

May 2, 2013

Cynthia T. Brown, Chief
Section of Administration
Surface Transportation Board
395 E Street, S.W., Room 100
Washington, D.C. 20024

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Public Record

RE: Finance Docket No. 35724, California High-Speed Rail Authority – Construction
Exemption - in Merced, Madera and Fresno Counties, California

1. PETITION FOR EXEMPTION
2. MOTION TO DISMISS PETITION FOR EXEMPTION OF CALIFORNIA HIGH-SPEED RAIL AUTHORITY

Supplement to my Protest/Opposition Statement filed April 16, 2013

Dear Ms. Brown:

The Authority intends to construct "*an additional railroad line*" through approximately 130 miles of irreplaceable farmland in the Central Valley during the next five years according to the Authority's November 3, 2011 Funding Plan. This 130-mile section was originally called the Initial Construction Section ("ICS"). In its Draft Revised 2012 Business Plan, April 2, 2012, the Authority lengthened the section of track to be initially constructed to the San Fernando Valley, or about 300 miles, and called it the Initial Operating Section ("IOS").

It will take \$25 to \$40 billion more to complete the IOS than was originally anticipated. There are also no prospects for obtaining additional funding given federal spending curbs, state budget deficits, and the private sector's reluctance to participate without guarantees. The Authority has no funding to purchase and operate electric high-speed train sets over the 130-mile line nor does it have funding for the electrification, signaling, and controls necessary for a high-speed train system. Even if the 130 miles of track are laid, there will still not be high-speed rail. **This puts the state of California and the federal treasury at extreme risk of suffering a costly stranded investment.**

The ICS is a portion of Environmental Study work completed for the Fresno to Bakersfield segment of the project. The environmental work for the segment includes a Fresno station and a Bakersfield station. However, as the project currently stands, the city of Bakersfield is not even a part of the Merced-to-Bakersfield corridor or usable segment for which any currently available state bond and ARRA/FRA funds for construction exists. All currently available sources of funding will not be sufficient to construct the project into Bakersfield and there is no detailed funding plan to complete the proposed corridor into Bakersfield. Insufficient funds to complete the Fresno to Bakersfield portion of the project puts the state of California and the federal treasury at extreme risk of suffering a costly **stranded investment**.

Even if there were adequate funds available to construct the HSR project into Bakersfield, construction could not be completed within the time frame required to receive billions of dollars of federal ARRA/FRA funds. Additional funding for the project is uncertain and the possibility that funds may never materialize to complete the project into Bakersfield is extremely high compounding the risk that California and the federal treasury will suffer a costly **stranded investment**.

Environmental studies for the three proposed alignment alternatives in Bakersfield are in most cases only feet apart from each other and will cause similar numerous and severe negative impacts to the city of Bakersfield. All three of the current alternatives include 12 to 15 miles of elevated viaduct as high as ninety feet that go over the top and through the center of Bakersfield. **Environmental studies of less destructive, true alternative rail alignments in the Bakersfield area have not been evaluated.**

Environmental studies for the three proposed alignment alternatives in Bakersfield abruptly end on a 60-foot-high viaduct dangling over Oswell Street in metropolitan Bakersfield. All areas east of Oswell Street through the seismically active Tehachapi Mountains have not been environmentally studied putting at risk the portion of the project that has been studied, compounding the risk of a huge **stranded investment**.

If the rail authority chooses a preferred alignment from the three alignment alternatives going over the top and through the center of Bakersfield, property values for all properties located within sight and sound distance of the 12 to 15 mile-long elevated alignment will immediately be unnecessarily impacted for a rail alignment plan that may never be constructed.

The High Speed Rail Authority plans to connect the 130 mile ICS to the existing BNSF rail corridor somewhere north of Bakersfield with the intention of operating conventional diesel powered Amtrak trains on it. The San Joaquin valley already has functional Amtrak service including stations for the communities of Hanford, Corcoran and Wasco. The ICS bypasses those communities and that will make the existing Amtrak corridor a **distressed or destroyed asset**.

I respectfully request the Board consider the above information as it reviews the merits of the Authority's high-speed rail project.

Yours Truly,

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