour planned program begins at noon. Check in opens at 11:30 A.M. You are welcome to bring a picnic lunch. Private safaris on other dates may be arranged for groups of 35 or more persons. Please phone for details.

Please reserve _____ places at the Shambala Preserve on _____

I have enclosed my check made payable to THE ROAR FOUNDATION in the amount of \$ _____ (\$50 admission per person). The Roar Foundation cannot accept credit card reservations. I understand that no tickets will be mailed to me. My name and the number in my party will be listed at the Shambala reception desk on the day of my visit. I also understand that there will be no refunds, but I may re-schedule my visit for a different day by notifying The Roar Foundation at least 7 days prior to my originally scheduled event.

I would like to contribute an extra gift for the Wild Ones \$ _____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

Signature _____ Number in Party _____

**TO AVOID UNNECESSARY EXPENSE, NO TICKETS WILL
BE MAILED OR CONFIRMED BY PHONE. All visitors must
be at least 18 years old. Pets are not allowed on the property
and may not be left in vehicles.**

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EDUCATION

Shambala has a very special educational program for students. Whether Girl Scouts, Boy Scouts, or school groups there are wonderful lessons for students 8 years and older to learn. Our trained professional staff conducts a walking tour of the preserve that is home to captive-born exotic felines. As the lions roar and the tigers chuff, the students get a first-hand lesson on the habits and history of these beautiful creatures. Their questions are answered and they meet a variety of exotic cats, such as African lion, tiger, leopard, serval and mountain lion.

They will learn of the need for legislation to ban the illegal ownership of exotic cats. They will also become aware of the "Captive Wildlife Safety Act", passed by President Bush in December, 2003, due in great part to the tireless efforts of Tippi Hedren and The Roar Foundation. This bill prevents the transport of these exotic animals over state lines and emphasizes why it is so important that these beautiful creatures never become a family "pet". They will also learn about the new bill "Big Cats and Public Safety Protection Act" introduced in the House on May 16, 2013.

*For information on scheduling a student tour,
please call: 661.268.0380*



MISSION STATEMENT

*The Roar Foundation supports
The Shambala Preserve and shares its mission:
To educate the public about exotic animals
and to advocate for legislation to protect them.
To provide sanctuary to exotic animals who have
suffered from gross mistreatment and neglect so
they can regain their physical and mental health
and live out their lives in dignity.*



**THE ROAR FOUNDATION
SHAMBALA PRESERVE
6867 SOLEDAD CANYON RD
ACTON, CA 93510
T 661.268.0380
F 661.268.8809**

**WWW.SHAMBALA.ORG
TWITTER.COM/SHAMBALAPRESERVE
WWW.FACEBOOK.COM/ROARFOUNDATION**

The Roar Foundation, a California nonprofit corporation, tax-exempt as a public charity under Section 501(c)(3) of the Internal Revenue Code. Donations are tax-deductible as allowed by law.



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
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LETTER TO CONGRESS from TIPPI HEDREN July 13, 1014

The Captive Wildlife Safety Act, which passed unanimously and was signed into law by President Bush on December 19, 2003, is to stop the interstate traffic of big cats for sale as pets or for financial exploitation. That bill was inspired by a prototype I brought to my U.S. Representative "Buck" McKeon. The bill now before Congress, (H.R. 1998, S.1381) "Big Cats and Public Safety Protection Act", I also brought to Rep. McKeon in 2007. This bill is to stop the breeding of big cats (apex predators) to be sold as pets and/or used for financial exploitation. It will be up for review in the Senate in the middle of this week, July 14-17, 2014, hopefully to be voted upon.

I'm urging you to support this bill. Not one more human adult, or child, should be maimed for life or killed by a big cat. Not one more big cat should be abused by being born in captivity under the misunderstanding that they will be a good pet; or be brutalized into doing tricks for our "entertainment".

My qualification to ask for this support is: I have rescued and provided sanctuary for big cats born in the U.S. since 1972. I founded The Roar Foundation in 1983 to become the financial support arm for The Shambala Preserve and to educate the public against owning wild animals. We have rescued and given lifetime care to over 250 exotic big cats over these years. I also have been the sitting President of the American Sanctuary Association, an accrediting organization for wild animal facilities, as well as a wildlife placement organization, since 2000.

Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This instinct/gene manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out". In the human species, these kinds of

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

dictates are referred to as psychopathic. Our jails are filled with psychopaths who can, and will, harm or kill any being, with no sense of conscience or remorse. These conscience and remorse instinct/genes are absent in the big cat predator as well.

In my studies of the big cat since 1972, and while living at Shambala alongside them since 1976, I have found them to be infinitely fascinating – and life threatening. Their physical beauty is magnificent and it is the combination of that and their relationships, their sense of humor, their affection towards each other, and sometimes toward us that draws many of them to us.

But, their memories of a bad relationship with another animal or human, their possessiveness of objects and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, serial killers!

Those who we call “pets” live in our homes; we cuddle them, sleep with them, feed them well, play with them, call them family, playmates and friends. We are able to trust them. They are from an entirely different genetic mindset than the predator. Don't think of describing an exotic feline as a “pet”. Please, vote to stop apex predators from being bred as a pet for exploitation. Stop the misinformation sent to the U.S. population that any exotic feline can, or will, be a ‘great pet’.

I thank you for giving your support, because you in our Government are the only hope we have of stopping this insanity. I pray you will pass this vitally important bill, “Big Cats and Public Safety Protection Act”.

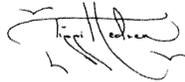
Who of you would put your child, your grandchild, your wife, friend or yourself in harms way for a photo op with a “great cat”? Would you place a loaded pistol on your coffee table?

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Since 2011, over 104 people have been maimed or killed by
big cats in the United States.

This responsibility lies with you,

Tippi Hedren



President-Roar Foundation
The Shambala Preserve
www.shambala.org
(661) 268-0380

July 13, 2014

Psychiatric Substantiation to Tippi's Letter to Congress

Enclosed is a psychiatric revision by a well known
psychiatrist in the Los Angeles Area, Praveen R. Kambam,
M.D., who I asked to read my Letter To Congress regarding
the scientific facts of my letter about the instinctive dictates
of the big cat predator. I am fortunate that he had the time
to work with me on this very important issue. This I did for
my own edification. If you would like to use it, I have
received approval from Dr.Kambam to use his psychiatric
evaluation. I simply want you to have a professional point of
view.

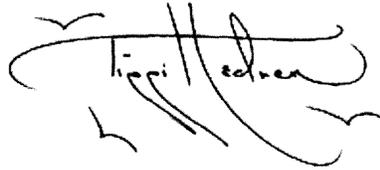
For clarity and ease of reading I have highlighted the text in
my letter that corresponds with the highlighted suggested
revisions in the psychiatric response letter.

I must say I am so proud that my studies since the 1970's
have been proven to be correct. This is the most important
time in my life. May my vision of the great cat never being
abused in captivity again, nor any human, child or adult be
maimed or killed by these magnificently beautiful killers
come to fruition.

Please know, I love these predators more than my next

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

breath, but they are not pets, nor can they ever be "trained" to do so. I love them, I fear them being bred in captivity. They should never have to know that kind of life.....!!!!



Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This instinct/gene manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out". In the human species, these kinds of dictates are referred to as psychopathic. Our jails are filled with psychopaths who can, and will, harm or kill any being, with no sense of conscience or remorse. These conscience and remorse instinct/genes are absent in the big cat predator as well.

Consider revising to:

Description of a big cat: Apex predator, top of the food chain, one of four of the most dangerous animals in the world, whose job in the wild is to take out any animal who is sick, old or lame. This hard-wired instinct manifests predatory behavior in captivity and threatens humans as well. Example: Roy Horn, who had a stroke on stage, survived the attack by tiger "Montecore" only because the trainers standing off-stage, managed to get the cat off of him. In Montecore's mind, Roy was physically hurt and had to be "taken out." "Montecore" attacked his long-time human companion without any remorse, empathy, or conscience, only reflexive predatory instinct. In the human species, individuals who lack conscience and empathy are frequently referred to as

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

psychopaths. They can harm or kill with no sense of remorse. This is true for the big cat predator as well.

But, their memories of a bad relationship with another animal or human, their possessiveness of objects, and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, serial killers!

Consider revising to:

But, their memories of a bad relationship with another animal or human, their possessiveness of objects, and always over food, are what can cause you to be caught in a serious situation. They can, and will, kill you if those possessions are threatened. I managed to live through those situations ... the scars are fading, but not the memories. I understand these magnificent beings way too well. They can never be trusted. They don't care about us! They are, in point of fact, predatory killers!

Praveen R. Kambam, M.D.
Board Certified in the Specialty of Psychiatry
Board Certified in the Subspecialty of Child and Adolescent Psychiatry
Board Certified in the Subspecialty of Forensic Psychiatry
Assistant Clinical Professor
Department of Psychiatry and Biobehavioral Sciences
David Geffen School of Medicine at UCLA

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

IMPORTANT INFORMATION FROM TIPPI HEDREN
PRESIDENT OF THE ROAR FOUNDATION

MARCH 29, 2014

Co Author of "Big Cats and Public Safety Protection Act"-H.R.1998/S.1381 which I presented to U. S. Rep. "Buck" McKeon
Has rescued and provided sanctuary to 235 Big Cats since 1983 when it became The Shambala Preserve.

I have been rescuing Big Cats bred and born in the US for over 40 years, to be sold as pets or for financial exploitation. They live in sanctuary at The Shambala Preserve which is also my residence outside of Acton, CA. I sit as President of the Roar Foundation which I founded in 1983, that serves as the 501 (C) (3) Non-Profit California Corp. and the financial support arm for the Preserve. I served as Director of the Shambala Preserve until 2009. In the year 2000, I was elected President of The American Sanctuary Association, which is an accrediting organization for Wild Animal facilities throughout the U.S. as well as a Wild Animal placement organization. I have successfully co-authored "The Captive Wildlife Safety Act" which my U.S. Representative "Buck McKeon" introduced and was passed unanimously in the House of Representatives and Senate. It was signed into federal law on Dec. 19, 2003. It was a beginning step for a bill to stop the breeding of these exotic Big Cats which has become a huge business in the U.S. and which, over decades, has been responsible for hundreds of killings and maimings of children and adults. There currently are 9 States that have no laws banning ownership of the Big Cats making a true census impossible to determine. Authorities estimate that there are tens of thousands of these animals in captivity inside the U.S.

I have currently co-authored a federal bill to stop the breeding of the Exotic Feline for personal possession or financial gain. It is now titled "Big Cats, Public Safety Protection Act, H.R.1998 and was introduced by Representative "Buck" McKeon along with Representative Loretta Sanchez in the House on May 16, 2013. The Senate version of the bill, S.1381, was also introduced under the same title on July 19, 2013 by Senator Richard Blumenthal.

My bill simply stated "Stops the Breeding of the Exotic Feline for Personal Possession or Financial Gain". I will continue to fight for the right of the Great Cats not to be born in captivity, until it becomes law. I would still like to continue my belief in the strength and moral fabric of our legislative system. H.R. 1998 and S. 1381 must be passed for public safety reasons and because it is the right thing to do! You, the voting public, can play a major role in stopping the insanity of breeding Great Cats. These are Apex Predators, top of the food chain, one of four of the most dangerous animals in the world maiming and killing humans. I know from where I speak as members of my family, myself and numerous film crew members of my film production ROAR have been seriously injured by these predators including one who was almost killed by a lion bite to the neck.

Demaneing the life of these magnificent, wild, dangerous animals by confining them to small cages and exploiting them for financial gain must be stopped. This bill is to protect human life as well as the humane treatment of the wild animal.

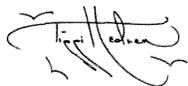
Your voice is important, please use it!!! You will be a very important part of changing history to save the lives of these Great Cats, from being born in captivity forever!!!! Not one more human child or adult should be maimed or killed by these apex predators.

These animals, being born in captivity by the thousands, many living in squalor, or beaten to do ridiculous tricks for circuses and shows, are often confiscated by authorities because of animal abuse. This is where facilities like The Shambala Preserve come in to place, providing sanctuary for Exotic Cats to live out their lives in dignity.

Your help is needed right now!!!!... Please support H.R. 1998 and S. 1381, to stop the breeding of these extremely dangerous Big Cats. I love these animals more than my next breath, but they are not pets, nor should they be subjected to being abused for our entertainment or kept in private homes, apartments or hovels.

I strongly urge you to protect human life, and stop the exploitation of Lions and Tigers by convincing our legislators to become involved and co-author "Big Cats and Public Safety Protection Act" - H.R.1998/S.1381.

With love for all beings, animal and human,



Tippi Hedren
President Roar Foundation
Shambala Preserve
www.shambala.org
(661)268-0380

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

These are three sample letters to be used as a source for letters you can write to your own U.S. Congressional representatives to support H.R. 1998 and S. 1381-“Big Cats and Public Safety Protection Act”.

There are more sample letters posted on the Current Legislation page at www.shambala.org

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Dear Representative XXXX,

Please co-sponsor H.R.1998 and S.1381-"Big Cats and Public Safety Protection Act"!

Big cats are not pets!! No human being is equipped to keep one of the four most dangerous animals on the planet in a cage in his or her backyard!!

Imprisoning a lion or tiger in a private neighborhood is not only indescribably cruel to the animal, who should instead be roaming the Serengeti and jungles of India and Asia....but it is also unfair to neighbors and to fire responders.

In today's day and age, parents have enough to worry about regarding their children's welfare. They have to keep an eye out for sexual predators on the internet....they shouldn't have to worry about apex predators in the neighborhood!! Not to mention, small children are the easiest prey for a hungry tiger.

When lions or tiger do get loose, and that inevitably will happen at some point, fire responders are also put in jeopardy. The life of a police officer should not be put on the line simply because a selfish individual feels the need to own wild cats! Also, fire responders are not trained to handle such situations (as was proven in Zanesville, OH in 2011), putting them in the regrettable position of having to shoot and kill the escaped big cats.

For the rest of their lives, the officers are burdened with guilt and forced to deal with the public's scrutiny of having had to murder innocent animals...not to mention, the ultimate price having been paid by the big cats, who lose their lives for not other reason than having been born in the United States.

Please co-sponsor H.R.1998 and S.1381-"Big Cats and Public Safety Protection Act". Exotic cats don't belong in family neighborhoods.

Thank you!

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Dear Congressman XXXX,

I am writing to ask you to support H.R. 1998 and S. 1381-“Big Cats and Public Safety Protection Act”.

This bill would prohibit the private ownership of big cats for personal possession or financial gain. Current owners would be grandfathered in to keep their exotic cats, but they could not acquire more or breed the ones they have. All exotic cat owners would be required to register their animals. Lions and tigers would still be found at accredited zoos and sanctuaries.

Passing H.R. 1998 and S. 1381 into law is crucial for two reasons: it preserves the safety of every person living in our country and it saves countless exotic cats from a captive life of neglect, abuse and outright misery.

In the past 21 years in the United States, big cats were directly responsible for the deaths of 5 children and 17 adults. In that same time, hundreds of savage attacks by captive exotic cats have been catalogued with injuries sustained being loss of limbs, brain damage, full body paralysis, broken bones, blindness, deafness, severe lacerations, etc.

Humans suffer when these apex predators act naturally on their instincts. But it is the lions and tigers in cages that suffer every single second of every single day by being deprived of their freedom. On top of that, they are often confined to tiny ramshackle cages with no shelter from the heat and cold, are fed poor diets, receive no veterinary care, and are offered no mental stimulation or emotional enrichment. Also, due to these animals being massive, powerful and aggressive, handlers use barbaric methods to control them such as stun guns, cattle prods, whips, pepper spray and even hot sauce.

Please support H.R.1998 and S.1381! You will not only be preventing future tragedies of people being mauled, but you will also be saving exotic cats from a pathetic standard imprisoned existence.

Thank you!

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Dear Representative XXXX,

I am in 100% support of H.R.1998 and S.1381-"Big Cats and Public Safety Protection Act".
As your constituent, I am asking you to support this bill as well.

Below are just some of the many benefits that will result from this legislation:

- Big cats would no longer be allowed as pets.
- Public contact with big cats would be completely banned.
- Cubs would no longer be exploited for entertainment purposes at birthday parties,
photo opportunities at malls, or "pay-to-play" exhibits.
- Big Cats would no longer be victims of canned hunting.
- Lions would no longer be farmed for meat.
- Breeding of big cats would only occur at accredited facilities.
- The USDA can perform more thorough inspections as the number of Big Cats in
captivity decreases.

H.R. 1998 and S.1381 would also require current owners, who would be grandfathered
in, to keep their cats and to register their animals with the USDA. Right now, there is no
accurate count on how many big cats are living in the United States, posing a burden
to first responders on an emergency scene.

Please be my voice in Congress and support H.R.1998 and S.1381-"Big Cats and Public
Safety Protection Act".

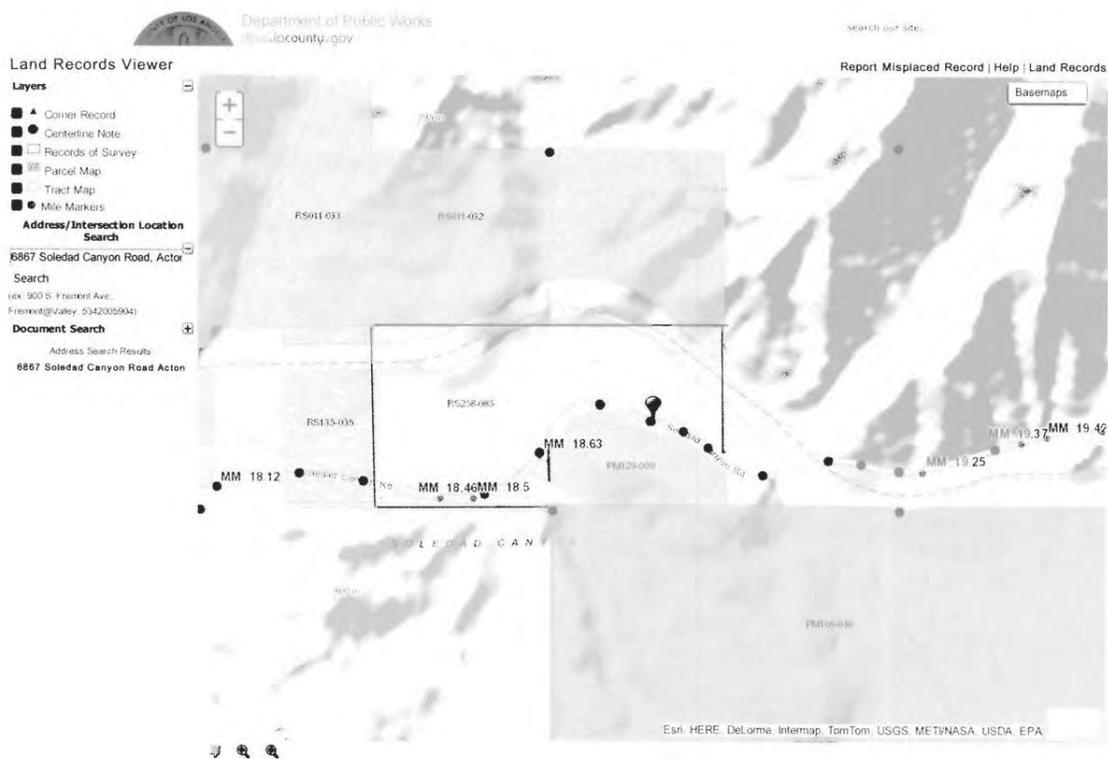
Thank you!

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

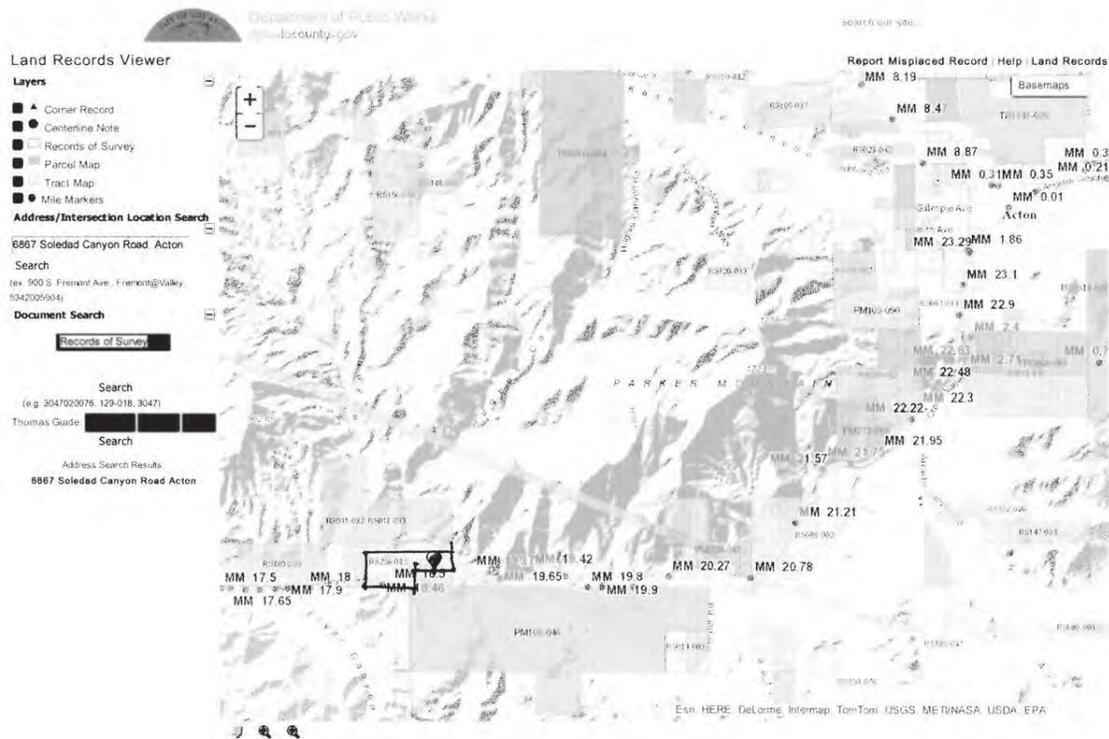
SURVEY BOUNDARIES

EXHIBIT 2

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

**Train Right-of-Way at Back of
Shambala Preserves**

EXHIBIT 3

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Suggested Widening of SLUG

EXHIBIT 4

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Figure 1. Area Where Corridor Enters the Angeles National Forest to Avoid Acton Homes

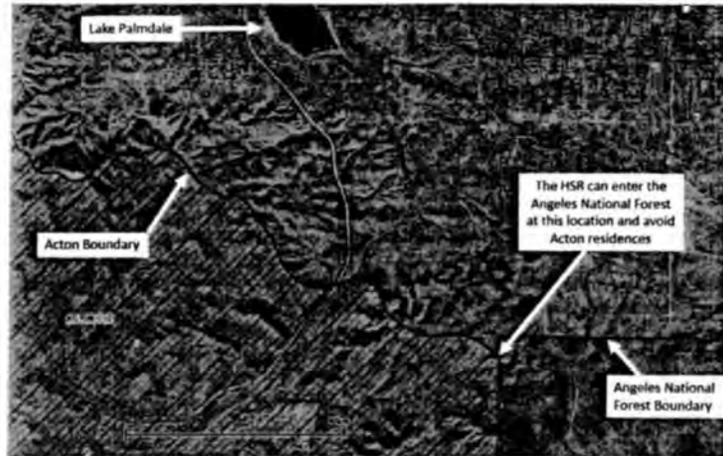
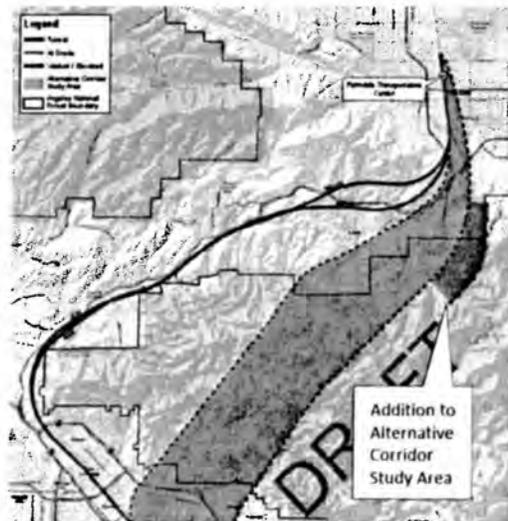


Figure 2: Alternative Corridor Study Area Adjustment



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

General Guidelines for HSR Fresno

EXHIBIT 5

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO Elevated Structures • Typical Guideway

The design of elevated structures and bridges will be a key element in the overall image of high speed rail as it passes through Fresno. These very visible elements should be coordinated with one another in Fresno, and with the rest of the system throughout the state.

The typical elevated portion of the alignment throughout much of the state-wide alignment and portions of Fresno is a single or twin box girder structure on single, flared piers. As indicated in the Concept Approach to HSR Design above and building on the CHSRA Architectural Guidelines, the recommended aesthetic design is aerodynamic, monolithic and curved/softened edges. The primary components are piers, a flared box section, deck overhangs with parapet type edge barriers and twin OCS poles. Steel superstructure box girder options may require additional work with deck and pier top to create a smooth relationship between pier and flared girders.

Recommendations: aerodynamic forms; curved edges; monolithic surfaces.

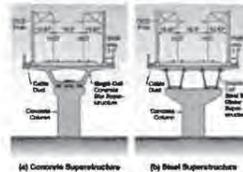
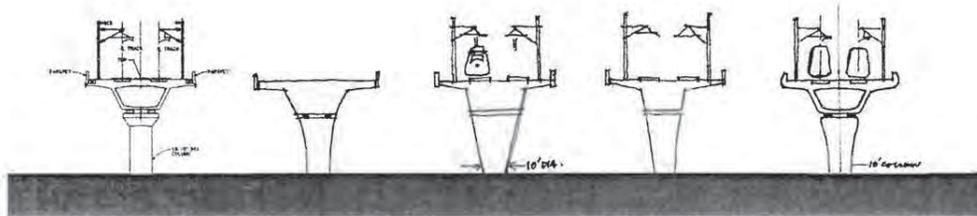


Figure 2-8
Elevated Structure Typical Cross Sections

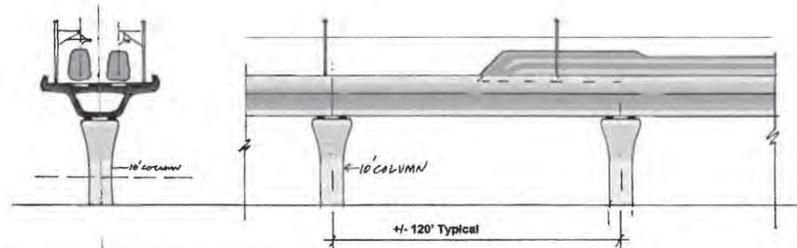


Example: Flared piers

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Evolution of the Design Concept: Several variations were explored for the basic form of columns, viaducts and parapet walls.



Recommended Viaduct Section/Elevation: Curved, smooth elevated structures, to match the speed and design of HSR vehicles

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO

Elevated Structures • Barriers & Piers

Deck/Barrier Edge

The recommended design calls for the edge between deck bottom and parapet barrier face to be rounded to complete the aerodynamic shape of the composite guideway. The solid parapet barrier also screens views of the track bed, rails and other equipment at track grade from the first few floors of adjacent buildings.

Recommendations: aerodynamic forms; curved edges; monolithic surfaces; solid concrete barrier.

Piers

The recommended pier design is round in cross section, flaring out at the top before intersecting with the box girder.

Recommendations: round section; aerodynamic forms; monolithic surfaces.



Example: Integrated viaduct and rounded parapet barrier



Example: Rounded, flared piers

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
 September 11, 2014) - Continued

GENERAL GUIDELINES FOR HSR IN FRESNO
Elevated Structures • Straddle Bents

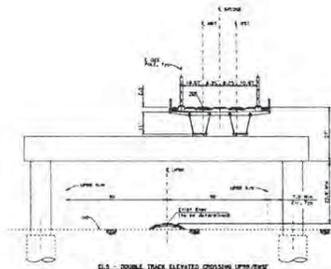
In several critical segments of the HST project, where single, center piers are impossible due to conflicts at grade such as property, rights-of-way, highway and street lanes, straddle bents will be used to provide for continuity of support. While the scale and form of straddle bents will diverge from many of the other standard elevated structures, straddle bents should be viewed as being in the same family as viaduct and bridge structures.

Our recommendation is that straddle bents follow the same aesthetic guidelines applied to the general guideway: twin piers of the same flared form as the single, center pier, joined by a robust beam with curved edges and ends and cross section that approximate the flare of the piers. In order to convey the uniform and smooth appearance, integrated bents are preferred over composite bents. This will give a continuous line to both structures and keep straddle bents in the unified family of forms.

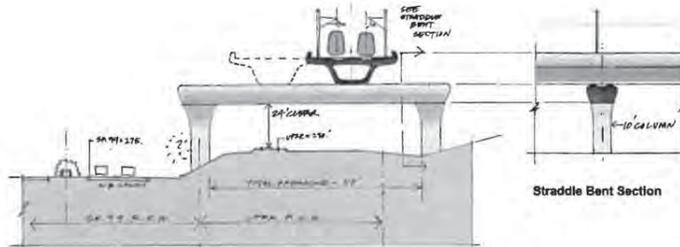
Recommendations: round pier section; aerodynamic forms; curved edges; monolithic surfaces.



Example: Straddle bents over two roadways



15% Engineering Drawings: Typical straddle bent design concept



Recommendation: Curved, smooth saddle bents to match the speed and design of HSR vehicles.

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

PHOTOS OF PRESERVE

EXHIBIT 6

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued



Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

**Scoping Comments Re Noise Impact
Jacqueline Ayer**

EXHIBIT 7

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

**COMMENTS ON THE PALMDALE-BURBANK
HIGH SPEED RAIL NOISE IMPACT ANALYSIS**

The three essential elements of the Palmdale-Burbank high speed train noise impact assessment are:

1. Quantify train noise level projections using computer modeling based on train configuration, operating parameters, and sound propagation conditions.
2. Develop noise descriptors to assess noise impacts and establish impact criteria and apply these results to project area data to ascertain the location and number of receivers for whom the project presents potentially "severe" or "significant" adverse impacts.
3. Apply impact mitigation measures and ascertain the extent to which significant impacts are reduced.

Comments, concerns, and recommendations regarding each of these elements of the Palmdale-Burbank high speed train noise impact study are addressed separately below. In addition, a brief discussion of issues unique to Acton are provided

1. HIGH SPEED TRAIN NOISE LEVEL PROJECTIONS

The high speed train noise estimation methods employed by FRA/HSRA are set forth in detail in Chapters 4 and 5 of the FRA's "High Speed Ground Transportation Noise and Vibration Impact Manual" published in September 2012. These methods consider various locational and operational parameters that contribute to the high speed train Sound Exposure Level ("SEL") that is experienced at any given location. The manual is written in a simple and straightforward manner and it directs that equations (provided in Table 5-4) be reconciled with applicable train parameters (provided in Table 5-2) to project sound levels generated by a high speed train operated under the expected conditions. Notwithstanding the erroneous value for len_{ref} that is provided in Table 5-2 for the propulsion subsource component of EMU trains (the value should be 73, not 634), the SEL calculation methods provided in the manual can easily be used by the public to assess the accuracy of FRA's/HSRA's noise profile results and (by extension) the validity of FRA's/HSRA's noise impact analysis. Unfortunately, the public has not been able to perform these assessments on previous environmental impact studies prepared by FRA/HSRA because these studies failed to provide the information necessary for such analyses. For example, the Merced-Fresno EIR failed to provide information such as the number and length of power units and the length of passenger cars in the modeled trainset, so the subsource SEL value at 50 feet could not be calculated. Similarly, the Merced-Fresno EIR/EIS failed to provide shielding and ground effect data for any location along the corridor, so it is impossible to calculate any SEL at any distance for any location. Even if some of this information had been provided so that members of the public could "spot check" the calculated SEL results for at least some locations, there is nothing to compare

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
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these calculated values against because FRA/HSRA **failed** to publish any of the actual high speed noise levels computed by the noise prediction model!!! All of these omissions are explicitly contrary to the instructions provided by the 2012 FRA Noise Impact Assessment Manual, which states that the environmental impact analysis must list the data that is input to the noise prediction model, and it must provide a detailed accounting of predicted noise levels resulting from the high speed rail project (See Page 11-2).

FRA/HSRA has not provided **any** noise prediction levels in **any** of the EIR/EIS documents prepared to date. Instead, FRA/HSRA has plotted "dots" which identify locations where the calculated difference between the predicted "cumulative" noise level (averaged over 24 hours) and the existing "cumulative" noise level exceed specific threshold values (see for example Figures 7-2 to 7-5 of the Technical Noise Study prepared for the Merced-Fresno EIR/EIS). The plain language contained in the 2012 FRA Noise Assessment Manual clearly directs FRA/HSRA to provide the actual noise levels that are predicted by the high speed train noise model; it does NOT allow this requirement to be satisfied by mere "dot plots" of locations where differences between 24-hour averaged "project" noise levels and "existing" noise levels meet some pre-established threshold. These omissions (which constitute substantial deficiencies) are unacceptable to the community of Acton and must not occur in the environmental impact analysis that is conducted for the Palmdale-Burbank segment. FRA/HSRA must provide contour maps of actual sound exposure levels (SELs) in 10 dBA increments that range from the maximum value to 60 dBA for all high speed train corridors proposed in Acton. In addition, and consistent with the requirements imposed by FRA's 2012 Noise Assessment Manual, FRA/HSRA shall provide relevant noise model inputs (including sound propagation parameters that properly reflect that G=0 throughout most of Acton) which will enable the public to confirm at least some of the SEL values that are projected. Of particular concern is projected pantograph noise levels that can exceed 100 dBA, and which occur high (16 ft) on the train and are therefore not effectively shielded by the 12 foot sound barriers typically relied upon by FRA/HSRA to mitigate sound impacts.

In any action or project for which an EIS is prepared, NEPA requires consideration of "direct effects, which are caused by the action and occur at the same time and place" [40 C.F.R. § 1508.8(a)]. The "direct effects which are caused" by high speed rail operation include significant noise levels which "occur at the same time and place" in which the train passes by. Similarly, CEQA requires HSRA to disclose the "direct impacts" of a project to the public. **There is no question** that both NEPA and CEQA require public disclosure of the actual high speed train noise levels that are projected for the Palmdale-Burbank segment. The fact that FRA/HSRA have failed to produce such information in previous environmental reviews is irrelevant; previous compliance failures do not justify future compliance failures. The best way to disclose this information is to provide high speed train noise contour maps for Acton that are plotted in 10 dBA increments which range from the maximum value to 60 dBA or less. In prior environmental assessments, FRA and HSRA have only reported the locations at which calculated 24-hour "average" noise parameters exceeded established thresholds. These calculated 24-hour "average" noise results (which were not published either) combined existing ambient noise data with projected high speed train noise data to derive some sort of "cumulative" noise impact. While this 24-hour "average" value may be construed to represent some sort of indirect impact or perhaps a

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cumulative impact (both of which must also be considered under CEQA), it does not, *by any stretch of the imagination*, represent the “direct effects” of the high speed train which occur only at the time when, and in the place where, the high speed train passes by. FRA’s continual violations of NEPA and HSRA’s continual violations of CEQA will **not** be tolerated by the community of Acton, which demands that *actual* noise levels be provided in the Palmdale-Burbank EIR/EIS.

In addition to the deficiencies noted above, there are additional concerns with the procedures that FRA/HSRA implemented in previous environmental studies to establish sound propagation rates and identify appropriate screening distances and noise study areas. According to Figure 7-1 of the “Noise and Vibration Technical Report” prepared for the Merced-Fresno EIR/EIS, it appears that FRA/HSRA assume a “soft-ground” propagation rate in which sound attenuation occurs at approximately 4.5 dBA per distance doubling. This attenuation rate is NOT appropriate for the community of Acton, which (as a desert community) has very little vegetation cover in most areas. A maximum attenuation rate of 3 dBA per distance doubling is more appropriate for Acton. It also appears that this “soft ground” propagation rate was used to establish impact screening distances and study areas necessary for ensuring proper identification of all impacted receivers. According to the Merced-Fresno “Noise and Vibration Technical Report”, a screening distance of 2,500 feet from the proposed alignment was established based on specific “project factors”. However, the study failed to specify these “project factors”. Some factors (such as train speed) are obvious, but others are not. In any event, FRA/HSRA must not assume a 4.5 dBA per distance doubling “soft-ground” propagation rate in determining appropriate screening distances for Acton, since a 3 dBA per distance doubling is more appropriate. Additionally, the assumptions relied upon by FRA/HSRA in determining screening distances, noise projections, sound propagation, etc., must be clearly and thoroughly documented in the Palmdale-Burbank noise impact study to such an extent that it will allow members of the public to confirm the accuracy of the results that are reported.

2. FRA/HSRA NOISE DESCRIPTORS AND IMPACT CRITERIA

FRA/HSRA address high speed train noise effects using 3 different “noise descriptors”, each of which has a “severe” impact criterion that is used to establish whether or not the effect is significant. The primary descriptor (used to assess human impacts) relies on the principal of averaging cumulative sound exposure levels over a 24 hour period, and the impact criteria associated with this descriptor is similarly averaged. A secondary descriptor (referred to as noise “onset rate”) addresses potential startle effects; FRA/HSRA considers this noise effect to be “informational” only and its associated impacts are not actually assessed. The third descriptor addresses noise impacts on animals. Each of these noise descriptors and their associated impact criteria are discussed below (along with the attending problems and deficiencies they present).

2.1 Primary High Speed Rail Noise Descriptor.

The primary noise descriptor adopted by the FRA/HSRA employs a noise “averaging” model to determine the extent to which a high speed rail project will create significant **cumulative** noise impacts on human populations, and it ostensibly establishes the noise impacts experienced by an individual on average over a 24-hour period at a particular

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location¹. This 24-hour averaging noise impact approach has been employed in the United States for decades to assess noise effects of conventional locomotives with operating speeds below 125 mph. This 24 hour averaging parameter is referred to as “The Day Night Sound Level” (L_{dn}) and it does not represent actual noise events, rather it “dilutes” these noise events by averaging them in with other noise events that occur over a 24-hour period.

L_{dn} values are calculated for a particular receiver location by reconciling the calculated high speed train SEL results at that location (described above) with system operating data (such as the number of trains per day) and “shielding” parameters (if applicable). The L_{dn} value calculated at a particular receiver location is then compared to actual existing L_{dn} levels (measured at representative receiver locations under existing [non-project] conditions). If the difference between these L_{dn} values meets or exceeds the “severe” impact criterion, the noise impact at that particular location is deemed “severe”. Areas where “severe” impacts occur are flagged for potential mitigation measures to reduce project noise impacts.

L_{dn} fails to properly characterize significant noise events that are created by frequent, 220 mph high speed train trips, therefore FRA’s and HSRA’s reliance on L_{dn} as the metric for determining “significance” or “severity” of noise impacts attributed to high speed train operation is misplaced. The fact is, sound levels generated by trains operating at these speeds can be more than 20 dBA higher (and therefore 4 times louder) than conventional locomotives², and they occur with much more suddenness due to high train speeds. Worse yet, the frequency at which these sound events occur is also higher; high speed train trips through Acton are expected to exceed 20 per hour³, which is significantly greater than conventional train travel rates. L_{dn} fails to accurately represent the significant noise impacts created by these rapid, frequent, high dBA “peak” noise events because it masks their significance by averaging them over a 24 hour time period, thereby rendering them insignificant.

This is illustrated in Table 1, which presents L_{dn} as a function of train traffic volume at a location where the actual Sound Exposure Level (SEL) is 90 dBA. To an individual at this location, what is heard is louder than a jackhammer operating 50 feet away⁴. The traffic volumes considered in Table 1 range from one train every 10 minutes to one train every 30 seconds. Obviously, the impact of being constantly exposed to 90 dBA noise levels every 1-3 minutes is substantially greater than being exposed every 10 minutes; under such circumstances, one could not have a conversation, read, think, or reasonably function. Yet, incredibly, the value of L_{dn} is nearly the same for both these circumstances. In other words, the value of L_{dn} hardly changes at all, even when train volumes *increase by a factor of 10*. Equally important is the fact that that L_{dn} misrepresents a 90 dBA sound events as being at least 4 times quieter than they actually are (noting that every 10 dBA increase in sound level will actually double the sound volume). This gives a disingenuously false representation of actual noise events. As Table 1 demonstrates, L_{dn} intrinsically fails to accurately represent “actual” noise events, and is therefore insufficient to establish the noise impacts of, and appropriate mitigation measures for, the California High Speed Rail project. The HSRA is reminded that CEQA requires consideration of **actual** impacts resulting from **actual** project noise conditions rather than contrived and watered down

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representations of 24-hour average noise estimations. In other words, the high speed rail project will expose Acton residents to frequent, 100 dBA noise events which are 40-60 dBA higher than current noise conditions, therefore CEQA demands that the actual impacts generated by these actual conditions be assessed in HSRA's environmental review; L_{dn} is insufficient for this purpose.

Table 1. L_{dn} Variations as a Function of Train Passing Rate.

Daytime Trains per hour	Nighttime Trains per hour	L_{dn}
6 (one every 10 minutes)	2	64
20 (one every 3 minutes)	2	67
60 (one every minute)	2	69
120 (one every 30 seconds)	2	73

Based on an SEL of 90 & no excess shielding from trees/ buildings (appropriate for Acton)

The fact that FRA has historically relied upon L_{dn} to assess noise impacts of conventional locomotive systems that operate at speeds less than 125 mph is irrelevant, and it certainly does not provide any basis for using L_{dn} to ascertain noise impacts of 220 mph train systems. The propulsion and mechanical sound profiles generated by conventional locomotives are substantially lower than the aerodynamic sound profiles generated by high speed trains operating at 220 mph⁵. Equally important is the fact that the lower speed of conventional locomotives limits the frequency with which conventional locomotives can run (in terms of trains per day), thus high speed train traffic volumes are many times greater than conventional train systems. In other words, 21st century high speed trains present significantly higher sound exposure levels and run far more often than 19th century conventional locomotives. Despite these remarkable differences, and without any engineering justification or efficacy studies, the FRA has simply chosen to evaluate high speed train noise impacts using the same old 24 hour averaging model that it has used for decades on slower, quieter, less frequent and significantly less impactful conventional train systems. Clearly, this is inappropriate, given that the 24 hour average noise exposure model (L_{dn}) perceives very little difference between a 90 dBA noise event that occurs once every 10 minutes and a 90 dBA noise event that occurs once every minute.

FRA/HSRA use the 24-hour noise averaging model to not only determine high speed train noise impacts, but also to determine the threshold at which these impacts are deemed "severe". The 24-hour average noise impact thresholds of significance adopted by FRA/HSRA (which are also referred to as "Noise Impact Criteria") are depicted in Figures 3-1 and 3-21 of the FRA's 2012 Noise Assessment Manual. These noise impact criteria are particularly troubling to Acton, which is a relatively remote community that has a predominantly quiet sound profile. Existing noise levels in Acton (expressed in terms of L_{dn}) that occur near the proposed high speed train corridors are on the order of 45 dBA. Some areas of Acton are so quiet that conversations can be heard at a distance of half a mile! Yet, according to the established "Noise Impact Criteria", FRA/HSRA does not

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consider high speed train noise impacts in these areas to be “significant” or “severe” unless they increase the L_{dn} value BY 15 dBA, which corresponds to a 3-fold increase over Acton’s existing *average* sound profile⁶. According to the 2012 FRA Noise Assessment manual, this significant impact threshold was established based on data presented in Figure A-4 (which only addresses urban environments and is therefore not relevant to Acton) and Figure A-5, which ostensibly indicates “the lowest threshold where impact start to occur” [See pg A-14]. FRA concludes (from Figure A-5) that “there are very few people highly annoyed when the L_{dn} is 50 dBA, and that an increase in L_{dn} from 50 to 55 dBA results in an average of 2 percent more people highly annoyed”. This conclusion is drawn from a mathematically “fitted” response curve that overlays Figure A-5 and is supposed to represent the data points that are plotted therein. However, inspection of the fitted response curve and the data plotted in the range of interest (40-55 dBA) reveals that, for this data range, the curve is so substantially biased that it introduces an unacceptable level of error and is therefore mathematically invalid. Simply put, FRA’s conclusion is mathematically insupportable. This is confirmed by the fact that, for $L_{dn} < 55$, most of the data points lie significantly *above* the curve, and in fact only one data point lies below the curve. The substantial error in Figure A-5 within the 40-55 dBA range of interest completely invalidates FRA’s conclusion that an L_{dn} increase from 50 to 55 dBA is “the lowest threshold where impacts start to occur”.

What Figure A-14 clearly shows is that, for people who live in quiet environments like Acton (where existing L_{dn} values are less than 50 dBA), upwards of 10 percent (and certainly far more than 2 percent) of people will become “highly annoyed” if L_{dn} sound levels increase by as little as 5 dBA. This is not surprising; people move to communities like Acton specifically because they want to escape the noise and bustle of urban and suburban areas, and they do indeed become “highly annoyed” when the noise level is suddenly increased to a range commensurate with suburban living (i.e. 60 dBA). Stated more clearly, a substantial portion of Acton’s population will become “highly annoyed” if the L_{dn} increases by even 5 dBA. This is a fact made clearly evident by the data presented in Figure A-5. For this reason, the FRA Noise Impact Criteria depicted in Figures 3-1 and 3-2 of the 2012 Noise Assessment Manual are not appropriate for Acton, and they are certainly not mathematically supportable. To be consistent with the data presented in Figure A-5, the FRA/HSRA should adopt a “severe” impact L_{dn} noise criterion of 5 dBA for all areas in which the existing L_{dn} value is less than 55 dBA.

Even if we pretend for a moment that FRA’s assumptions are valid regarding 50 dBA being the lowest annoyance level (it isn’t) and 5 dBA representing only a 2% increase in annoyance (it doesn’t); these erroneous assumptions still do not justify FRA’s determination that, for quiet communities like Acton, incremental noise increases are not deemed “severe” until they reach 15 dBA *on average*. FRA provides absolutely no data to support this outrageous determination, which must be abandoned in the Palmdale-Burbank HSR EIR/EIS.

It is also noted that a key element that is missing from all FRA/HSRA noise impact assessments is a consideration of the *actual* sound level increases that high speed trains create. This is specifically contrary to noise assessment and impact procedures adopted by

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high speed rail agencies outside the United States. The calculation procedures presented in the 2012 FRA Noise Assessment Manual clearly demonstrate that noise levels outside the high speed train right-of-way width will commonly exceed 100 dBA and do so with great frequency (up to 20 times per hour), yet the very real impacts created by these significant noise events (such as sleep disorders, inattentiveness, etc.) are completely ignored in every environmental assessment that is performed. In fact, prior environmental reviews conducted by FRA/HSRA have gone to great lengths to avoid reporting any Sound Exposure Levels (SEL) for high speed trains *even though* this is precisely the information that is of primary interest to the public! For example, the only instance in which the Merced-Fresno EIR/EIS even considers “actual” sound exposure levels is in the discussion of “animal impacts”, and that analysis was cursory at best. Residents in the communities of Fresno, Merced and Bakersfield have not been provided any information regarding the actual noise levels that they will be forced to endure. This is not acceptable to the community of Acton, which must be provided a full and complete picture of the actual sound exposure levels that will be occur along all of the high speed train corridors that are proposed.

2.2 Onset Rate

Despite its reliance on a 24 hour averaging method to determine the “significance” of high speed train impacts, FRA acknowledges that “The presence of a high-speed rail system in close proximity to homes may result in a new noise unlike other existing sources of community noise”, and further acknowledges that this new noise exposure can be characterized “by sudden onset of high noise levels for a short duration”⁷. FRA cites research done by the U.S. Air Force which indicates that a “startle” effect occurs for noise onset rates as low as 15 dBA/second⁸. FRA’s own data clarify that, for steel wheel systems operated at 220 mph (which are proposed for the Palmdale-Burbank segment), a 15 dBA/second noise onset rate can occur within 100 ft of the train corridor⁹. Nonetheless, FRA has declared (without citing any studies or actual evidence) that a 30 dBA/second noise onset rate will be the basis upon which “startle” effects will be considered significant¹⁰ even though such an assumption is inconsistent with, and substantially more than, published studies. Of equal concern is the fact that FRA/HSRA consider data relevant to “startle” effects to be informational only¹¹, which means that “startle” effects are not considered to be a legitimate element of any high speed rail noise impact assessment or mitigation effort. In other words, FRA/HSRA acknowledge that “startle” effects present a new and significant noise impact that is unique to high speed rail systems, but do not intend to consider the “startle” effect to be as an actual impact which requires mitigation. This is not surprising, given FRA’s/HSRA’s intractable (and inappropriate) commitment to using the 24-hour noise averaging “Ldn” model to establish high speed train noise impacts. The 24-hour noise averaging model does not (and cannot) accommodate “startle” effect and rapid onset rate impacts, so FRA/HSRA simply disregards these impacts based on an arbitrary (and technically insupportable) impact threshold of 30 dBA/second rather than the 15 dBA/second threshold supported by published studies. The 30 dBA/second noise “Onset Rate” threshold is inadequate and technically insupportable, therefore the Community of Acton demands that 1) An onset rate significance threshold of 15 dBA/second be established for the Palmdale-Burbank segment, and 2) The areas where high speed train noise models indicate a 15 dBA/second onset rate will occur must be clearly mapped for all the high speed train corridors that are proposed.

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2.3 Animal Impacts

FRA admits that it has not established any “criteria relating high speed train noise and animal behavior” though it acknowledges that high speed train noise characteristics “are similar to low overflights of aircraft”, and that such noises “can have a disturbing effect on both domestic livestock and wildlife”¹². FRA further admits that hearing in animals differs from hearing in humans, thus it may not be appropriate to establish noise impacts on animals via the “A-weighting” approach implicit in FRA’s noise impact assessment procedures¹³. Nonetheless, and despite the fact that “Long-term effects [of noise on livestock and wildlife] continue to be a matter of speculation” and the lack of sound weighting data “established for representing the hearing characteristics” of animals, FRA has adopted “interim” criteria for establishing high speed rail noise effects on animals, and declared that these “interim” criteria are to be used until “further research results are known”¹⁴. The problems with this approach are almost too numerous to count, not the least of which is that FRA has been using this “interim criteria” for more than 10 years, and has failed to conduct **any** of the research needed to properly establish an accurate and responsive approach for determining high speed train noise impacts on animals¹⁵.

FRA has shirked its duties and abdicated a fundamental responsibility by failing to develop an appropriate means for assessing and mitigating this high speed train noise impact. Rather than properly developing appropriate noise impact criteria for animals, FRA has merely “borrowed” the 100 dBA SEL criteria developed by the U.S. Air Force without any consideration of whether the Air Force criteria is even applicable to high speed rail operation! For the record, it is not. The Air Force established the 100 dBA SEL for **turkeys** experiencing **occasional** low aircraft overflights that do not occur continuously or at the same frequency as high speed rail systems¹⁶. In other words, the low aircraft overflights considered in the Air Force turkey study do not occur 272 times per day, every day of every week of every year (which is the high speed train schedule proposed for the Burbank-Palmdale section¹⁷), so it is clearly inappropriate to rely on this study as the basis for developing a high speed rail noise impact threshold for all animals. More to the point, a turkey’s response to infrequent and unscheduled 100 dBA noise events is not **in any way** representative of all animal responses to frequent (272 times per day) noise events that will exceed 100 dBA. This fact is made clear in the FRA’s 2012 Noise Impact Assessment Manual, which clarifies that mammals will break and run at noise levels as low as 77 dBA¹⁸. The failure of FRA/HSRA to establish an effective means of assessing high speed train noise impacts on animals is a matter of substantial concern in Acton, which is not only an equestrian community (whose residents ride extensively throughout the proposed HSR corridors) but also has numerous and extensive agricultural and animal rescue facilities which accommodate a wide range of domestic and wild animals including horses, cows, chickens, sheep, tigers, llamas, emus, etc.

To address these failures, FRA/HSRA must provide accurate Sound Exposure Level (SEL) contour maps for each of the high speed rail corridors proposed in the community of Acton. Some horses are exceptionally skittish, and will react in panic at noise levels that are quite low (in fact, FRA’s own data establishes that sounds as low as 77 dBA will cause antelope to run). Therefore, these SEL maps must be sufficiently detailed to enable Acton residents to

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ascertain where it may be unsafe or inappropriate to ride their horses or establish other equestrian or animal uses based on their own knowledge of their animal's intrinsic temperament. At a minimum, noise contours for the community of Acton must be provided in 10 dBA increments and extend to areas where the SEL = 60 dBA. Notably, FRA/HSRA have not developed SEL contour maps in *any* of the environmental impact studies that have been completed to date (including the Merced-Fresno EIR/EIS and the Fresno-Bakersfield EIR/EIS). When I asked an FRA/HSRA engineer at a recent scoping meeting why SEL maps were not included in prior HSR environmental reviews, I was told that "they are not required by the Manual". The engineer who made this statement is very much mistaken; the 2012 FRA Manual clearly requires that high speed train impact assessments must include tabulated noise prediction results that are also illustrated by "contours, cross sections, or shaded mapping" [See page 11-2].

3. NOISE MITIGATION

For areas in which modeling results indicate "severe" project noise impacts will occur, FRA/HSRA is supposed to implement mitigation measures to reduce noise levels. According to the 2012 FRA Noise Assessment Manual (which addresses federal NEPA issues), the need for mitigation depends on the magnitude of the impact, cost, and other factors. CEQA imposes different mitigation requirements, and in fact mitigation measures and/or project alternatives that successfully reduce significant impacts while achieving most project objectives **must** be implemented unless it can be conclusively demonstrated (by substantial evidence) that the cost to implement these alternatives or mitigation measures will make the entire project financially infeasible. Since the high speed train project proposed by the HSRA is subject to CEQA, the more stringent mitigation/project alternative requirement applies.

A number of problems have been found with the manner in which FRA/HSRA addressed noise mitigation measures in previous impact assessments. For example, in the "Noise and Vibration Technical Report" prepared for the Merced-Fresno EIR/EIS, it is impossible for the reader to ascertain the actual level of noise mitigation that was achieved by the limited number of 12 foot sound barriers which were proposed. The Technical Report first maps the locations where noise mitigation measures could be applied (Figures 8-1 to 8-4). Then, it maps (in Figures 8-5 to 8-8) where potential sound barriers could be deployed (without explaining how or why these elements differ). Then the Technical study lists the sound barrier lengths that would be "cost-effective", the number of "severe" impact reductions that would be achieved by these sound barriers, and the number of "severe" impacts that would remain (Tables 8-1 to 8-5). Then, in Tables 8-5 to 8-13, the Technical Report lists additional details about the "cost effective" barriers and again identifies the number of "severe" impacts remaining. One obvious problem with this information is that the values reported for residual "severe" impacts in Tables 8-1 to 8-5 don't agree with the values reported in Tables 8-6 to 8-13¹⁹. Another problem is that there appears to be no connection between the "severe impact" numbers reported in Table 7-1 and the numbers reported for "Severe Receptors Protected", "Severe Impacts Eliminated", and "Residual Severe Impacts" in Tables 8-1 to 8-4. A more substantial problem is that the Merced-Fresno EIR/EIS and accompanying Technical Study discuss only "severe" impact reductions

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in those limited areas where noise barriers were deemed “cost effective”. It fails to address reductions in “severe” impacts that were achieved overall for each project alternative, and it fails to clarify why barriers along portions of the proposed corridors were deemed not “cost effective” even though they would have clearly reduced impacts on severely impacted receptors²⁰. In other words, FRA/HSRA failed to explain why severely impacted receptors located in certain areas were deemed not “cost-effective” to protect.

These omissions are inconsistent with the instructions provided in Chapter 11 of the 2012 FRA Noise Assessment Manual, which requires that environmental documentation “provides the vehicle for reaching decisions on appropriate mitigation measures” and “Reasons for dismissing any abatement measures should be clearly stated, especially if such nonimplementation results in significant adverse effects”. In the Merced-Fresno environmental documents, FRA/HSRA fails to even point out that these “cost” decisions actually left many receptors unprotected. This fact only comes to light if one embarks on an exhaustive comparison of tabulated data spread throughout the Technical Report. Worse yet, FRA/HSRA fail to provide any reasons why it was deemed “cost effective” to protect some severely impacted receptors, but not others. Perhaps FRA/HSRA has developed some sort of “unit cost per severe receptor saved” threshold which was applied to the Merced-Fresno project to decide who is protected and who is not. One can only guess, because the matter is left unaddressed in the environmental documents. One thing is certain, the public has a right to know the details of such decisions, therefore it is expected that such information will be provided in the environmental documentation prepared for the Palmdale-Burbank section.

An additional concern is the astonishingly high reduction in “severe impacts” that the “cost effective” noise barriers achieved for Merced-Fresno segment; according to Tables 8-1 to 8-4 of the Technical Study, as much as 95% or more of the “Severe Receptors” are protected. The noise barriers considered for this project are (with few exceptions) only 12 feet high, and are therefore barely tall enough to reduce aerodynamic noise generated at the train nose and are *too short* to reduce aerodynamic noises generated at the (15 foot high) pantograph. Under these conditions, the shielding for this subsource SEL is negligible, and the SEL passby value would remain quite high, corresponding to much higher Ldn values (after mitigation) than the reported results suggest. The FRA/HSRA environmental documents don’t bother to explain how these extraordinary reductions are achieved; they are just presented as fact. This is unacceptable; any mitigation levels claimed in FRA/HSRA environmental documents prepared for the Palmdale-Burbank segment must be conclusively proven and explained.

Beyond these issues, there remains the inescapable fact that **none** of the mountains of data provided in the Merced-Fresno EIR/EIS provide any indication of the actual sound level reductions that will be achieved by the noise barriers that are proposed **even though this** is precisely the issue of primary concern to any and all individuals affected by the CHSRA project. This established FRA/HSRA “pattern” of providing enormous quantities of tabulated mitigation data that is inherently inconsistent and which says virtually nothing about actual noise level reductions is **unacceptable** to the Community of Acton. Acton residents expect that the EIR/EIS prepared by FRA/HSRA for the Palmdale/Burbank route

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will provide sufficient data to confirm the noise reduction levels that are claimed and it will provide noise contours plots that show the extent to which proposed mitigation measures will reduce projected noise levels. This information must be provided in a format which would enable a reasonable individual to confirm that the results are consistent with the noise exposure level and mitigation calculation procedures provided in the 2012 HRA Noise Assessment Manual.

Additionally, CEQA does not allow the HSRA to avoid environmentally superior alternatives or mitigation measures simply because they are not deemed "cost effective". To the contrary, HSRA must conclusively demonstrate (based on substantial evidence provided in the record) that the incremental cost of implementing either the environmentally superior alternative or the appropriate mitigation measures is so great that it renders the altered project economically infeasible [CEQA Statutes § 21002.] The Merced-Fresno EIR provided no evidence that the entire project would be economically infeasible if sound barriers were placed wherever significantly impacted receivers were found, therefore it violates CEQA statutes. Acton expects that HSRA will not repeat these substantial violations in the Palmdale-Burbank EIR.

Finally, it must be pointed out that *all* of the impacts that the high speed train project will create in Acton, Agua Dulce, Santa Clarita, Sylmar, San Fernando, and all communities north, west and east of the Angeles National Forest ("ANF) can be **completely eliminated** simply by routing the train into the ANF outside of Acton (see location depicted in Figure 1) and maintain it underground along a route that avoids all Acton residential areas. As shown in Figure 2, this "environmentally superior" alternative would require a slight adjustment of the "study area" depicted in Exhibit 1 of the HSRA's Notice of Preparation issued July 24, 2014.

4. ACTON-SPECIFIC ISSUES AND OTHER CONCERNS REGARDING THE PALMDALE-BURBANK HSR NOISE IMPACT ANALYSIS

In addition to the concerns, comments and issues presented above, there are additional issues which must be addressed in the EIR/EIS noise impact analysis, including:

1. Along the eastern and southern portions of Acton, (and particularly in the vicinity of Angeles Forest Highway and Aliso Canyon Road), construction on the Tehachapi Renewable Transmission Project ("TRTP") will continue through the end of next year. Therefore, it is imperative that FRA/HSRA refrain from collecting any "existing" noise data in these areas until after TRTP construction is completed. If this instruction is not heeded, the background data that is collected will not properly represent actual noise conditions in the area, which will invalidate the entire noise impact analysis in Acton.
2. Equestrian uses and unique animal facilities predominate in Acton, and are found in all locations along and within every train corridor proposed for the Palmdale-Burbank segment. Noise impact assessments conducted for these uses and facilities

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must be comprehensive, accurate, and representative. FRA/HSRA staff should work closely with Acton residents to ensure all possible animal issues are addressed.

3. Acton is a desert community with little vegetation or ground cover. Therefore, a “soft ground” sound propagation condition is not an appropriate noise modeling input.
4. Acton has hills, valleys, canyons, and extensive geographical contours. Therefore, careful attention must be paid to elevation and distance parameters assumed in all noise impact calculations.
5. The “Alternative Corridor Study Area” depicted in the CEQA Notice of Preparation is particularly troublesome because it overlays all of Acton’s residential neighborhoods on the east side of town and on the south side of town (including the residential areas located within the Angeles National Forest (“ANF”) along the Angeles Forest Highway and Aliso Canyon Road). In fact, this “Study Area” appears to intentionally route the train *away* from the ANF to the greatest extent possible, and then enter the Forest only *after* it has passed through Acton. Considering this “Study Area” in conjunction with the two additional routes proposed through Acton, it appears obvious that the CHSRA has no intention of avoiding significant adverse impacts in Acton despite the existence of an alternative that does precisely that. Acton can easily be protected by placing the train corridor in the Angeles National Forest outside of Acton (See Figure 1), and maintaining the train underground and away from residential areas. This can be accomplished by a slight adjustment to the Study Area (See Figure 2). CHSRA must seriously consider this alternative, since it can be configured to avoid impacts to every one of the numerous cities and residential areas that are located north and east of the ANF.
6. Track maintenance operations typically occur at night. According to an acquaintance who lives a short distance from the Acela Station in Boston, nighttime maintenance activities are exceedingly loud and as disruptive as high speed train operations. Yet, none of these impacts are addressed anywhere in previous environmental assessments conducted for the California High Speed Rail. The sound impact analysis for the Palmdale Burbank segment must properly address and thoroughly mitigate any and all maintenance impacts on the community of Acton.
7. FRA/HSRA must perform follow-up noise measurements to confirm the accuracy of their predicted noise levels, and if actual noise levels exceed the predicted values, additional mitigation measures must be implemented.

5. **SUMMARY**

In summary, the following must be accommodated in the noise impact study that is prepared for the Palmdale-Burbank high speed train project:

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

- Develop a route alternative in which the train enters the Angeles National Forest (“ANF”) outside of Acton (see Figure 1), remains underground in Acton, and avoids all residential areas to protect residential wells.
- Recognize that this route alternative eliminates virtually **all** noise impacts on **all** cities and **all** communities to the north, south, and east of the Angeles National Forest and is therefore the “Environmentally Preferred Alternative” as that term is contemplated by CEQA regulations
- NEPA requires to that an FRA project EIS consider “direct effects, which are caused by the action and occur at the same time and place” [40 C.F.R. § 1508.8(a)]. This requirement is not satisfied the disclosure of a 24-hour averaged noise parameter which combines existing ambient noise events with projected train noise events. Similarly, CEQA requires HSRA to disclose the “direct impacts” of a project to the public, which can only be construed to mean that the actual sound level projections must be disclosed in the Palmdale-Burbank EIR. These requirements can only be satisfied by including in the Palmdale-Burbank EIR/EIS detailed high speed train noise contour maps for Acton that are plotted in 10 dBA increments and which range from the maximum value to 60 dBA or less.
- Consistent with the requirements imposed by FRA’s 2012 manual, provide noise modeling assumptions and sound exposure calculation parameters in sufficient detail to allow the public to check SEL results plotted in the noise contour maps.
- Ensure that the noise propagation parameters assumed in all noise modeling efforts are appropriate to geographic and ground conditions in Acton.
- Map L_{dn} noise measurements that establish existing noise conditions in Acton including exact locations, dates, and times of measurements.
- Map L_{dn} noise contours in 10 dBA increments ranging from maximum values to 60 dBA based on projected train noise levels in Acton.
- Consistent with a mathematically accurate interpretation of Figure A-5 provided in the 2012 FRA Noise Assessment Manual, adopt a “severe impact” L_{dn} noise criterion of 5 dBA for all areas in which the existing L_{dn} value is less than 55 dBA.
- Consistent with CEQA requirements that an EIR quantify and mitigate actual project impacts, establish a “severe” noise impact SEL criterion that addresses both high speed train sound exposure levels and projected train passby rates, then map (in 10 dBA contours) all locations in Acton where this “severe” noise impact SE: criterion is met or exceeded, and designate these locations for mitigation.

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- Establish a “severe” noise impact SEL criterion of 15 dBA/second for noise onset rate impacts, then map all locations in Acton where this “severe” noise onset rate noise impact criterion is met or exceeded along all the train corridors proposed for the Palmdale-Burbank route and designate these locations for mitigation.
- Establish a “severe” noise impact SEL criterion of 75 dBA for animal noise impacts, then map (in 10 dBA contour increments) all locations in Acton where animal noise impact criterion is met or exceeded along all the train corridors proposed for the Palmdale-Burbank route and designate these locations for mitigation.
- Provide assumptions and modeling inputs used to derive all mitigated noise projections in sufficient detail to allow members of the public to confirm the accuracy of the mitigation levels claimed.
- If noise mitigation measures are deemed appropriate for some portions of Acton but not for others, provide details regarding such decisions, recognizing that CEQA does not permit the HSRA to reject feasible mitigation measures unless the marginal cost of such measures are so great that they render the entire Palmdale-Burbank project economically non-viable.
Note: The fact that the California High Speed Rail Project is intrinsically non-viable from an economic perspective shall not factor into this decision.
- Provide mitigated L_{dn} noise contour maps in 10 dBA increments that range from maximum values to 60 dBA and are based on projected train noise levels (with mitigation)) for all high speed train corridors proposed in Acton.
- Provide mitigated SEL noise contour maps in 10 dBA increments that range from maximum values to 60 dBA and are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton.
- Provide mitigated noise onset rate contour maps that are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton.
- Provided mitigated animal noise impact maps in 10 dBA increments that are based on projected train noise levels (with mitigation) for all high speed train corridors proposed in Acton for Acton.
- Provide both a qualitative discussion and a consistent quantitative analysis of the extent to which mitigation measures successfully reduced severe L_{dn} noise impacts, severe SEL noise impacts, severe noise onset rate impacts, and severe animal noise impacts.
- Along the eastern and southern portions of Acton, (and particularly in the vicinity of Angeles Forest Highway and Aliso Canyon Road), construction on the Tehachapi Renewable Transmission Project (“TRTP”) will continue through the end of 2015. Therefore, it is imperative that FRA/HSRA refrain from collecting any “existing” noise data in these areas until after TRTP construction is completed. If this

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
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instruction is not heeded, the background data that is collected will not properly represent actual noise conditions in the area, which will invalidate the entire noise impact analysis in Acton.

- Equestrian uses and unique animal facilities predominate in Acton, and are found in all locations along and within every train corridor proposed for the Palmdale-Burbank segment. Noise impact assessments conducted for these uses and facilities must be comprehensive, accurate, and representative. FRA/HSRA staff should work closely with Acton residents to ensure all possible animal issues are addressed.
- FRA/HSRA must perform follow up noise measurements to confirm the accuracy of their predicted noise levels, and if actual noise levels exceed the predicted values, additional mitigation measures must be implemented.

Respectfully submitted;

/s/ Jacqueline Ayer
Jacqueline Ayer
AirSpecial@aol.com
2010 West Avenue K, #701
Lancaster, CA 93536

August 29, 2014

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

Figure 1. Area Where Corridor Enters the Angeles National Forest to Avoid Acton Homes

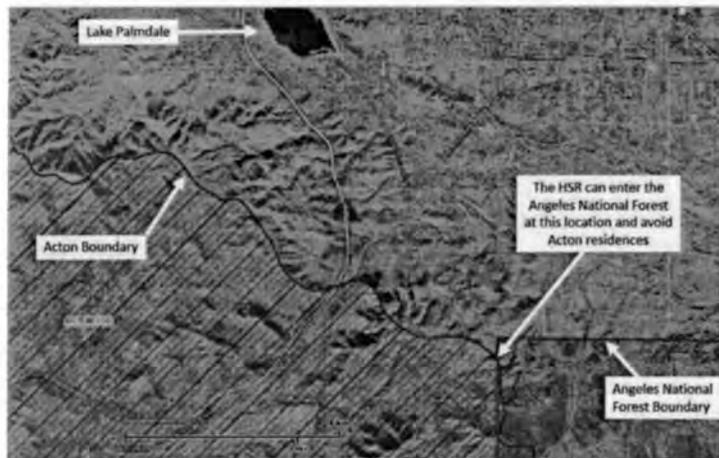
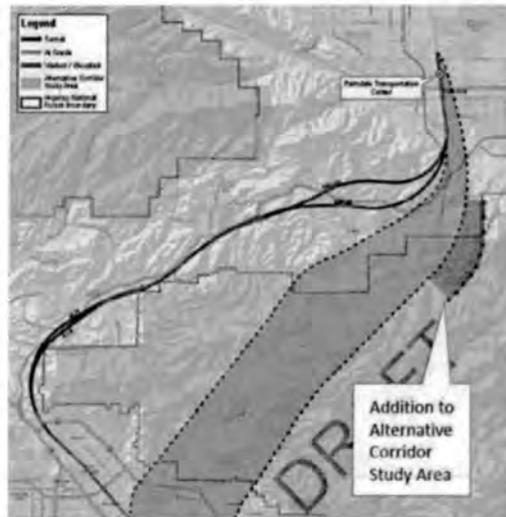


Figure 2: Alternative Corridor Study Area Adjustment



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September 11, 2014) - Continued

FOOTNOTES

¹ Page 2-4 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

² Figure 2-6 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation. Note this figure, though generalized, indicates a 30 dB sound increase when going from a conventional locomotive operating at approximately 110 mph to a high speed train operating at approximately 200 miles per hour (where $V_{t1} = 60$ and $V_{t2} = 160$ as indicated in Table 4-5).

³ Page 6-2 of the “Noise and Vibration Technical Report” from the Merced-Fresno Project EIR/EIS issued April 2012, which states that 188 trains (94 in each direction) traveling between San Francisco to LA will pass through or stop in Fresno during the day, and 28 (14 in each direction) will do so at night. In addition, 48 trains (24 in each direction) traveling between Sacramento and Los Angeles will pass through or stop in Fresno during the day, and 8 more trains (4 in each direction) will do so at night. Assuming more than half the day trains run during peak hours results in a trip frequency exceeding 20 trains per hour.

⁴ Figure 2-2 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

⁵ Figures 2-6, 4-1, and pages 2-8 to 2-11 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

⁶ Actual noise exposure levels double with each incremental increase of 10 dBA, so a 10 dBA increase results in a doubled noise exposure level, a 20 dBA increase results in a quadrupled noise exposure level, and a 15 dBA increase approximately results in a tripled noise exposure level.

⁷ Page A-17 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

⁸ Page A-18 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

⁹ Figure 2-2 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation. Note that for ICE systems, an onset rate of 15 dB/second is possible for a speed/distance factor of 2, and

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

assuming a train speed of 220 mph, this onset rate can occur within 110 feet of the high speed rail corridor.

¹⁰ Page 2-7 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹¹ Page 2-7 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹² Page 3-2 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹³ Page A-20 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁴ Page A-20 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁵ See 2005 version of the “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁶ F. Bradley, C. Book, and A.E. Bowles. *Effects of Low-Altitude Aircraft Overflights on Domestic Turkey Poults*, Report No. HSD-TR-90-034, U.S. Air Force Systems Command, Noise and Sonic Boom Impact Technology Program, June 1990.

¹⁷ Page 6-2 of the “Noise and Vibration Technical Report” from the Merced-Fresno Project EIR/EIS issued April 2012, which states that 188 trains (94 in each direction) traveling between San Francisco to LA will pass through or stop in Fresno during the day, and 28 (14 in each direction) will do so at night. In addition, 48 trains (24 in each direction) traveling between Sacramento and Los Angeles will pass through or stop in Fresno during the day, and 8 more trains (4 in each direction) will do so at night. This results in a total of 272 trains traveling between Fresno and Los Angeles each day.

¹⁸ Table A-1 on Page A-21 of the 2012 “High-Speed Ground Transportation Noise and Vibration Impact Assessment” Manual published by the Federal Railroad Administration’s Office of Railroad Policy and Development under the US. Department of Transportation.

¹⁹ For example, 25 is the number of residual severe impacts for the BNSF alternative reported in Table 8-2, but the sum of all the numbers of residual severe impacts for this alternative that are reported in Tables 8-9 to 8-11 only add up to 17.

Submission B027 (Mary C. Alden, Smiland Chester LLP/Roar Foundation,
September 11, 2014) - Continued

²⁰ For example, Table 7-10 reports that 520 residences, 3 hotels, 1 park and 1 church will have “severe” impacts associated with the proposed hybrid alternative. Yet, Table 8-3 indicates that 416 “severe” receptors will be protected by the “cost effective” noise barriers, and 25 will not. There is no discussion of the extent (if any) to which the remaining 100 receptors will be protected, and why they it was deemed not “cost effective” to protect them.

Submission B028 (David Ford, Southern California Edison, September 17, 2014)



David Ford, Region Manager
Local Public Affairs
1000 Portero Grande Drive
Monterey Park, CA 91754

September 17, 2014

Mark A. McLoughlin, Director of Environmental Services
ATTN: Palmdale to Burbank Project Section
California High-Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room 3-532
Los Angeles, CA 90012
Palmdale_Burbank@hsr.ca.gov

RE: Palmdale to Burbank Project Section Draft EIR/EIS

Dear Mr. McLoughlin:

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Notice of Preparation of a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS), for the California High-Speed Rail (HSR) System Palmdale to Burbank Section. The proposed project would connect the Antelope Valley and the San Fernando Valley to the mega-regions of California and include several potential alignments that would link the cities of Palmdale and Burbank to an HSR System on fully grade separated, dedicated tracks. The HSR System is envisioned as a state-of-the-art, electrically powered, high-speed, steel-wheel-on-steel-rail technology, which would employ the latest technology, safety, signaling, and automated train-control systems.

SCE's Electrical System

SCE operates a network of transmission, distribution, and communication facilities that serve a 50,000 square mile service territory. Within the project area, SCE operates and maintains a transmission system that consists of multiple electric transmission lines and substations, which includes the Tehachapi Renewable Transmission Project (TRTP) 500 kilovolt (kV) transmission lines.

Relocation of Transmission Lines

SCE is concerned that the proposed project will require the relocation of SCE's transmission lines and impose constraints on SCE's ability to access, maintain, and operate its current and future facilities. In order to identify potential relocation of SCE's electrical facilities, SCE requests more detailed maps and scaled drawings of the rail alignments. For all rail alignments that are adjacent or intersect SCE transmission lines or facilities, SCE requests information regarding elevations, plans and profiles, grading and drainage plans, and access information.

Vincent Substation

SCE is especially concerned about routing of the HSR and its proximity to the Vincent Substation (located at 33301 Angeles Forest Highway). The Vincent Substation is a crucial facility within SCE's regional power transmission network that is interconnected to a number of high voltage transmission lines, including the TRTP kilovolt (kV) transmission lines mentioned above. The proposed project may require the temporary outage of a number of existing transmission lines, which may require extensive coordination and approvals from the California Independent System Operator to ensure that a safe a reliable transmission grid can be maintained. Additionally, temporary removal of SCE's renewable generation supply may be impossible during certain times of the year due to over electrical grid stability.

Safety Concerns

SCE is concerned that potential HSR crossings or encroachment of SCE's facilities and rights-of-way may impact SCE's compliance with clearance requirements to General Order (GO) 95, which establishes rules and regulations for the overhead line design, construction, and maintenance. For example, an increase in the ground elevation by the proposed project may require SCE to increase the structure heights to ensure proper vertical and horizontal clearance from thoroughfares, ground, and railroads.

SCE's Regulatory Requirements

The construction, modification, and relocation of SCE's existing electrical facilities that operate at or above 50 kV may result in significant environmental impacts and are subject to the California Public

Submission B028 (David Ford, Southern California Edison, September 17, 2014) - Continued

September 17, 2014
CHSR Palmdale to Burbank Draft EIR
Page 2 of 2

Utilities Commission's (CPUC) General Order 131-D¹, which contains rules relating to the planning and construction of electric generation, transmission/power/distribution line facilities and substations. Potentially significant environmental impacts from the construction, modification, and relocation of transmission lines should be thoroughly discussed in the Draft EIR/EIS. If it is not adequately addressed in the Draft EIR/EIS, SCE may be required to pursue a separate, mandatory California Environmental Quality Act (CEQA) review through the CPUC, which could delay approval of the SCE transmission line portion of the project for two years or longer.

SCE is requesting a meeting with the CHSR Authority to help identify potential conflicts between the proposed project and critical SCE facilities. We look forward to working with the CHSR Authority on this project. If you have any questions regarding this letter, please do not hesitate to contact me at David.A.Ford@sce.com or (323) 720-5290.

Regards,

David Ford
Local Public Affairs Region Manager
Southern California Edison Company

cc: Kenneth Spear, MPO

¹ <http://docs.cpuc.ca.gov/PUBLISHED/Graphics/589.PDF>

Submission B029 (Anton Bosch, Sun Valley Community Church, August 27, 2014)



Sun Valley Community Church

(Formerly Burbank Community Church, Inc. – since 1968)

9070 Sunland Blvd. ♦ Sun Valley, California 91352, USA

Telephone: 818-768-1919 Email: info@burbankchurch.org

To Whom It May Concern,

High Speed Rail Through Sun Valley

It has come to our attention that Sun Valley Community Church is potentially in the path of the planned HSR between Palmdale and Burbank. This letter serves to protest, on behalf of the entire congregation as well as the community surrounding our church, to this cold and mercenary plan.

The site of our church has been occupied by a community church since 1917. Before the present congregation a Methodist congregation owned the buildings and served the community for 92 years. The current chapel was designed and built in 1964 by Smith and Williams, Architects who were renowned for their avant-garde modernist designs. The stained glass and cornerstone have been carried over from the original sanctuary, built in 1924. The furniture and building were a collaboration between Smith & Williams and Sam Maloof. The furniture, of which the pulpit and pews remain, was made by Sam Maloof.

Malooof's work is in the collections of several major American museums, including the Metropolitan Museum of Art, the Los Angeles County Museum of Art, the Philadelphia Museum of Art, and the Smithsonian American Art Museum. In 1985 he was awarded a MacArthur "Genius" grant and fellowship – the first to be awarded to a craftsman. Presidents Jimmy Carter and Ronald Reagan have both owned Maloof rockers. He was described by the Smithsonian Institution as "America's most renowned contemporary furniture craftsman".

The church is a spiritual center in an area of the city that has remarkably few churches. The destruction of the church will not only forever destroy a historical and cultural landmark, but rob the community of a spiritual home. This would be irresponsible in the extreme.



Anton Bosch (Pastor)
August 26, 2014

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014)

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MAJOR CONCERNS OVER HIGH SPEED RAILROAD

To say that I am not completely disturbed, stressed, un-nerved, angry, and disappointed in my elected officials decision to even consider a path or travel through not only the town of Acton but through an ecological area that has been preserved by a town of over 165 years old is to say the least a lie. This does not even take into account the financial and mental hardship it will create not only for me but for thousands of fellow Actonians. I am therefore going to provide an in depth accounting of all my concerns for your EIR report but please note that by no means is this a complete list and it may increase with time and awareness of your boondoggle of a project.

Health Concerns:

- After the 1994 Earthquake there were several cases of “Valley Fever” from the dust that was disturbed and brought in to the air. The amount of water that needs to be used during construction will be substantial or how do you intend on preventing an outbreak of Valley Fever??
- **Asbestos** is common in the rocks and minerals here. How do you intend on preventing Asbestosis from affecting our community and are you setting aside a fund to cover cancer victims in the future?
- How do you plan on handling the noise impact of this train? In the evening when the sun goes down I have “ZERO” noise. The only thing I hear at my house is the local train that passes by at 10 pm at a slow rate. After blowing its horn I hear the coyotes howling for approximately 10 minutes and after that I hear the Toads, crickets, wind through my trees, and nothing else! I am a partially disabled USAF Veteran with partial hearing loss and a severe case of Tinnitus. This medical condition causes me to have bouts of anxiety and depression when combined with multiple noises to include vibration. I can only take these circumstances for a few hours at a time and then must leave busy areas such as parks, stores, malls, etc. This train will prevent me from living in my home even if it is a mile away. In short when I hear loud muffled rumbling noises my anxiety increases and so does the effects of my Tinnitus. I did not move out here to the country to listen to high speed trains traveling next to my home every 15 minutes. This will prevent me from sleeping as well as ever enjoying my home again. The World Health Organization states that exposure to 100DB or more and in excess of 4 times a year can cause hearing damage. They also state that anything above 85 DB for a duration of more than 8 hours is Dangerous. Along with the statement that anything above 30DB is detrimental to undisturbed sleep which can create several health issues which are not mentioned in your report. Please include all health issues that can be related to lack of restful sleep in your report along with normal amount of sleep hours and the average times in our community that people are getting restful sleep. For example most people in our community are early to bed and early to rise so our sleep hours may be as early as 8pm and rising hours are between 5am and 7 am. The Trains

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

40 cannot run during these hours nor can the initial construction be outside of these parameters. If
41 they are then what is your mitigation to prevent sleep loss illness and side effects.

42

43 • I believe that your noise study is insensitive to the train's effects on us and animals. It does not
44 address the PEAK sound DB's during the train passing time frames but averages it over a large
45 period of time. We do not agree with "Averaging" the Noise". What are the effects on Animals
46 especially Horses in an equestrian town. I can tell you that just driving by horses at a speed of 20
47 miles an hour has startled them and thrown riders. Just a bird in a bush that moves suddenly has
48 startled horses and thrown riders. I have a 6 year old daughter that takes riding lessons here on
49 our property. I do not believe that she can continue to ride horses here for safety concerns. Will
50 the High Speed Rail Authority take responsibility for all injuries to riders and animals caused by
51 their trains noise, speed, sudden shock waves, etc.? Or how will you mitigate these dangers to
52 our safety. We need Peak analysis impact studies done on this issue, along with a model for
53 sound analysis that models our topography. As it stands I can hear Lions Roar from the preserve
54 which is over 3 miles away. I can hear my neighbors talk from over 10 acres away and take into
55 account that I have 30% hearing loss. It has been determined in Medical studies that anything
56 over 85 DB is a dangerous sound level. In your own report it says that the exposure rate will that
57 at over a ½ mile from the train. And this is taking your average study into account. I would like to
58 know what you consider a dangerous level to humans along with animals. This report should
59 include ways to reduce the peak DB exposure to less than the dangerous levels recommended
60 by The World Health Organization.

61

62 • I also would like your report to include the difference in sound traveling between daytime and
63 night time?

64

65

66 • What is the sound DB's for trains entering and exiting the tunnels and how does this relate to
67 our topography and sound traveling in our canyon?

68

69 • In you sound studies what is the duration of the trains sound from passing i.e. how far away is it
70 when we start to hear it and how far away is it when it has passed when we stop hearing it and
71 all of this done in the new topography study that relates to our topography?

72

73 • As a reference to additional questions I am including a document from Lisa Goines RN and Louis
74 Hagler MD that refers to all of these matters. Please use this a reference to my concerns and
75 please include in your EIR answers to "ALL" matters included in this document as "ALL" of them
76 pertain to the High Speed Rail. **Your EIR needs to address the effects of noise in direct reference
77 to Sleep Disturbances, Disturbances in Cardio Vascular, Disturbances in Mental Health,
78 Impaired Task Performance not only for students but for adults, Negative Social Behavior and
79 Annoyance Reactions from noise and Sleep Deprivation, And the Difference in affects when
80 there is Noise Pollution generated with no Background Noise present.**

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Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

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Noise Pollution: *A Modern Plague*

Lisa Goines, RN and Louis Hagler, MD

Used with permission from the *Southern Medical Journal* and the authors
Southern Medical Journal, Volume 100: March 2007, pages 287-294.

Former U.S. Surgeon General William H. Stewart said in 1978, "Calling noise a nuisance is like calling smog an inconvenience. Noise must be considered a hazard to the health of people everywhere."

Abstract

98 Noise is defined as unwanted sound. Environmental noise consists of
99 all the unwanted sounds in our communities except that which originates in
100 the workplace. Environmental noise pollution, a form of air pollution, is a
101 threat to health and well-being. It is more severe and widespread than ever
102 before, and it will continue to increase in magnitude and severity because of
103 population growth, urbanization, and the associated growth in the use of
104 increasingly powerful, varied, and highly mobile sources of noise. It will also
105 continue to grow because of sustained growth in highway, rail, and air traffic,
106 which remain major sources of environmental noise. The potential health
107 effects of noise pollution are numerous, pervasive, persistent, and medically
108 and socially significant. Noise produces direct and cumulative adverse effects
109 that impair health and that degrade residential, social, working, and learning
110 environments with corresponding real (economic) and intangible (well-being)
111 losses. It interferes with sleep, concentration, communication, and
112 recreation. The aim of enlightened governmental controls should be to protect
113 citizens from the adverse effects of airborne pollution, including those

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

114 produced by noise. People have the right to choose the nature of their
115 acoustical environment; it should not be imposed by others.

116

117

118 *Favor me with silence. Horace (65BCE-8BCE)*

119

120 **Introduction**

121 Throughout recorded history, mankind has been plagued by a variety
122 of both natural and manmade ills. In the 21st Century we are experiencing the
123 man-made plague of environmental noise from which there is virtually no
124 escape, no matter where we are – in our homes and yards, on our streets, in
125 our cars, at theaters, restaurants, parks, arenas, and in other public
126 places. Despite attempts to regulate it, noise pollution has become an
127 unfortunate fact of life worldwide. In a way that is analogous to second-hand
128 smoke, second-hand noise is an unwanted airborne pollutant produced by
129 others; it is imposed on us without our consent, often against our wills, and at
130 times, places, and volumes over which we have no control.

131 There is growing evidence that noise pollution is not merely an
132 annoyance; like other forms of pollution, it has wide-ranging adverse health,
133 social, and economic effects.¹⁻¹¹ A recent search (September, 2006) of the
134 National Library of Medicine data base for adverse health effects of noise
135 revealed over 5000 citations, many of recent vintage. As the population
136 grows and as sources of noise become more numerous and more powerful,
137 there is increasing exposure to noise pollution, which has profound public
138 health implications. Noise, even at levels that are not harmful to hearing, is
139 perceived subconsciously as a danger signal, even during sleep.² The body
140 reacts to noise with a “fight or flight” response, with resultant nervous,

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

141 hormonal, and vascular changes that have far reaching consequences.¹⁻

142 ¹¹ Despite the fact that much has been written about the health effects of
143 noise, it seems that much of the following information is not appreciated by
144 the medical community and even less so by the general public.⁷ In 1990, an
145 NIH panel concluded that “high visibility media campaigns are needed to
146 develop public awareness of the effects of noise on hearing and the means of
147 self protection. In addition to informing the public, these programs should
148 target primary health care physicians and educators who deal with young
149 people.” (Cited in reference 7.) To these recommendations, we would add the
150 need to inform about all the other adverse effects of noise.

151 Thus, the purpose of this review is to summarize what is known of
152 these adverse health effects and to encourage physicians, nurses, and other
153 health professionals to join with groups around the country that are trying to
154 restore the Constitutionally guaranteed right of domestic tranquility. Noise
155 Free America and the Noise Pollution Clearinghouse are two such
156 organizations. There are numerous Internet sites that contain relevant
157 information about noise and the ongoing efforts to restore quiet in
158 communities across the United States. The interested reader should consult
159 Noise Off (www.NoiseOFF.org), The Noise Pollution Clearinghouse
160 (www.nonoise.org), Noise Free America (www.noisefree.org), or the League
161 for the Hard of Hearing (www.lhh.org/noise) for additional information about
162 this subject.

163 **Background**

164 Because their wheels clattered on paving stones, chariots in
165 ancient Rome were banned from the streets at night to prevent the noise that
166 disrupted sleep and caused annoyance to the citizens. Centuries later, some
167 cities in Medieval Europe either banned horse drawn carriages and horses

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168 from the streets at night or covered the stone streets with straw to reduce
169 noise and to ensure peaceful sleep for the residents.¹ In more recent times
170 in Philadelphia, the framers of our Constitution covered nearby cobblestone
171 streets with earth to prevent noise-induced interruptions in their important
172 work. These examples pinpoint two major effects of noise from which men in
173 all ages have sought relief: interruption of sleep and interference with work
174 that requires concentration. It is interesting that noises emanating from the
175 various types of roadways of today are still among the most important sources
176 of environmental noise, even though the types of noise are not those that
177 existed in Rome, Medieval Europe, or 18th century Philadelphia. Our modern
178 roadways (including road, rail, and air) and the products of modern technology
179 produce increasing levels of unwanted noise of varying types and intensities
180 throughout the day and night that disturb sleep, concentration, and other
181 functions.^{4, 6, 12, 13} This noise affects us without our being consciously aware
182 of it. Unlike our eyes, which we can shut to exclude unwanted visual input, we
183 cannot voluntarily shut our ears to exclude unwanted auditory input. Our
184 hearing mechanisms are always “on” even when we are asleep.²

185 The noise problems of the past pale in significance when compared
186 with those experienced by modern city dwellers; noise pollution continues to
187 grow in extent, frequency, and severity as a result of population growth,
188 urbanization, and technological developments.^{1, 4} For example, within the
189 European Common Market, 65% of the population is exposed to unhealthy
190 levels of transportation noise.¹³ In New York City, maximum noise levels
191 measured 106 dB on subway platforms and 112 dB inside subway
192 cars. These levels have the potential of exceeding recommended exposure
193 limits given sufficient duration of exposure.¹⁴ In 1991, it was estimated that
194 environmental noise increased by 10% in the decade of the 1980’s.³ The

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195 2000 United States Census found that 30% of Americans complained of noise
196 and 11% found it to be bothersome. Among those who complained, noise
197 was sufficiently bothersome to make nearly 40% want to change their place of
198 residence.¹⁵ That noise pollution continues to grow in scope, variety, and
199 magnitude is unquestioned; it is only the extent of the growth that remains
200 unknown.¹

201 In comparison to other pollutants, the control of environmental noise
202 has been hampered by insufficient knowledge about its effects on humans
203 and about dose-response relationships, but this seems to be changing as
204 more research is carried out. However, it is clear that noise pollution is
205 widespread and imposes long-term consequences on health.¹⁻¹¹ In 1971, a
206 World Health Organization (WHO) working group concluded that noise is a
207 major threat to human well-being.³ That assessment has not changed in the
208 intervening 30-plus years; if anything, the threat has intensified.

209 The various sounds in our environment (excluding all those sounds
210 that arise in the workplace) to which we are exposed can be viewed as being
211 either necessary (desirable) or unnecessary (undesirable). One might
212 consider the sounds produced in and around our homes by garbage
213 disposals, dishwashers, clothes washers and dryers, refrigerators, furnaces,
214 air-conditioners, yard maintenance equipment, and the many other
215 mechanized time - and labor - saving devices, which we all use and enjoy, as
216 being necessary. We are exposed to the noise of radio, television, and
217 related technologies; children are exposed to a wide variety of noisy toys.^{5,}
218 ¹⁶ The noise of internal combustion engines (modulated by legally required
219 mufflers), jet engines (modulated by improved design and by altered flight
220 paths), and train horns at grade crossings (modulated by new Federal Quiet
221 Zone rules), might all be considered necessary. There are numerous other

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222 such examples of machines or activities that produce sounds that are
223 tolerated because they accompany a desired activity or they serve an
224 important societal purpose, such as the sirens of emergency vehicles.

225 But what about sounds that accompany an undesired activity, that
226 have no societal importance, or that we consider unnecessary? What about
227 the sounds produced by the so-called boom-cars that are roving, pulsating
228 noise factories? What about the uncomfortable sound levels at concerts, in
229 theaters, and public sporting events? What about the noise of slow moving
230 train horns in urbanized areas or the early morning sounds accompanying
231 garbage collection? What about all the noise on our streets to which buses,
232 trolley cars, car horns, car alarms, motorcycles, and un-muffled exhaust
233 systems contribute? What about the risks to children from noisy toys and
234 from personal sound systems? What about the noise of barking dogs, leaf
235 blowers, and recreational vehicles? What about the noise of low flying
236 aircraft? In general, sounds that we deem unwanted or unnecessary are
237 considered to be noise. Our society is beset by noise, which is intrusive,
238 pervasive, and ubiquitous; most important of all, it is unhealthy. Most
239 reasonable people would agree that much of the environmental noise to which
240 we are subjected serves no useful purpose and is therefore undesirable. The
241 variety of noise polluting devices and activities is large and seems to be
242 growing on a daily basis, although there is no consensus about what items are
243 useful and desirable or noise polluting and unnecessary.

244 Domestic tranquility is one of the six guarantees in the United States
245 Constitution, a guarantee that is echoed in some form or other in every state
246 Constitution. In 1972, the Noise Control Act was passed by Congress,
247 declaring, "...it is the policy of the United States to promote an environment
248 for all Americans free from noise that jeopardizes health and welfare." In

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249 1974, the Environmental Protection Agency (EPA) estimated that nearly 100
250 million Americans lived in areas where the daily average noise levels
251 exceeded those identified as being safe.¹⁷ However, in 1982, the
252 government abruptly terminated federal funding for the Office of Noise
253 Abatement and Control, the vehicle by which the public was to be protected
254 from the adverse effects of noise. The lack of funds threw total responsibility
255 for noise control to the states, which have had a spotty and generally poor
256 record with respect to noise abatement.^{7, 18} Since the Act itself was not
257 repealed, local and state governments may have been deterred from trying to
258 regulate noise. Furthermore, failure to repeal the Act sent the message that
259 noise was not an important environmental concern.⁷ As a result, in
260 the United States, most police departments seem to be unwilling or unable to
261 respond to noise-related problems in a way that provides any measure of
262 genuine or timely control. Yet, in most cities, as noise pollution continues to
263 grow - some say as much as 6-fold in the past 15 years - so do complaints
264 about noise. Complaints to police and other officials about noise are among
265 the most frequent complaints by residents in urban environments; in 1998,
266 noise was the number one complaint to the Quality of Life Hotline in New York
267 City. In 1996, the Federal Environmental Agency in Germany reported two
268 out of three of its citizens had complained about excessive noise.¹⁸ The
269 number of people exposed to unhealthy levels of noise in the United States is
270 unquestionably greater than it was in 1974; the degree of oversight and
271 control is unquestionably less.

272

273

274 ***Adverse Health Effects of Noise***

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275 The WHO has documented seven categories of adverse health effects
276 of noise pollution on humans. Much of the following comes from the WHO
277 Guideline on Community Noise and follows its format.¹ The guideline
278 provides an excellent, reasonably up-to-date, and comprehensive overview of
279 noise-related issues, as do the other recent reviews on this subject.

280 **1. Hearing Impairment:** Hearing is essential for well-being and
281 safety. Hearing impairment is typically defined as an increase in the threshold
282 of hearing as clinically assessed by audiometry. Impaired hearing may come
283 from the workplace, from the community, and from a variety of other causes
284 (e.g., trauma, ototoxic drugs, infection, and heredity). There is general
285 agreement that exposure to sound levels less than 70 dB does not produce
286 hearing damage, regardless of the duration of exposure.^{1, 17} There is also
287 general agreement that exposure for more than 8 hours to sound levels in
288 excess of 85 dB is potentially hazardous; to place this in context, 85 dB is
289 roughly equivalent to the noise of heavy truck traffic on a busy road.¹ With
290 sound levels above 85 dB, damage is related to sound pressure (measured in
291 dB) and to time of exposure. The major cause of hearing loss is occupational
292 exposure, although other sources of noise, particularly recreational noise, may
293 produce significant deficits. Studies suggest that children seem to be more
294 vulnerable than adults to noise induced hearing impairment.¹

295 Noise induced hearing impairment may be accompanied by abnormal
296 loudness perception (loudness recruitment), distortion (paracusis), and
297 tinnitus. Tinnitus may be temporary or may become permanent after
298 prolonged exposure.¹ The eventual results of hearing losses are loneliness,
299 depression, impaired speech discrimination, impaired school and job
300 performance, limited job opportunities, and a sense of isolation.^{3, 19, 20}

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301 In 2001, it was estimated that 12.5% of American children between the
302 ages of 6 to 19 years had impaired hearing in one or both ears.²¹ As many
303 as 80% of elementary school children use personal music players, many for
304 extended periods of time and at potentially dangerous volume
305 settings.¹⁹ There is little doubt that the use of consumer products, which
306 produce increasingly high levels of noise and which are used with headsets or
307 earphones, is growing and may well be responsible for the impaired hearing
308 that is being seen with growing frequency in younger people.^{19, 22-}
309 ²⁴ This form of noise is largely unregulated, despite warnings by the
310 manufacturers.

311 In the young, hearing loss affects communication, cognition, behavior,
312 social-emotional development, academic outcomes, and later vocational
313 opportunities.²⁵ These effects have been well documented in a number of
314 large scale investigations in children.²³

315 Leisure-time exposure, which is generally unregulated, is increasing in
316 other ways as well with resultant adverse effects. In a recent survey, a
317 majority of young adults reported having experienced tinnitus or impaired
318 hearing after exposure to loud music at concerts or in clubs. Very few (8%)
319 considered loss of hearing a significant problem. Many of the respondents
320 said they would be motivated to use ear protection if they were aware of the
321 potential of permanent hearing loss (66%) or if such protection were advised
322 by a medical professional (59%).²²

323 Those working in clubs, bars, and other places of entertainment are
324 also at risk. It is well known that rock musicians frequently have noise-
325 induced hearing loss. Apart from the musicians themselves, employees of
326 music clubs, where noise frequently exceeds safe levels, are at risk.²⁶ Thus,
327 nearly a third of students who worked part time (bar staff or security staff) in a

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328 university entertainment venue were found to have permanent hearing loss of
329 more than 30 dB.²⁷

330 The WHO recommends that unprotected exposure to sound levels
331 greater than 100 dB (for example, the sound of a jackhammer or a
332 snowmobile) should be limited in duration (4 hours) and frequency (four
333 times/year).¹ The threshold for pain is usually given as 140 dB; a level readily
334 achieved in today's boom-cars. Impulse noise exposure (gunfire and similar
335 sources of intense noise of brief duration) should never exceed 140 dB in
336 adults and 120 dB in children. Firecrackers, cap pistols, and other toys can
337 generate sufficient sound levels to cause sudden and permanent
338 hearing loss.¹⁹ Levels greater than 165 dB, even for a few milliseconds, are
339 likely to cause acute cochlear damage.¹ It is important to remember to
340 counsel patients that ears do not "get used" to loud noise. As the League for
341 the Hard of Hearing notes - - they "get deaf."

342 **2. Interference with Spoken Communication:** In 1974, in an attempt to
343 protect public health and welfare against the adverse effects of noise, the EPA
344 published so-called safe levels of environmental noise that would permit
345 normal communication both in and out of doors.¹⁷ Noise pollution interferes
346 with the ability to comprehend normal speech and may lead to a number of
347 personal disabilities, handicaps, and behavioral changes. These include
348 problems with concentration, fatigue, uncertainty, lack of self confidence,
349 irritation, misunderstandings, decreased working capacity, disturbed
350 interpersonal relationships, and stress reactions. Some of these effects may
351 lead to increased accidents, disruption of communication in the classroom,
352 and impaired academic performance.^{1, 5, 10, 11} Particularly vulnerable groups
353 include children, the elderly, and those not familiar with the spoken
354 language.¹

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355 **3. Sleep Disturbances:** Uninterrupted sleep is known to be a prerequisite for
356 good physiologic and mental functioning in healthy
357 individuals.²⁸ Environmental noise is one of the major causes of disturbed
358 sleep.^{1, 10} When sleep disruption becomes chronic, the results are mood
359 changes, decrements in performance, and other long-term effects on health
360 and well-being.³ Much recent research has focused on noise from aircraft,
361 roadways, and trains. It is known, for example, that continuous noise in
362 excess of 30 dB disturbs sleep. For intermittent noise, the probability of being
363 awakened increases with the number of noise events per night.¹

364 The primary sleep disturbances are difficulty falling asleep, frequent
365 awakenings, waking too early, and alterations in sleep stages and depth,
366 especially a reduction in REM sleep. Apart from various effects on sleep
367 itself, noise during sleep causes increased blood pressure, increased heart
368 rate, increased pulse amplitude, vasoconstriction, changes in respiration,
369 cardiac arrhythmias, and increased body movement.²⁸ For each of these, the
370 threshold and response relationships may be different. Some of these effects
371 (waking, for example) diminish with repeated exposure; others, particularly
372 cardiovascular responses, do not.²⁹ Secondary effects (so-called after
373 effects) measured the following day include fatigue, depressed mood and
374 well-being, and decreased performance.³⁰ Decreased alertness and
375 disrupted circadian rhythms, which lead to accidents, injuries, and death, have
376 also been attributed to lack of sleep.³¹

377 Long-term psychosocial effects have been related to nocturnal
378 noise. Noise annoyance during the night increases total noise annoyance for
379 the following 24 hours. Particularly sensitive groups include the elderly, shift
380 workers, persons vulnerable to physical or mental disorders, and those with
381 sleep disorders.¹

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382 Other factors that influence the problem of night-time noise include its
383 occurrence in residential areas with low background noise levels and
384 combinations of noise and vibration such as produced by trains or heavy
385 trucks. Low frequency sound is more disturbing, even at very low sound
386 pressure levels; these low frequency components appear to have a significant
387 detrimental effect on health.³²

388 **4. Cardiovascular Disturbances:** A growing body of evidence confirms that
389 noise pollution has both temporary and permanent effects on humans (and
390 other mammals) by way of the endocrine and autonomic nervous systems. It
391 has been postulated that noise acts as a nonspecific biologic stressor eliciting
392 reactions that prepare the body for a “fight or flight” response.^{1, 2, 6} For this
393 reason, noise can trigger both endocrine and autonomic nervous system
394 responses that affect the cardiovascular system and thus may be a risk factor
395 for cardiovascular disease.^{1, 2, 6, 11, 33- 36} These effects begin to be seen with
396 long-term daily exposure to noise levels above 65 dB or with acute exposure
397 to noise levels above 80 to 85 dB.^{1, 3} Acute exposure to noise activates
398 nervous and hormonal responses, leading to temporary increases in blood
399 pressure, heart rate, and vasoconstriction. Studies of individuals exposed to
400 occupational or environmental noise show that exposure of sufficient intensity
401 and duration increases heart rate and peripheral resistance, increases blood
402 pressure, increases blood viscosity and levels of blood lipids, causes shifts in
403 electrolytes, and increases levels of epinephrine, norepinephrine, and
404 cortisol.³ Sudden unexpected noise evokes reflex responses as
405 well. Cardiovascular disturbances are independent of sleep disturbances;
406 noise that does not interfere with the sleep of subjects may still provoke
407 autonomic responses and secretion of epinephrine, norepinephrine, and

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408 cortisol.²⁹ These responses suggest that one can never completely “get used
409 to” nighttime noise.

410 Temporary noise exposure produces readily reversible physiologic
411 changes. However, noise exposure of sufficient intensity, duration, and
412 unpredictability provokes changes that may not be so readily reversible. The
413 studies that have been done on the effects of environmental noise have
414 shown an association between noise exposure and subsequent
415 cardiovascular disease.^{1, 2, 6, 33-36} Even though the increased risk for noise-
416 induced cardiovascular disease may be small, it assumes public health
417 importance because both the number of people at risk and the noise to which
418 they are exposed continue to increase.^{1, 2}

419 Children are at risk as well. Children who live in noisy environments
420 have been shown to have elevated blood pressures and elevated levels of
421 stress-induced hormones.^{2, 11, 18}

422 **5. Disturbances in Mental Health:** Noise pollution is not believed to be a
423 cause of mental illness, but it is assumed to accelerate and intensify the
424 development of latent mental disorders. Noise pollution may cause or
425 contribute to the following adverse effects: anxiety, stress, nervousness,
426 nausea, headache, emotional instability,
427 argumentativeness, sexual impotence, changes in mood, increase in social
428 conflicts, neurosis, hysteria, and psychosis. Population studies have
429 suggested associations between noise and mental-health indicators, such as
430 rating of well-being, symptom profiles, the use of psychoactive drugs and
431 sleeping pills, and mental-hospital admission rates. Children, the elderly, and
432 those with underlying depression may be particularly vulnerable to these
433 effects, because they may lack adequate coping mechanisms.¹ Children in

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434 noisy environments find the noise annoying and report a diminished quality of
435 life.^{10, 37}

436 Noise levels above 80 dB are associated with both an increase in
437 aggressive behavior and a decrease in behavior helpful to others.³⁸⁻
438 ⁴⁰ The news media regularly report violent behavior arising out of disputes
439 over noise; in many cases these disputes ended in injury or death. The
440 aforementioned effects of noise may help explain some of the dehumanization
441 seen in the modern, congested, and noisy urban environment.²

442 **6. Impaired Task Performance:** The effects of noise pollution on cognitive
443 task performance have been well-studied. Noise pollution impairs task
444 performance at school and at work, increases errors, and decreases
445 motivation.^{11, 41} Reading attention, problem solving, and memory are most
446 strongly affected by noise. Two types of memory deficits have been identified
447 under experimental conditions: recall of subject content and recall of incidental
448 details. Both are adversely influenced by noise. Deficits in performance can
449 lead to errors and accidents, both of which have health and economic
450 consequences.¹

451 Cognitive and language development and reading achievement are
452 diminished in noisy homes, even though the children's schools may be no
453 noisier than average.¹⁸ Cognitive development is impaired when homes or
454 schools are near sources of noise such as highways and airports.^{4, 11} Noise
455 affects learning, reading, problem solving, motivation, school performance and
456 social and emotional development.^{3, 5, 10, 18, 42} These findings suggest that
457 more attention needs to be paid to the effects of noise on the ability of children
458 to learn and on the nature of the learning environment, both in school and at
459 home. Moreover, there is concern that high and continuous environmental
460 noise may contribute to feelings of helplessness in children.^{11, 18}

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461 Noise produces negative after-effects on performance, particularly in
462 children. It appears that the longer the exposure, the greater the
463 effect. Children from noisy areas have been found to have heightened
464 sympathetic arousal indicated by increased levels of stress-related hormones
465 and elevated resting blood pressure.¹⁸ These changes were larger in
466 children with lower academic achievement. As a whole, these findings
467 suggest that schools and day-care centers should be located in areas that are
468 as noise-free as possible.¹

469 **7. Negative Social Behavior and Annoyance Reactions:** Annoyance is
470 defined as a feeling of displeasure associated with any agent or condition
471 believed by an individual to adversely affect him or her. Perhaps a better
472 description of this response would be aversion or distress. Noise has been
473 used as a noxious stimulus in a variety of studies because it produces the
474 same kinds of effects as other stressors.² Annoyance increases significantly
475 when noise is accompanied by vibration or by low frequency
476 components.³² The term annoyance does not begin to cover the wide range
477 of negative reactions associated with noise pollution; these include anger,
478 disappointment, dissatisfaction, withdrawal, helplessness, depression,
479 anxiety, distraction, agitation, or exhaustion. Lack of perceived control over
480 the noise intensifies these effects.^{1, 10}

481 Social and behavioral effects of noise exposure are complex, subtle,
482 and indirect. These effects include changes in everyday behavior (e.g.,
483 closing windows and doors to eliminate outside noises; avoiding the use of
484 balconies, patios and yards; and turning up the volume of radios and
485 television sets); changes in social behavior (e.g., aggressiveness,
486 unfriendliness, nonparticipation, or disengagement); and changes in social

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487 indicators (e.g., residential mobility, hospital admissions, drug consumption,
488 and accident rates); and changes in mood (increased reports of depression).¹

489 Noise exposure per se is not believed to produce aggressive
490 behavior. However, in combination with provocation, preexisting anger or
491 hostility, alcohol or other psychoactive agents, noise may trigger aggressive
492 behavior.³⁸ Our news is filled with examples of this kind of behavior.

493 The degree of annoyance produced by noise may vary with the time of
494 day, the unpleasant characteristics of the noise, the duration and intensity of
495 the noise, the meaning associated with it, and the nature of the activity that
496 the noise interrupted. ¹ Annoyance may be influenced by a variety of non-
497 acoustical factors including individual sensitivity to noise.⁴³ These include
498 fear of the noise source, conviction that noise could be reduced by third
499 parties, individual sensitivity, the degree to which an individual feels able to
500 control the noise, and whether or not the noise originated from an important
501 economic activity. ^{1, 10} Other less direct effects of annoyance are disruption of
502 one's peace of mind, the enjoyment of one's property, and the enjoyment of
503 solitude.

504 Greater annoyance has been observed when noise is of low
505 frequency, is accompanied by vibrations that contain low-frequency
506 components, or when it contains impulses such as the noise of gun shots. ^{1,}
507 ³² Annoyance is greater when noise progressively increases rather than
508 remaining constant. Average outdoor residential day-night sound levels below
509 55 dB were defined as acceptable by the EPA; acceptable average indoor
510 levels were less than 45 dB. ¹⁷ To put these levels into perspective, sound
511 levels produced by the average refrigerator or the sounds in the typical quiet
512 neighborhood measure about 45 dB. ¹⁷ Sound levels above this produce
513 annoyance in significant numbers of people.

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514 The results of annoyance are privately felt dissatisfaction, publicly
515 expressed complaints to authorities (although underreporting is probably
516 significant), and the adverse health effects already noted. Given that
517 annoyance can connote more than slight irritation, it describes a significant
518 degradation in the quality of life, which corresponds to degradation in health
519 and well-being. In this regard, it is important to note that annoyance does not
520 abate over time despite continuing exposure to noise.¹²

521 ***Effects of Multiple Sources of Noise Pollution***

522 Most environments contain a combination of sounds from more than
523 one source (e.g., aircraft, motor vehicles, and trains). In urban environments,
524 boom cars, car horns, car alarms, and public transit systems may be the
525 offenders. In suburban areas, leaf blowers, other power equipment, and
526 barking dogs may be the source. There is, as yet, no consensus on a model
527 for measuring total annoyance from multiple noise sources. Adverse health
528 effects appear to be related to total noise exposure from all sources rather
529 than the noise from any single source.

530 The evidence related to low-frequency noise is sufficiently strong to
531 warrant immediate concern. It is a special concern because of its pervasive
532 nature, because it arises from multiple sources, and because of its efficient
533 propagation, which is essentially unimpeded by conventional methods of
534 either building or ear protection. Adverse health effects from low-frequency
535 noise are thought to be more severe than from other forms of community
536 noise. This form of noise is underestimated with the usual types of sound
537 measuring equipment.^{32, 44}

538 In residential populations, combined sources of noise pollution will
539 lead to a combination of adverse effects such as impaired hearing; sleep
540 disturbances; cardiovascular disturbances; interference at work, school, and

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541 home; and annoyance, among others. These effects are the result of stress
542 from noise; stress that has been increasingly linked to illness.²

543 ***Groups Vulnerable to the Effects of Noise Pollution***

544 Vulnerable groups, generally underrepresented in study populations,
545 include patients with various diseases, patients in hospitals or those who are
546 rehabilitating from injury or disease, the blind, the hearing impaired, fetuses,
547 infants and young children, and the elderly. Although anyone might be
548 adversely affected by noise pollution, groups that are particularly vulnerable
549 include neonates, infants, children, those with mental or physical illnesses,
550 and the elderly. Because children are particularly vulnerable to noise induced
551 abnormalities, they need special protection.^{5, 19} This vulnerability to noise
552 may be an age related sensitivity but may be also be due to increased risk
553 based on behavior (personal music systems, loud concerts) or to an inability
554 of the very young to remove themselves from a noxious source.⁵ The
555 evidence is strong enough to warrant monitoring programs in schools and
556 elsewhere to protect children from noise exposure.^{1, 5, 19}

557 The effects of noise on the fetus and newborn are unclear. Exposure
558 to noise during pregnancy may increase the risk of high-frequency hearing
559 loss in the newborn, shortened gestation, prematurity, and intrauterine growth
560 retardation.^{5, 19, 20, 45, 46} Noise in the NICU may cause cochlear damage and
561 may impair the growth and development of the premature infant.²⁴ Even
562 though studies have been inconsistent with respect to noise and congenital
563 malformations, the data were sufficiently compelling for the National Research
564 Council to recommend that pregnant women avoid noisy work settings.¹⁸

565 ***WHO Guidelines***

566 Because health effects are relevant to specific environments,
567 guidelines have been proposed for the following: dwellings, including

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568 bedrooms; schools and preschools; hospitals, industrial, commercial,
569 shopping, and traffic areas; ceremonies, festivals, and entertainment events;
570 use of headphones for music and other sounds; impulse sounds from toys,
571 fireworks, and firearms; and outdoors in parklands and other such
572 areas.¹ Similar guidelines were being developed by the EPA, but ended with
573 termination of federal funding in 1982.

574 ***Conclusions and Recommendations***

575 As a society, our history is filled with failures to recognize the agents
576 that cause disease; once the causes have been recognized, we have
577 responded reluctantly, slowly, and often inadequately. The case with tobacco
578 is an instructive one. It took many years of lobbying by dedicated individuals
579 before legislators and the general public recognized the links between the
580 hazards of tobacco smoke and disease; as a result laws were finally enacted
581 and behaviors changed accordingly.

582 Despite the evidence about the many medical, social, and economic
583 effects of noise, as a society, we continue to suffer from the same inertia, the
584 same reluctance to change, and the same denial of the obvious that the anti-
585 tobacco lobby faced a couple of decades ago. This inertia and denial are
586 similar to those that delayed appropriate action on lead, mercury, and
587 asbestos. Now we seem unable to make the connection between noise and
588 disease, despite the evidence, and despite the fact, which we all recognize,
589 that our cities are becoming increasingly more polluted with noise.

590 Noise makers and the businesses that support them are as reluctant
591 as smokers to give up their bad habits. Legislators at all levels should protect
592 us from noise pollution the same way they protected us from tobacco smoke
593 and other forms of pollution. It is clear that laws can change behaviors in
594 ways that benefit society as a whole.

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595 Noise represents an important public health problem that can lead to
596 hearing loss, sleep disruption, cardiovascular disease, social handicaps,
597 reduced productivity, impaired teaching and learning, absenteeism, increased
598 drug use, and accidents. It can impair the ability to enjoy one's property and
599 leisure time and increases the frequency of antisocial behavior. Noise
600 adversely affects general health and well-being in the same way as does
601 chronic stress. It adversely affects future generations by degrading
602 residential, social, and learning environments with corresponding economic
603 losses. Local control of noise has not been successful in most places. This
604 points out the need for improved methods of local control that should include
605 public education, enlightened legislation, and active enforcement of noise
606 ordinances by local law enforcement officials. Part of the solution may require
607 federal or state legislation aimed at supporting local efforts or the restoration
608 of federal funding for the Office of Noise Abatement and Control.

609

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Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

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714
715 **Visual Concerns:**
- 716 I would like to know what are the sound barriers constructed from, and how they will obstruct my views
717 from property as this is another reason why I bought my home here. I have 360 degrees of views from
718 my home and 10 acres. How will you block the sound barriers and or hide them from view to make them
719 blend into the natural surroundings?
720
- 721 **Environmental Study Concerns:**
- 722 The forestry Department has identified our canyon as an ESA "Environmentally Sensitive Area". We have
723 several endangered species located here. For Example we have the **Stickle Back Fish**, The **Arroyo Toad**
724 and **Horned Lizard** which I have personally on my property, Along with **Manzanita trees**. How will you
725 address the construction of the Train as it relates to not disturbing their habitats and that the trains
726 vibration and noise after construction will not further decrease their survival rates??
- 727 **Water Usage:**
- 728 How will you assure us that the water used for the construction of the project will not come from our
729 water table and that you will not poison, contaminate, reduce, or affect our water supply in any way??
730

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

731 **Access:**

732 What is the plan for access to the construction work site? All Roads in my area "Ravenna" are private
733 with access only granted to other property owners. We will not allow any construction traffic on our
734 roads. How do you plan access to the sites? Where are you depositing the spoils from tunneling and
735 how will you assure that they will not affect the wild life, water supply, trails, views, and way of life for
736 us?

737

738 **Segmented Rail Line Study's:**

739 Your segmented rail line studies have prevented an honest cost analysis of the project lines. The analysis
740 has to be conducted on the complete line of Palmdale to Los Angeles to provide a true cost analysis.
741 Please provide a revised cost analysis and line study in the EIR.

742

743 **Financial Concerns:**

744 While 75% of American's will not occupy the same home for more than 20 years (taken from
745 the NAHB). More than 75% of the People in Acton have and will. What this means is that there
746 is not a high over turn of house's being bought and sold here. There are no 2 houses alike in
747 Acton as all of them are custom built spec. houses and each and every one is maintained,
748 remodeled, and improved for each of our personal needs. Just because 2 houses may appraise
749 for 500K doesn't mean they will meet the needs of each other's owners. Most property owners
750 in Acton have done specific improvements to their homes that will not equate out in an
751 appraisal. To replace what each of us have will be very costly and needs to be part of your
752 appraisal equation. A standard appraisal will rob us of our individual improvements, money and
753 time spent, and in my case what could be my career.

754

755 First of all I intended on staying in my home until I die. I purchased my home over 3 years ago
756 as a fixer upper. I intend on living at least another 40 years and understand that in my older
757 years I will not have the ability to perform repairs on my home or upgrade it. For this reason I
758 have done upgrades that will last my life time and will not depreciate in value as time went on.
759 These upgrades will not equate put into a standard appraisal and will cost me hundreds of
760 thousands to replace.

761 These are some but not all and shall not be construed as a complete list in future negotiations.

- 762
- 763 • Solid Stone Slate Flooring set in various designs and with Hand Distressed Hard Wood
764 Flooring Diamond Inlays
765 \$25,000
 - 765 • Hand Scraped and Distressed Hard Wood Flooring with Square Plug Antiquing,
766 \$20,000

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

- 767 • Hand constructed 5 Panel **Solid Oak** (Not Solid Core) Doors with Emtek Hardware. Solid
768 Oak Jambs, Casing, and Baseboards throughout my home.
769 \$52,000
- 770 • Custom Cabinets throughout entire home with 7 ply Maple Drawers Dovetail
771 Construction and full slide out Ball Bearing Slides, Malamine interiors with a 5 coat
772 Glazed Finish.
773 \$40,000
774
- 775 • 1400 Square Foot Wood Framed and Stucco Shop. Includes a separate electrical Service,
776 Air Utility's and Shop Grade Electrical throughout. A Shop Rest Room and Shower. 10'5"
777 Ceiling height for working with standard 10' shop materials, a Commercial Overhead
778 Door along with over 100 linear feet of custom cabinetry.
779 \$200,000
- 780
- 781 • I have laid over 1 mile of water lines on the property to allow for planting a tree park in
782 the future.
783 \$15000
- 784
- 785 • I have electrical run throughout the property to every out building along with Arena
786 Lighting and lighting throughout the property.
787 \$25000
- 788
- 789 • The Cost of moving my home and shop will be at least 3 months of disrupted work only
790 withstanding that I can find a home with a shop already built on it. Currently there is
791 none available except a home that costs 2X the current value of mine. If I have to
792 construct a new Shop so that I may continue working in my career it could take up to a
793 year to get permits and construct the shop.
794 \$75,000 - \$175,000
- 795
- 796 • I have several out buildings that are on Skids. Each Building has a specific purpose, i.e
797 storage, planting building, Tack Room, Party Supplies, Horse Pole Barn. These buildings
798 to replace them will cost \$50,000 or to move them will cost the same as they will have
799 to be completely reroofed from the moving tearing their roofing underlayment. The
800 foundations that they sit on (i.e. concrete, gravel, RR Ties, will cost another \$20,000 to
801 replace.
802 \$70,000

Submission B030 (Christopher A. Croisdale, The Croisdale Group Inc., August 19, 2014) - Continued

- 803 • I have several other items that will need to be moved also. i.e Zip Line, Swing Set, Tether
804 Ball Pole, Horse Shoe Pits, Fire Wood, Bobcat, Scissor Lift, Farm Tractor, Excavator, Farm
805 Disc, Mulchers, Chippers, Cement Mixers, Camper, Trailers, Dump Trailers, Construction
806 Materials, Horse Stalls, and all contents of the Sheds will equate to another \$20,000 in
807 costs.
808 \$20,000
- 809 • Most houses in Acton do not have fencing around their property while my entire 5 acres
810 is 3 strand barb wire I also have a ½ Acre rear yard that is fenced and then a dog run.
811 \$15000
- 812
- 813 • I have an antique Wind Mill at the entrance to my property which is all steel and is over
814 50 years old. The value of the Windmill is \$5000 or the cost to move it is equal.
815 \$5000
- 816
- 817 • The total moving costs and replacement costs of what I have here is in excess of
818 \$737,000 additional to the purchase price of my home.
- 819
- 820 • I would like you address in the EIR the impact and process for dealing with everyone’s
821 upgrades to their homes and the process of packing and moving, and unpacking our
822 items as we shall not be responsible for any of the labor in doing so and shall also need
823 to be reimbursed for our time in having to manage and perform this task. Please include
824 a detailed description of how you will pay for all these expenses, loss of use, loss of
825 improvement capital, and loss of income due to the process and its inconveniences to
826 us.
- 827
- 828 • Most of us are on propane here and while some of us own our tanks others rent them. I
829 would need to be reimbursed for my tank as I own it and it is a very large one for
830 emergency purposes. Also it cost \$2000 to fill and I will need to be reimbursed for the
831 propane left in the tank. Please include in your EIR the process for reimbursement for
832 propane and storage facilities along with any solar installations.
- 833 In conclusion I feel a much broader area needs to be added to the current study and in
834 particular the area immediately to the east of us where the train can run through the forest and
835 not affect any homes.
- 836 Christopher A. Croisdale
837 29100 Maryhill Road
838 Acton, CA 93510
839 (661) 269-2848

Submission B031 (Adam Gilbert, The Walt Disney Company, August 29, 2014)



Via E-mail and USPS

August 29, 2014

Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
700 North Alameda Street Room 3-532
Los Angeles, CA 90012

RE: Palmdale to Burbank Section Project Level EIR/EIS

Dear Mr. McLoughlin:

Thank you for the opportunity to comment on the Notice of Preparation regarding the project referenced above.

As you know, The Walt Disney Company's wholly owned subsidiary, Golden Oak Ranch Properties, owns approximately 890 acres in the Newhall area adjacent to State Route 14, commonly known as the Golden Oak Ranch. The Golden Oak Ranch is one of the most frequently used outdoor filming locations in Los Angeles County, vital not only to our company but to the hundreds of third-party productions that appreciate our irreplaceable vistas, sets and scenery that replicate locations across the globe. Earlier this year, Disney received final County approval for the Disney|ABC Studios at the Ranch project, enabling development of a state of the art studio lot with twelve sound stages and additional support structures. Our understanding is that the proposed High Speed Rail ("HSR") alignment is directly underneath a number of our Golden Oak Ranch parcels including our 58-acre Disney|ABC Studios at the Ranch project site.

While we appreciate the efforts to connect the major urban centers in the State with HSR, Disney is concerned with the potential environmental impacts related to traffic/transportation, noise and vibration and aesthetics to our entire Golden Oak Ranch holdings. We ask that HSR address the following concerns and conduct the appropriate associated analysis in the proposed EIR/EIS:

How will noise and vibration from both HSR construction and operation be mitigated in order to eliminate impacts to our daily television and film production efforts? Disney is concerned especially that the alignment will be so close to our building foundations that noise and vibration will render our production facilities unusable. With highly technical and sensitive cameras and equipment used in the television and film industry, noise and vibration that might not be recognized by humans may register on camera. We would want to know the anticipated ground level noise and vibration levels before and after implementation of mitigation measures and project design features. In addition,

500 South Buena Vista Street, Burbank, California 91521-2590
Tel 818.560.8151

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Submission B031 (Adam Gilbert, The Walt Disney Company, August 29, 2014) -
Continued



please identify the specific measures and materials that HSR would use during construction and operation and their relative benefit to attenuate vibration. The foundation structure for Disney|ABC Studios at the Ranch facilities will likely be on piles driven 60 to 80 feet into the ground. Depending on the final alignment, this could make the HSR tracks just a few dozen feet away from our structures. Your analysis should take into consideration both the location and foundation system of our buildings.

The primary access point to the Golden Oak Ranch is off State Route 14 and Placerita Canyon Road. Will there be any utilization of these routes for construction purposes and if so at what level of impact? Please identify traffic volumes as well as the equipment types.

Maintaining unobstructed views is critical to the long-term economic viability of the Golden Oak Ranch; television and film productions need to know that man-made fixtures are not visible to the camera. Disney has spent significant resources to acquire adjacent properties and locate various physical elements – such as water tanks and sets -- to protect those critical camera angles. Although HSR is supposed to be underground in and around the entire Golden Oak Ranch, will there be any emergency escape hatch, electrical equipment transformer, air pressure relief shafts or other man-made structure that could be seen from the Golden Oak Ranch? If so, please identify their location, size and materials used and what mitigation measures HSR will implement to preserve our camera views. In addition, will HSR construction require long-term placement of any equipment or facilities (e.g., for lifting, staging, etc) that might compromise views in or around the Golden Oak Ranch?

We understand that HSR is considering an Alternative Corridor that tunnels under the Angeles National Forest. Not only would such an alignment create a more direct route between the Burbank and Palmdale stations, it would avoid impacts to the Golden Oak Ranch and thousands of properties in the northern San Fernando Valley and State Route 14 corridor. Disney urges HSR to consider this as the final alignment.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Adam Gilbert". The signature is fluid and cursive.

Adam Gilbert
Director, Corporate Real Estate
The Walt Disney Company

cc: Michelle Boehm, CHSRA
Michael Murphy, City of Santa Clarita
Edel Vizcarra, Office of County Supervisor Michael Antonovich
TWDC Corporate Legal
TWDC Government Relations
File - Golden Oak Ranch

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)

UNION PACIFIC RAILROAD
10031 Foothills Blvd.
Roseville, California 95747

P 916 789 6360

Jerry S. Wilmoth General Manager Network Infrastructure

August 29, 2014

Mark A. McLoughlin
Director of Environmental Services
Attention: Palmdale to Burbank Section EIR/EIS and
Burbank to Los Angeles Section EIR/EIS
California High-Speed Rail Authority
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Re: Notices of Preparation of an Environmental Impact Report/Environmental Impact Statement for the Palmdale to Burbank and Burbank to Los Angeles Sections of the California High Speed Train Project

Dear Mr. McLoughlin:

Union Pacific Railroad Company (UP) submits the following comments to the California High Speed Rail Authority (CHSRA) and Federal Railroad Administration (FRA) in response to the Notices of Preparation (NOP) of a Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and Notices of Intent (NOI) to Prepare an Environmental Impact Statement for the Palmdale to Burbank and Burbank to Los Angeles Sections of the California High Speed Train (HST) Project. For convenience, and because UP's comments address interrelated issues concerning both sections of the HST, we are submitting a combined set of comments. Please include these comments in the administrative records for both the Palmdale to Burbank and Burbank to Los Angeles EIR/EISs.

UP owns and operates a common carrier railroad network in the western half of the United States, including the State of California. Specifically, UP owns and operates rail main lines connecting the San Francisco Bay Area to Sacramento and points east and north, and to Los Angeles and points east and southeast. UP is the largest rail carrier in California in terms of both mileage and train operations. UP's network in California is vital to the economic health of the state and the nation as a whole, and its rail service to California customers is crucial to the current and future success and growth of those customers.

Comment 1: General. The California Environmental Quality Act (CEQA) NOPs and National Environmental Policy Act (EPA) NOIs for both the Palmdale-Burbank and Burbank-Los Angeles HST sections state that the EIR/EISs will address probable effects including impacts to transportation and safety and security; and the CEQA NOPs also acknowledge electromagnetic

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Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

interference and electromagnetic fields (EMI/EMF) as probable impacts. NOPs, p. 6; NOIs, 79 Fed. Reg. 43125, 43128. UP agrees. Overall, we must reiterate that, as stated in our previous comments on the EIR/EISs for other sections of the HST, UP will not allow any part of the HS system to be located on UP-owned property; where UP operates on rights of way owned by others, HST facilities and operations must not interfere with UP's operations; and where the HST and UP alignments run in close proximity, a safe and operationally functional distance must be maintained between them.

Comment 2: CHSRA-UP Memorandum of Understanding and ECM Agreements. On July 11, 2012, CHSRA and UP entered into a Memorandum of Understanding and Implementing Agreement Related to High-Speed Rail Development in California (MOU), which established terms and a coordination process for development of the HST system affecting both those rights of way that UP owns and those on which it operates. Currently, UP and CHSRA are in the process of negotiating an Engineering, Construction and Maintenance (ECM) Agreement pursuant to the MOU for the first construction segment from Merced to Bakersfield, and the parties anticipate negotiating additional ECM Agreements for future segments. The MOU, ECM Agreements and other agreements between UP and CHSRA will govern how the HST system is developed in relation to the UP freight network and operations. In responses to UP's comments on the EIR/EIS for the Fresno-Bakersfield HST Section, CHSRA and FRA extensively relied on the UP review and approval process under the MOU and Merced-Bakersfield ECM Agreement to address the transportation, safety, EMI/EMF and other impacts UP identified. The Palmdale-Burbank and Burbank-Los Angeles EIR/EISs also should acknowledge the role of the MOU, as well as the ECM Agreements for those segments, and expressly incorporate them into mitigation measures for the appropriate impacts.

Comment 3: Surface Transportation Board Decision. In its recent decision on construction of the Fresno-Bakersfield HST section, the Surface Transportation Board (STB) independently reviewed the EIR/EIS for that section and required an additional mitigation commitment to address impacts on freight operations. Specifically, the STB directed that existing mitigation measures be modified as follows: "Prior to initiating project-related construction of the Line, the California High-Speed Rail Authority shall ensure that the Construction Management Plan required by FRA's Mitigation Measures SO-AM#1 and LU-AM#2 construction is expanded to address potential project-related construction impacts to freight railroad operations." Surface Transportation Board Decision, Docket No. FD 35724, August 11, 2014, p. 55. The Palmdale-Burbank and Burbank-Los Angeles EIR/EISs should incorporate the same requirement in their corresponding mitigation measures for construction impacts. Where CHSRA and FRA will rely on the MOU and ECM Agreements to ensure mitigation of impacts, those agreements should be expressly incorporated into the mitigation measures as well.

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

Comment 4: “Bare Checklist” Initial Studies. Accompanying its CEQA NOPs, CHSRA released two CEQA Initial Studies for the Palmdale-Burbank and Burbank-Los Angeles HST sections. However, while the project descriptions in these Initial Studies provides some useful information (addressed in the next comments), the environmental impact sections are “bare checklists” in which every impact is checked as “potentially significant” and no explanatory text at all is provided. Generally speaking, such “bare checklists” are not appropriate under CEQA; see, e.g., *Arcadia v. State Water Resources Control Board*, 135 Cal. App. 4th 1392, 1424 n.11 (2006) (“A negative declaration may not be based on a bare bones approach in a checklist”). In this case, the checklists are not intended to support negative declarations, since CHSRA is proceeding directly with the EIR/EISs, and no impacts are screened out from further review in the EIR/EISs based on the checklist. Nevertheless, one function of Initial Study checklists preceding EIRs is to provide scoping commenters and other readers with notice of the lead agency’s preliminary evaluation and reasoning regarding potentially significant impacts, a function which these bare checklists do not fulfill.

Comment 5: Dedicated and Grade-Separated HSR Tracks. Based on the NOPs/NOIs and Initial Studies, it appears that the Palmdale-Burbank HST section would utilize portions of (i) the Saugus Line extending south from Palmdale; and (ii) the Valley Line from near Sylmar to Burbank. The Burbank-Los Angeles HST section would continue along the Valley Line toward Union Station in Los Angeles. The Saugus Line and Valley Line are owned by Los Angeles County Metropolitan Transportation Authority (LACMTA) and utilized by both UP and the Metrolink commuter rail service operated by the Southern California Regional Rail Authority (SCRRA). As shown in the NOPs and Initial Studies, at various points the HST apparently will share right of way with, cross over or under, or otherwise be located in close proximity to, the tracks shared by UP and Metrolink. However, the CEQA NOPs (p. 5) state that the HST will operate throughout the Palmdale to Burbank and Burbank to Los Angeles sections on a “dedicated system of fully grade-separated, access-controlled steel tracks.” This statement includes two important points:

First, the HST will operate on dedicated tracks; in no case will the HST operate on the UP/Metrolink tracks themselves. This is consistent with the CHSRA-UP MOU, Section 2.L, which provides: “CHSRA intends to build a dedicated HSR track between Palmdale and LAUS [Los Angeles Union Station]. CHSRA will not operate on tracks on which SCRRA and UPRR both operate between Palmdale and LAUS.” MOU Section 2.L also prohibits CHSRA from asking LACTMA, the owner of these lines, to electrify any of the routes on which UP also operates between Palmdale and Union Station.

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

Second, the HST system will be fully grade separated; in no case will it cross other rail or road rights of way at grade. Given the speed at which the HST operates and the density of population, particularly along the Burbank – Los Angeles section, isolation of the system is critical to ensuring safe operations. For the same reason, ECM Agreement provisions require boundary fencing where CHSRA and UP share a common boundary.

Since execution of the MOU, however, CHSRA staff have indicated that the agency wishes to operate electrified service on all or part of the LACMTA-owned line between Palmdale and Union Station. If that is the intent, such a plan would not only conflict with CHSRA's contractual obligations under the MOU; it would also be infeasible due to the operational and safety conflicts inherent in attempting to operate freight, conventional passenger and high speed trains on the same tracks. The project description sections in the EIR/EISs should unambiguously confirm that, as indicated in the NOPs, the HST will operate on new, dedicated tracks in conformance with the MOU, not on the existing UP/Metrolink tracks, and will be isolated by grade separations and fencing to ensure safe operations.

Comment 6: UP Exclusive Freight Easement. UP has exclusive easement rights, as well as rights under a shared use agreement with LACMTA, for conducting freight rail operations and delivery of common carrier rail service on both the Saugus and Valley Lines. As we have previously discussed with both CHSRA and SCRRA (see attached correspondence), UP reserves these valuable property and operational rights, which must not be impaired by HST facilities or operations. Moreover, UP is obligated by federal law to provide a level of service reasonably required by our customers, unless and until the STB authorizes abandonment. Accordingly, the EIR/EIS project description sections must not assume any use of rights of way where UP has operating rights, that would limit UP's ability to serve current and future freight rail customers.

Comment 7: Environmental Implications of UP's Right of Way Issues. UP's right of way concerns are not just property and business issues; they also have environmental implications which must be taken into account in Palmdale-Burbank and Burbank-Los Angeles EIR/EISs, in at least the following ways:

- a) The EIR/EISs must provide accurate project descriptions in order to provide the basis for analysis of impacts, mitigation measures and alternatives. As such, the project descriptions must clearly identify any proposed encroachments into UP property and rights of way where UP has operating rights.
- b) The project description sections in the EIR/EISs must not assume the availability of UP-owned property for the HST project and should specifically address how impairment of UP's operations (including access to current and future customers, and maintenance and emergency access) will be avoided.

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

- c) In the analysis of transportation impacts, interference with freight rail service by HST construction and/or operations would constitute a direct environmental impact to a component of the transportation system, which the EIR/EISs must fully evaluate and mitigate, considering both temporary construction impacts and permanent impacts on freight rail service. See, e.g., the Final EIR/EIS for the Merced to Fresno HST Section (2012), pp. 3.2-36, 73 and 110, acknowledging impacts to freight rail as direct environmental impacts, together with impacts on other transportation modes
- d) The analyses of property acquisitions in the EIR/EISs must clearly identify any proposed encroachments into or acquisitions of UP property and rights of way where UP has operating rights.
- e) The close proximity of the HST and UP rights of way creates the potential for significant safety and hazard impacts on both systems, which must be fully evaluated and mitigated in the EIR/EISs as discussed in more detail below.
- f) The close proximity of the HST and UP rights of way creates the potential for EMI/EMF impacts on the UP systems, which must be fully evaluated and mitigated in the EIR/EISs as discussed in more detail below.
- g) Any reduction in freight service, or access to freight service, will have indirect impacts by causing customers to shift to shipping freight by truck, which has greater environmental impacts than rail, as discussed in more detail below.
- h) If the HST right of way and/or the UP right of way must be relocated in order to avoid encroachment or maintain operationally safe distances, each of the environmental analysis sections in turn must take such relocations of the project "footprint" into account. As discussed below, the trial court's decision in the *Atherton* case demonstrates that such impacts are not speculative and must be considered.

Comment 8: Construction Impacts on Saugus Line. The Final Statewide HST Program EIR/EIS (2005), p. 6-48, noted that the project "would have considerable sections of construction adjacent to existing rail and highway corridors through the urban areas of Palmdale and Lancaster. Services would need to be maintained on these adjacent facilities during construction. It would be one of the most challenging sections of the HST system to construct." The Palmdale-Burbank EIR/EIS must fully evaluate such construction impacts and provide for effective mitigation.

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Comment 9: Clear-Span Over- or Under-Crossings. The Initial Studies for both the Palmdale-Burbank and Burbank-Los Angeles sections indicate multiple crossings of UP and UP/Metrolink right of way by the HST alignment alternatives. See Palmdale-Burbank Initial Study, Figs. 2-3 and 2-4, and Burbank-Los Angeles Initial Study, Fig. 2-3. Section 5 of the CHSRA-UP MOU specifically provides that, unless otherwise approved by UP, all HST facilities crossing above or below the UP right of way must clear-span UP property and be constructed a sufficient distance away to permit full utilization of the property for railroad purposes. The project descriptions in the EIR/EISs should conform to this commitment.

Comment 10: Avoid “Boxing In” UP Right of Way on the Saugus Line and Valley Line. As UP has previously communicated to CHSRA, construction of the dedicated HST tracks must not confine UP’s tracks between existing highways or other infrastructure on one side and new HST tracks on the other, where UP would be “boxed in” and unable to serve customers on either side of its tracks. Specifically, along both the Saugus Line and the Valley Line, there are existing highways on the west side of the UP/Metrolink tracks. As far as we can determine from the NOPs and Initial Studies, it appears that the HST tracks must be located on the *west* side of the existing UP/Metrolink tracks, in order to avoid boxing in the right of way. Conversely, constructing HST on the east side would leave the UP/Metrolink tracks between the HST and the highways, isolating UP from existing and future rail customers. In any case, the EIR/EISs must examine this issue and ensure that access is preserved at all locations and that the design complies with all aspects of the MOU and ECM Agreements, including the requirement not to box in any right of way that UP has a right to use for freight transportation.

The Palmdale-Bakersfield Initial Study, p. 12, refers to the San Fernando Valley HST subsection (from Sylmar to Los Angeles) as “HSR to the East or West of Metrolink”, suggesting that the EIR/EISs will study alignment options on both sides. The Burbank-Los Angeles Initial Study does not clearly indicate whether the HST would be east or west of the UP/Metrolink right of way. Fig. 2-3 appears to show both LAPT-1 and LAPT-3 alignment options within the Metrolink alignment until they enter a tunnel to Los Angeles Union Station, while the alternative Surface Alignment option is described as extending “at grade in the existing railroad right of way” until it reaches an elevated structure. Burbank-Los Angeles Initial Study, p. 10. For both the Palmdale-Burbank and Burbank Los Angeles sections, it appears that locating the HSR alignment on the east side of the UP/Metrolink alignment would have unacceptable impacts on UP and its customers, with resulting secondary impacts from diversion of those customers’ freight to more environmentally harmful truck transport. If both east- and west-side options are to be studied, the adverse impacts of the east-side option must be fully evaluated and mitigated in the EIR/EISs.

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Comment 11: Track Realignment. For the Surface Alignment option of the Burbank-Los Angeles section, the Initial Study states that “the existing railroad tracks would need to be realigned to accommodate the HSR tracks.” Burbank-Los Angeles Initial Study, p. 10. The Burbank-Los Angeles EIR/EIS must fully evaluate and mitigate any construction and permanent impacts from such realignment, and freight service must be maintained uninterrupted during construction.

Comment 12: Safe Operational Separation. As discussed in our comments on previous EIR/EISs for sections of the HST, wherever HST and UP tracks come into proximity, a safe and operationally functional distance must be maintained between them. In subsequent discussions between CHSRA and UP, the parties have developed a mutually-agreeable design criterion prescribing a minimum 102-foot distance from the closest centerline of the HST to the boundary of UP’s right of way, to assure safe separation between the systems. We note that some of the earlier environmental documents for the HST do not conform to this design criterion; for example, the Revised Draft EIR/Supplemental Draft EIS for the Fresno-Bakersfield HST section (RDEIR/SDEIS) suggested that a “minimum of 29 feet of separation. . . between the centerlines of HST and adjacent railroad tracks” is acceptable with an intrusion barrier. RDEIR/SDEIS, p. 3.11-30. Such close proximity is not acceptable for safety reasons, even with a barrier. UP property extends at least 50 feet on each side of the centerline of its freight tracks and, as such, no HSR tracks or barrier can be built within 50 feet of UP tracks. If the centerline of HSR tracks is closer than 102 feet to the UP property line, then CHSRA must erect a barrier wall of sufficient size and strength to prevent equipment of either system from entering into the other, sufficiently set back from the UP property line so that CHSRA does not need to enter UP property to perform maintenance.

In addition, the RDEIR/SDEIS indicated that, where the separation distance is between 45 feet and 102 feet, an earth berm is sufficient rather than a barrier wall. *Id.* However, the RDEIR/SDEIS provided no engineering analysis to support the conclusion that the barriers as proposed would be effective; for example, that derailed cars would not come over the top of a wall-plus-screen structure, or that the thickness of the wall would be sufficient to prevent derailed cars from breaking down the crash wall itself. Moreover, where the separation distance is at least 102 feet, no barriers or berms are planned, on the assumption that this distance accommodates “the maximum practical excursion of the longest U.S. freight rail car from the center of the track.” RDEIR/SDEIS , p. 3.11-29. Again, this assumption is not justified by technical analysis. These issues must be analyzed in the hazards and safety impacts sections of the Palmdale-Burbank and Burbank-Los Angeles EIR/EISs.

Comment 13: EMI/EMF Impacts. Where the HST and UP/Metrolink alignments are in close proximity, the EIR/EISs also must evaluate potential EMI/EMF impacts on sensitive signal, grade-crossing and Positive Train Control (PTC) equipment. Standard freight railroad systems may not operate safely and reliably in close proximity to electromagnetic fields in the range

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likely to be generated by HST's 25 kV propulsion system. Section 2.L of the CHSRA-UP MOU provides that: "CHSRA will not ask LACMTA to electrify any of the routes operated by [SCRRA] on which UPRR also operates between Palmdale and Los Angeles Union Station. . . . Any electrification facilities that CHSRA or the Passenger Operators may install near UPRR right of way will be built in such a way that the facilities do not limit UPRR's use of its property for freight railroad purposes, including safety activities and maintenance." To achieve this objective, at least three issues must be addressed:

- a) Grade crossings equipped with Constant Warning Time or Motion Sensor systems may be subject to false activation when no train is approaching, caused by electrical energy magnetically induced into the UP's non-electrified rails from the magnetic fields generated by the HST system. Repeated false activations would confuse the public and degrade the effectiveness of the warnings, posing a significant risk to public safety.
- b) While most of the propulsion current drawn by the HST from the overhead catenary system would return to the propulsion substations via the rails and impedance bonds of the electrified tracks, a portion of the return current would return to the propulsion substations via the earth. The manner in which the propulsion return current will be divided between the rails and the earth depends on their relative impedances. The analyses of EMI/EMF impacts should include estimates of grounding resistance, measurements of ground resistivity, or electrical modeling of the propulsion system in order to evaluate how the system is expected to perform.
- c) Electrical system components such as insulators, impedance bonds, etc. have finite lifetimes and are normally replaced only on an as-needed basis after failure. The inevitable occasional failures could divert excess propulsion return currents into the earth, resulting in a localized ground potential rise that could cause the UP's track lightning arrestors to fire "backwards," conducting the current along the UP rails in the direction of the nearest HST propulsion facilities, and damaging the UP signaling equipment and/or surge protection devices.

There are no railroads in the United States that currently use 25 kV electrical catenary systems to operate trains at the high speeds contemplated for the HST. CHSRA has performed no testing to investigate whether operating electrified trains of the design, voltage and speed of the planned HST may cause EMI/EMF impacts or other kinds of interference with conventional railroad signals or PTC systems. The project description and EMI/EMF impact analysis must ensure that the design, construction, operation and maintenance of the HST does not interfere with safe and reliable operation of railroad signals (including automatic grade crossing warning devices), PTC systems or other equipment or systems utilized by UP.

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- Continued

Comment 14: Freight Diversion to Truck Transport. In addition to direct impacts on freight operations, disruptions in freight rail service, or access to service, will cause indirect impacts by compelling customers to find alternatives for freight shipping, most likely by truck. On average, trains are four times more fuel-efficient than trucks, and a single freight train can carry the same amount of cargo as more than two hundred trucks. As a result, shipping by rail significantly reduces fuel consumption, air pollution and highway congestion compared to shipping by truck. Moving freight by rail also reduces GHG emissions, on average, by 75 percent compared to shipping by truck. See Association of American Railroads, *The Environmental Benefits of Moving Freight By Rail*, June 2012, and *Freight Railroads Help Reduce Greenhouse Gas Emissions*, July 2012 (attached). A 2009 FRA study evaluated different scenarios of train and truck types and conditions, and found that across all scenarios rail was more efficient than trucking. Moreover, even taking into account predicted increases in truck fuel efficiency through 2020, trucking was less efficient than all train types and scenarios examined in the study. FRA, *Comparative Evaluation of Rail and Truck Fuel Efficiency on Competitive Corridors*, November 2009, pp. 51-78, 104-105, available at http://www.fra.dot.gov/Downloads/Comparative_Evaluation_Rail_Truck_Fuel_Efficiency.pdf. If freight rail service is significantly disrupted by the HST project, shippers will move their goods by truck instead of by rail, resulting in adverse impacts due to the poorer environmental performance of trucks. In addition, displacement of freight shipping from rail to truck could substantially reduce the air quality and GHG benefits projected to occur from passengers switching from automobile trips to the HST. The EIR/EISs must consider the consequences for air quality, GHG, traffic congestion and energy consumption relating to increased truck freight traffic.

Comment 15: Secondary Impacts of Alignment Shifts. The EIR/EISs must consider the environmental impacts resulting from any shifting of either the HST or the UP alignment in order to avoid or reduce any of the constraints, encroachment and impacts as discussed above. Potential impacts from alignment shifts could include additional construction impacts; additional property acquisitions from adjacent owners; new or further intrusion into incompatible land uses, agricultural land, sensitive habitats and other open space; and closer proximity to sensitive receptors for light and glare, noise and vibration and other localized impacts.

Regarding such impacts, we again call CHSRA's and FRA's attention to the trial court's decision in *Town of Atherton v. California High Speed Rail Authority* (Sacramento Superior Court, Case No. 34-2008-8000022). In that case, the trial court rejected the Program EIR/EIS for the Bay Area to Central Valley section of the HST for failure to address impacts arising from lack of UP's consent to use its right of way. That case concerned a programmatic EIR/EIS, in which a higher-level, less detailed analysis is permissible; nevertheless, the court concluded (on pp. 5-6 of its August 29, 2009 decision):

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- Continued

If Union Pacific will not allow the [HSR] Authority to use its right-of-way, it appears it will be necessary for the Authority to obtain additional right-of-way outside this area, requiring the taking of property and displacement of residents and businesses. However, none of this was addressed in the FPEIR. . . . The court concludes that the description of the alignment of the HSR tracks between San Jose and Gilroy was inadequate even for a programmatic EIR. The lack of specificity in turn results in an inadequate discussion of the impacts of the Pacheco alignment alternative on surrounding businesses and residences which may be displaced, construction impacts on the Monterey Highway, and impacts on Union Pacific's use of its right-of-way and spurs and consequently its freight operations.

Accordingly, the court held, the EIR/EIS failed to adequately address land use impacts and property acquisitions that could result from shifting the alignment to avoid property rights that UP declined to make available. Following the initial decision in *Atherton*, the Program EIR/EIS was twice revised and recirculated to address the court's concerns. Ultimately, the trial court upheld the revised document and recently was affirmed by the court of appeal. However, that eventual outcome did not alter the failure of the initial Program EIR/EIS to take into account the relevant impacts, which should not be repeated in the Palmdale-Burbank and Burbank-Los Angeles EIR/EISs.

Comment 16: "Blended" Metrolink Service. Finally, in addition to impacts of the HST itself, changes to Metrolink infrastructure and service as part of the "blended" approach are also a concern. As outlined in the NOPs/NOIs and CHSRA's 2014 Business Plan, the project would be implemented in two phases: First, as part of the Initial Operating Segment (IOS), the Palmdale-Burbank section would be constructed, including the portion on the Valley Line shared by UP and Metrolink. For an interim period, the HST would operate on the IOS, in coordination with "blended" Metrolink service connecting to the HST at Burbank. Second, at some later date, the Burbank-Los Angeles HST section would be constructed, continuing on the UP/Metrolink alignment and replacing the Metrolink blended service with HST service. The interim Metrolink service appears to involve an unspecified "program of early investments to improve the existing Metrolink rail infrastructure" (Palmdale-Burbank Initial Study, p. 12). It is unclear whether the interim Metrolink service also would include operational enhancements, such as longer trains or increased frequency. However, neither infrastructure nor operational improvements to Metrolink are included as part of the project in the Palmdale-Burbank NOP/NOI and Initial Study. Accordingly, it appears that the intent is for any such "connectivity" projects to be separately evaluated under CEQA and (if appropriate) NEPA.

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- Continued

As noted above, UP operates under an exclusive easement and shared use agreement with LACMTA for freight service on the Saugus and Valley Lines. UP has no obligation to allow additional passenger trains to use its routes other than under the terms of the CHSRA-UP MOU. Moreover, UP has not consented and will not consent to any modifications to accommodate changes to Metrolink service. Interim Metrolink service designed to connect to HST at Burbank for an unspecified period could have significant adverse impacts on UP's freight rail service on the same tracks. As one obvious example, increased frequency of Metrolink trains would reduce availability for freight operations. In addition, depending on their location and nature, Metrolink infrastructure improvements could adversely affect access to UP's customers.

Comment 17: "Blended" Metrolink Service as Part of the Project. The Palmdale-Burbank EIR/EIS must clearly explain, and address the transportation and other environmental consequences of, the plan for "blended" interim Metrolink service on the right of way shared by UP. If nothing else, clarification of this interim service is necessary to justify separate environmental review for the Metrolink project or projects. As it is, it is unclear whether Metrolink projects should be included as part of the project in the Palmdale-Burbank EIR/EIS, to avoid violating the CEQA prohibition against "piecemealing" and the corresponding NEPA prohibition against "segmentation" of connected projects (especially since some connectivity projects are funded by CHSRA itself, through bond sales under Proposition 1A). To the extent that the Palmdale-Burbank HST EIR/EIS relies on the contribution of interim Metrolink service to support its ridership projections and related analysis of air quality, GHG, traffic congestion and energy benefits and impacts of the HST, the interim Metrolink service would appear to be part of the Palmdale-Burbank HST project.

Comment 18: Cumulative Impact Analysis of "Blended" Metrolink Service. Alternatively, if the Palmdale-Burbank EIR/EIS does sufficiently explain and justify separate review of Metrolink improvements, that does not exclude them from analysis. Instead, the projects must be included in the cumulative impacts analysis, as past, present or reasonably foreseeable future projects contributing to environmental impacts during the interim period, together with the Palmdale-Burbank HST section. Thus, one way or the other, the Palmdale-Burbank EIR/EIS must provide a detailed description and impact analysis (whether project-specific or cumulative) of any Metrolink infrastructure and/or operational improvements for the "blended" interim connection to HST at Burbank. See, e.g., Draft EIR for the Peninsula Corridor Electrification Project (February 2014), Section 4.1 (cumulative impact analysis of the Caltrain electrification project together with "blended service" of HST on the Caltrain right of way).

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- Continued

Thank you for considering our comments. Please contact me if you have any questions or would like further information or to discuss any of these issues.

Sincerely,



JERRY S. WILMOTH

Attachments:

- A. Letter, J. Wilmoth, UP, to D. Solow, SCRRRA, November 14, 2008
- B. Letter, J. Wilmoth, UP, to M Morshed, CHSRA, May 13, 2008
- C. Association of American Railroads, The Environmental Benefits of Moving Freight By Rail, June 2012
- D. Association of American Railroads, Freight Railroads Help Reduce Greenhouse Gas Emissions, July 2012

cc: Arthur Leahy, Chief Executive Officer, LACMTA
Mike DePallo, Chief Executive Officer, SCRRRA

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued



November 14, 2008

Mr. David Solow
Chief Executive Officer
Southern California Regional Rail Authority
700 South Flower Street, Suite 2600
Los Angeles, CA 90017

Re: Saugus Line Freight Easement

Dear Mr. Solow:

With passage of Proposition 1A last week, we anticipate that the California High Speed Rail Authority (CHSRA) will contact Metrolink to begin planning the location and design of the Southern California segment of the high speed rail network. Union Pacific's understanding is that CHSRA will ask Metrolink to share the Valley Subdivision (Saugus Line) from Sylmar (possibly Palmdale) to Los Angeles Union Station.

As you know, Union Pacific is the owner and user of an exclusive freight service easement on Metrolink's Valley Subdivision south of Palmdale. We are obligated by federal law to provide a level of service reasonably required by our customers unless and until the Surface Transportation Board permits abandonment. We have no plans to seek abandonment at this time.

Union Pacific therefore requests that Metrolink fully safeguard and protect Union Pacific's freight service rights and easement over the Valley Subdivision during any negotiations with CHSRA. Union Pacific's position on sharing rights of way with high speed rail was made clear in the letter I sent to CHSRA on May 13, 2008, (copy attached). Our freight easement must not be eliminated or limited in any way by high speed rail facilities or operations.

Our concerns apply both to through trains and to local service. For example, as you also know, we are close to starting a new rock train service to Vulcan at Sun Valley. This operation must be protected in any arrangement that Metrolink may negotiate with CHSRA. Metrolink also must assure that Union Pacific's liability exposure on the Valley Subdivision as a whole will not increase if high speed rail service is added.

Please keep me advised as to matters that affect our easement. We also would like to participate in high speed rail meetings that could impact our operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Wilmoth".

Attachment

Jerry Wilmoth
General Manager Network Infrastructure

UNION PACIFIC RAILROAD
10031 Foothills Blvd., Roseville, CA 95747
ph. (916) 789-6360 fx. (916) 789-6171

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued



May 13, 2008

Mr. Mehdi Morshed
Executive Director
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814

Re: California High Speed Rail Route

Dear Mr. Morshed:

Reference is made to our meeting of May 9, 2008, to discuss the current status of the California high-speed rail initiative and its possible impacts on Union Pacific Railroad.

It was a very informative meeting to hear the efforts you are undertaking as the high-speed train bond measure is being prepared for the November, 2008 ballot.

After hearing your plans regarding the proposed routing for this service, Union Pacific feels it is important for the California High Speed Rail Authority (CHSA) to once again understand Union Pacific's position as related to potential alignments along Union Pacific corridors. Union Pacific has carefully evaluated CHSA's project and for the variety of reasons we discussed during our meeting, does not feel it is Union Pacific's best interest to have any proposed alignment located on Union Pacific rights-of way. Therefore, as your project moves forward with its final design, it is our request you do so in such a way as to not require the use of Union Pacific operating rights-of-way or interfere with Union Pacific operations. The State of California and the nation need railroads to retain their future ability to meet growing demand for rail cargo transportation, or that cargo will be in trucks on the highways.

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Wilmoth".

Cc: Scott Moore - UP
Wesley Lujan - UP

Jerry Wilmoth
General Manager Network Infrastructure

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- Continued

The Environmental Benefits of Moving Freight by Rail

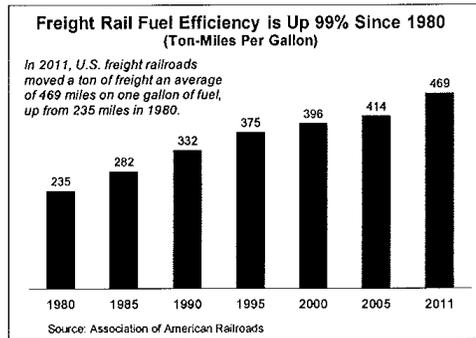
ASSOCIATION OF AMERICAN RAILROADS JUNE 2012

Summary

Railroads are the most environmentally sound way to move freight over land. On average, **trains are four times more fuel efficient than trucks**. They also **reduce highway gridlock, lower greenhouse gas emissions, and reduce pollution**. Through the use of greener and cleaner technologies and more efficient operating practices, our nation's privately owned freight railroads are committed to even greater environmental excellence in the years ahead.

Freight Railroads and Fuel Efficiency Go Hand in Hand

- In 2011, U.S. freight railroads moved a ton of freight an average of **469 miles per gallon of fuel** — up from 235 miles in 1980. **That's a 99% improvement.**
- On average, railroads are **four times more fuel efficient than trucks**, according to a recent independent study for the Federal Railroad Administration.
- Greenhouse gas emissions are directly related to fuel consumption. That means **moving freight by rail instead of truck lowers greenhouse gas emissions by 75 percent.**
- If just 10 percent of the long-distance freight that moves by truck moved by rail instead, fuel savings would be approximately **one billion gallons per year** and **greenhouse gas emissions would fall by approximately 11 million tons** — equivalent to taking nearly 2 million cars off the road or planting more than 250 million trees.



Freight Railroad Innovations Help the Environment

Rail freight volume is nearly double what it was in 1980, but railroads' fuel consumption is about the same. How did railroads do this? Through technological innovations, new investments, improved operating practices, and a lot of hard work, including:

- **Increasing the amount of freight in an average rail car.** Thanks to improved freight car design and other factors, the average freight train carried 3,538 tons of freight in 2011, up 59 percent from 1980.

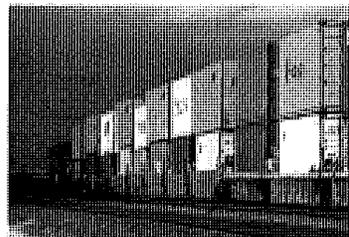
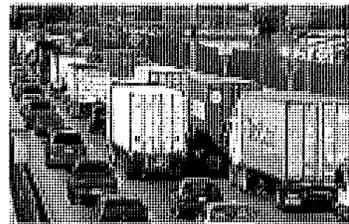
Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

- Acquiring thousands of **new, more efficient locomotives**, including many “gensets” that have several independent engines that turn on and off depending on how much power is needed to perform a particular task. Many older, less fuel efficient locomotives have been retired from service.
- Installing new idling-reduction technologies, such as **stop-start systems** that shut down a locomotive when it is not in use and restart it when it is needed.
- Developing and implementing **highly advanced computer software systems** that, among other things, calculate the most fuel-efficient speed for a train over a given route; determine the most efficient spacing and timing of trains on a railroad’s system; and monitor locomotive functions and performance to ensure peak efficiency.
- Offering **employee training and incentive programs** to help locomotive engineers develop and implement best practices and improve awareness of fuel-efficient operations.
- Expanding the use of **distributed power** (positioning locomotives in the middle of trains) to reduce the total horsepower required for train movements.
- Improving **rail lubrication** to reduce friction at the wheel-rail interface, saving fuel and reducing wear and tear on track and locomotives.

Freight Railroads Fight Highway Gridlock

Railroads help reduce the huge economic costs of highway congestion:

- According to the Texas Transportation Institute, in 2010 **highway congestion cost American \$101 billion in wasted time (4.8 billion hours) and wasted fuel (1.9 billion gallons)**. Lost productivity, cargo delays, and other costs add tens of billions of dollars to this tab.
- **A single freight train, though, can carry the load of several hundred trucks**, freeing up space on the highway for other motorists.
- Shifting freight from trucks to rail **reduces highway wear and tear and the pressure to build costly new highways**.



Freight Railroads Mean Less Pollution

Moving freight by rail rather than by truck significantly reduces harmful emissions. In March 2008, the EPA issued stringent new locomotive emissions standards. The EPA estimates that, when compared to the previous standards, the new standards will:

- Reduce particulate matter (PM) emissions by 90 percent; and
- Reduce nitrogen oxide (NOx) emissions by 80 percent.

Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

The Environmental Benefits of Moving Freight by Rail

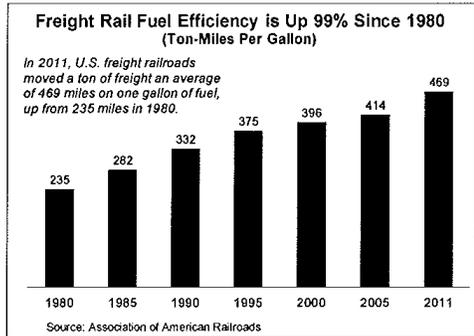
ASSOCIATION OF AMERICAN RAILROADS JUNE 2012

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- On average, railroads are **four times more fuel efficient than trucks**, according to a recent independent study for the Federal Railroad Administration.
- Greenhouse gas emissions are directly related to fuel consumption. That means **moving freight by rail instead of truck lowers greenhouse gas emissions by 75 percent.**
- If just 10 percent of the long-distance freight that moves by truck moved by rail instead, fuel savings would be approximately **one billion gallons per year** and **greenhouse gas emissions would fall by approximately 11 million tons** — equivalent to taking nearly 2 million cars off the road or planting more than 250 million trees.



Freight Railroad Innovations Help the Environment

Rail freight volume is nearly double what it was in 1980, but railroads' fuel consumption is about the same. How did railroads do this? Through technological innovations, new investments, improved operating practices, and a lot of hard work, including:

- **Increasing the amount of freight in an average rail car.** Thanks to improved freight car design and other factors, the average freight train carried 3,538 tons of freight in 2011, up 59 percent from 1980.

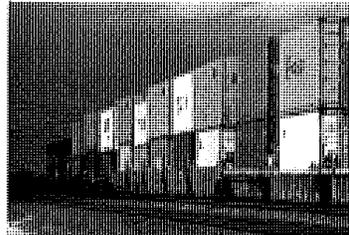
Submission B032 (Jerry Wilmoth, Union Pacific Railroad, September 3, 2014)
- Continued

- Acquiring thousands of **new, more efficient locomotives**, including many “gensets” that have several independent engines that turn on and off depending on how much power is needed to perform a particular task. Many older, less fuel efficient locomotives have been retired from service.
- Installing new idling-reduction technologies, such as **stop-start systems** that shut down a locomotive when it is not in use and restart it when it is needed.
- Developing and implementing **highly advanced computer software systems** that, among other things, calculate the most fuel-efficient speed for a train over a given route; determine the most efficient spacing and timing of trains on a railroad’s system; and monitor locomotive functions and performance to ensure peak efficiency.
- Offering **employee training and incentive programs** to help locomotive engineers develop and implement best practices and improve awareness of fuel-efficient operations.
- Expanding the use of **distributed power** (positioning locomotives in the middle of trains) to reduce the total horsepower required for train movements.
- Improving **rail lubrication** to reduce friction at the wheel-rail interface, saving fuel and reducing wear and tear on track and locomotives.

Freight Railroads Fight Highway Gridlock

Railroads help reduce the huge economic costs of highway congestion:

- According to the Texas Transportation Institute, in 2010 **highway congestion cost American \$101 billion in wasted time (4.8 billion hours) and wasted fuel (1.9 billion gallons)**. Lost productivity, cargo delays, and other costs add tens of billions of dollars to this tab.
- **A single freight train, though, can carry the load of several hundred trucks**, freeing up space on the highway for other motorists.
- Shifting freight from trucks to rail **reduces highway wear and tear and the pressure to build costly new highways**.



Freight Railroads Mean Less Pollution

Moving freight by rail rather than by truck significantly reduces harmful emissions. In March 2008, the EPA issued stringent new locomotive emissions standards. The EPA estimates that, when compared to the previous standards, the new standards will:

- Reduce particulate matter (PM) emissions by 90 percent; and
- Reduce nitrogen oxide (NOx) emissions by 80 percent.

Submission B033 (Stephen Valenziano, Vista Canyon Ranch, LLC, August 21, 2014)



August 19, 2014

Mr. Mark A. McLoughlin
Director of Environmental Services
California High Speed Rail Authority
Southern California Regional Office
700 N. Alameda, Room, 3-532
Los Angeles, CA 90012

RE: Palmdale to Burbank Project Section

Dear Mr. McLoughlin:

I am writing on behalf of the Vista Canyon transit-oriented, mixed-use development in the City of Santa Clarita to reiterate our position regarding the alignments to be evaluated within the EIR/EIS for the Palmdale to Los Angeles segment of the California High Speed Rail Authority (CHSRA) proposed project, specifically focused on the Palmdale to Burbank project section. Thank you for the opportunity to provide comments during the scoping phase of the project and for holding the August 5, 2014, community meeting in Santa Clarita.

Vista Canyon is the "approved job center" to which the Mayor of Santa Clarita, Ms. Laurene Weste, referred in the City's comment letter dated August 4, 2014. With over 950,000 square feet of retail, medical and commercial office space along with a new Metrolink Station approved within the project's Town Center section, Vista Canyon is planned to accommodate between 3,000 and 5,000 jobs on site, providing annual wages approaching the level of \$400 million. These will be much needed jobs on the Eastern side of the City, which historically has lacked facilities of sufficient scale and quality for such a job center.

On March 28, 2014, the Santa Clarita City Council sent a five-signature letter to CHSRA Chairperson Dan Richard outlining the City's preferences related to the high speed rail segment as it traverses our community. This letter serves to support those preferences.

Consistent with the City's preferences, the position of Vista Canyon is as follows:

- The preferred alignment is the direct connection between Burbank and Palmdale, bypassing the Santa Clarita Valley entirely.

27451 Tourney Road, Ste 250, Valencia, CA 91355 • (661) 255-3275

Submission B033 (Stephen Valenziano, Vista Canyon Ranch, LLC, August 21, 2014) - Continued

- With respect to the evaluation of the one remaining surface alignment and the tunnel extension alignment in Santa Clarita, the tunnel extension creates less environmental and community damage than the proposed surface alignment.
- Vista Canyon strongly opposes the proposed surface alignment, as it has the potential of eliminating homes and devastating neighborhoods, two local schools, and Vista Canyon (including the job center and the new Metrolink Station).
- While the proposed surface alignment is just south of the Vista Canyon property line, the surface alignment's location (within approximately 100 feet of Vista Canyon) significantly impacts the feasibility of our approved project.

Thank you for your consideration of the comments on behalf of the Vista Canyon project within the City of Santa Clarita. Should you need additional information for clarification, please contact me at (661) 255-3275 or svalenziano@jsbdev.com.

Sincerely,



Stephen F. Valenziano
Co-Manager
Vista Canyon Ranch, LLC

Submission B034 (Bjorn Doskeland, Windland, Inc., July 24, 2014)

Palmdale - Burbank - RECORD #14 DETAIL

Status : Pending
Record Date : 7/25/2014
Response Requested : No
Submission Date : 7/24/2014
Affiliation Type : Businesses and Organizations
Interest As : Businesses And Organizations
Submission Method : Email
First Name : Bjorn
Last Name : Doskeland
Professional Title :
Business/Organization : Windland, Inc.
Address : 1193 E Winding Creek Drive
Apt./Suite No. : 101
City : Eagle
State : ID
Zip Code : 83616
Telephone : (208) 377-7777 ext.407
Email : bjorn@windland.com
Cell Phone : 208-863-7423
Email Subscription :
Add to Mailing List :
Stakeholder Comments/Issues : To Whom It May Concern:

We recently received a packet from the California High Speed Rail Authority depicting where a map of where you are considering putting a high speed rail.

We would strongly advise you against this alternative as you would be cutting through the middle of our existing windfarm. Please see the attached map depicting our properties. That said, there is another map on your website that shows the rail going just North of our property.

I'm not sure if the route through our property is your first choice or your last, but it appears that you have already begun micro-siting as you sent this as part of a request to do environmental testing on our land.

Please call me ASAP to discuss. I can be reached on my cell phone at 208-863-7423.

--
Bjorn Doskeland
President

Windland, Inc.
1193 E Winding Creek Drive
Suite 101
Eagle, ID 83616
(208) 377-7777 ext.407

CONFIDENTIALITY NOTICE

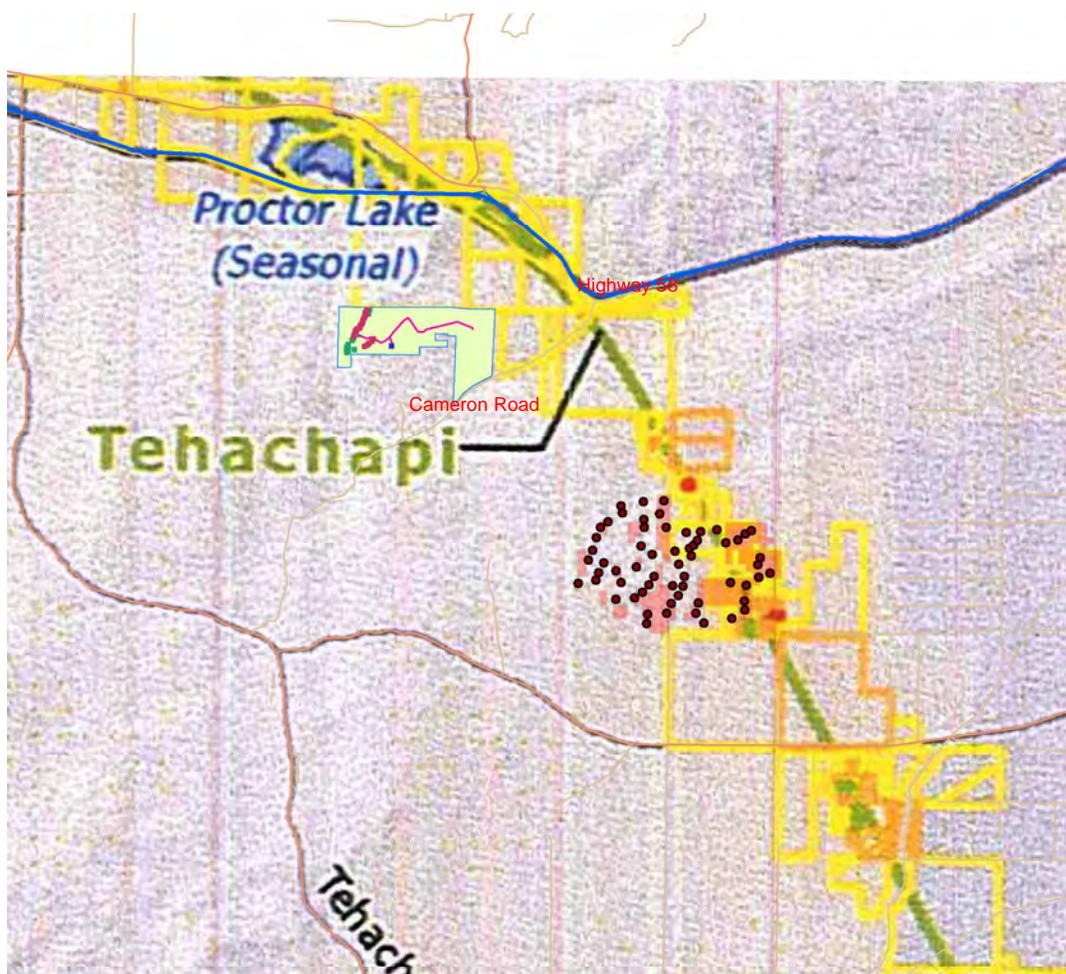
This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified

Submission B034 (Bjorn Doskeland, Windland, Inc., July 24, 2014) -
Continued

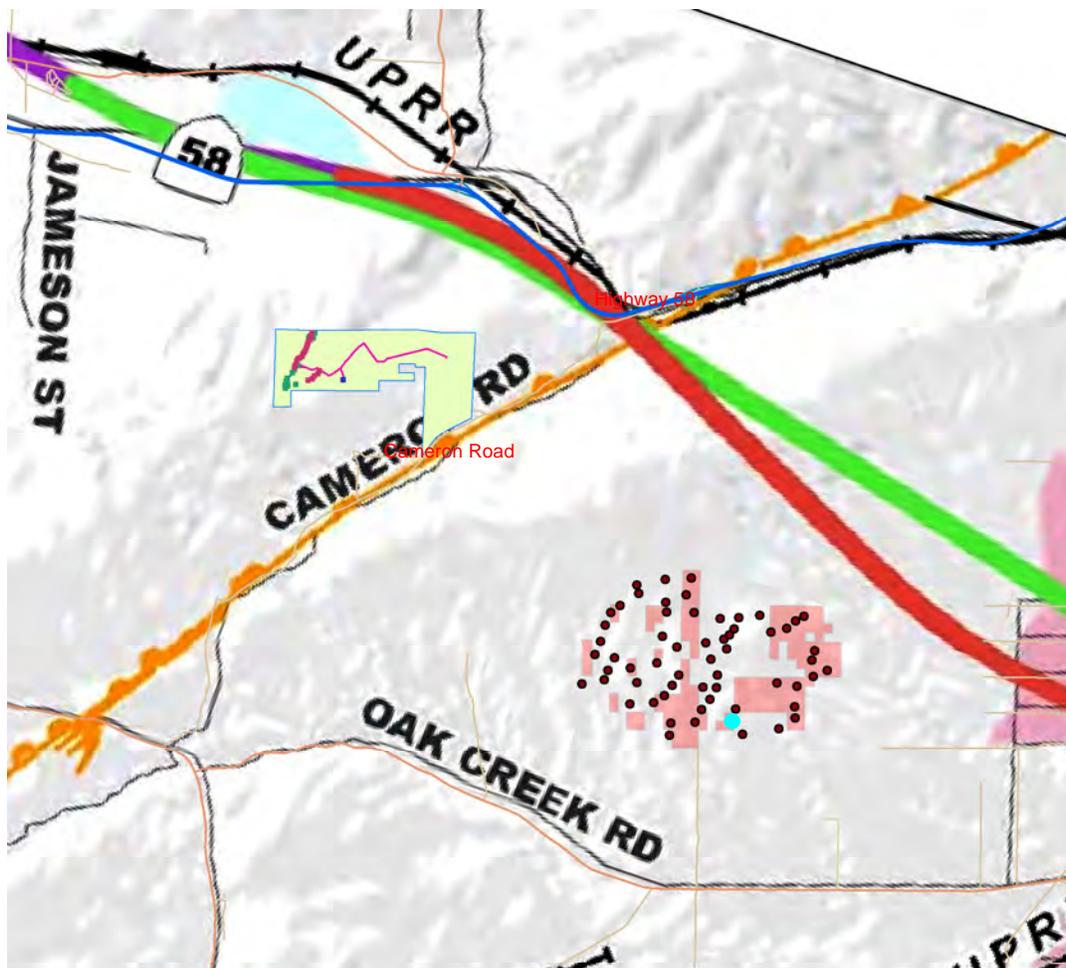
that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by email reply.

EIR/EIS Comment : Yes
Need PI response : Yes- Standard Response
General Viewpoint on Project : In Opposition of Alternative Corridor
Attachments : Map - High Speed Rail and Windfarms 2.pdf (1 mb)
Map - High Speed Rail and Windfarms.pdf (2 mb)

Submission B034 (Bjorn Doskeland, Windland, Inc., July 24, 2014) -
Continued



Submission B034 (Bjorn Doskeland, Windland, Inc., July 24, 2014) -
Continued



Submission B035 (Andrew Mack, Xpress West, September 10, 2014)



September 10, 2014

Mr. Mark A. McLoughlin, Director of Environmental Services
California High-Speed Rail Authority
Southern California Regional Office
700 N Alameda, Room 3-532
Los Angeles, CA 90012
E-mail: palmdale_burbank@hsr.ca.gov

RE: Palmdale to Burbank and Burbank to Los Angeles Segments of the California High Speed Rail Project

Dear Mr. McLoughlin,

In response to the California High Speed Rail Authority public scoping meetings that were held in August to review the Palmdale to Burbank and Burbank to Los Angeles segments of the project, XpressWest would like to express its support for both segments of the project.

With regard to the Palmdale to Burbank segment, we would encourage the Authority to fully explore the fastest possible connection between Palmdale and Burbank as generally represented in the scoping presentation material as the orange shaded alternative corridor. Further, we support the Authority's decision to focus on a single station location in Palmdale in the vicinity of the existing Palmdale Transportation Center.

We look forward to continued cooperation with the Authority to ensure the future interoperability of our systems to realize the added ridership and enhanced mobility that would result from a connection of our systems at Palmdale.

Thank you for your continued efforts to keep us informed of your progress.

Best Regards,

Andrew Mack
Chief Operating Officer
XpressWest