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FD 35724 (Sub-No. 1)
ENTERED
Office of Proceedings
June 3, 2014
Part of
Public Record

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Office of Proceedings
Surface Transportation Board
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Washington, DC 20423
www.stb.dot.gov/stb/efilings.nsf

May 23, 2014

Re: FEIR/EIS Fresno to Bakersfield Section

Dear Honorable Public Servants:

To start with I read the responses that the California High-Speed Rail Authority (Authority) made to my comments from their Revised Draft EIR/ Supplemental Draft EIS July 2012 (RDEIR/SDEIS). (I made ten comments I numbered with Roman Numerals.) Then I started reading the standard responses starting with General-01. This was not one sited to me, but I thought it a good place to start. I found that the Fresno to Bakersfield section is "essential" in the Authority's estimation. I do not agree at the onset. I do agree the project needs to get from 37.1167° N latitude to 35.3667° N latitude to get from the Bay Area to the Los Angeles Basin, but it does not need to be where planned. I will state my reasons. But first, let us look at the "big picture" the Authority states in the first-tier that gives the broad strokes. Since the Authority was created in 1996, it has had some time to comprehend what an absolute jig-saw puzzle they are making of this rich agricultural land. They still do not see how devastating their chosen alignments are. California agriculture can't take the "hit" for the Authority's poor alignment choices. The "big picture" should have been revealed that to them by now. Since it hasn't I will continue.

In the next paragraph it says: "...detailed analysis of potential impacts of a more specific, site-specific decision to follow when second-tier EIR/EIS is prepared." When does the Authority plan on preparing that second-tier EIR/EIS? That should not happen when first-tier is underway. When will this second-tier be released? Will the public have an opportunity to make public comment? In such a huge project as this, small problems become very large if not addressed. This FEIR/EIS has not adequately revealed the impacts at this stage. This is not a Final EIR/EIS. Large companies like Burlington Northern Santa-Fe (BNSF); diaries; and smaller farmers, like me, need to know at the first-tier what and where our impacts are, so we can review and make suggestions to create fewer impacts. Affected parties know their consequences better than the Authority. Still the Authority continues *not to be transparent* and *not ask or work with* local governments or impacted parties. If they have faith in their project, they shouldn't be

afraid of outside input. In fact, they are supposed to be working with local governments according to NEPA. The Authority's lack of consideration of local administrations makes one wonder what country this is. (Emphasis added by *italics* or CAPITALIZATION is mine throughout this letter unless stated otherwise.)

Small farmers to large corporations the Authority gives little credence. Public comment on May 6, 2014 was a joke. From release of the FEIR/EIS on April 18th, Good Friday, or before the Authority Board planned the following day to certify the document for CEQA. Seventeen days is no time at all for one to review one's comment responses, read the standard General Responses, and look up the sites in the FEIR/EIS the Authority thought would help us get our questions answered. The May 6, 2014 BNSF letter to the Authority, FRA, and Surface Transportation Board (STB) is evidence that the Authority does not treat large companies any better than small entrepreneurs. We all have a right to know what the Authority is planning on doing before the first-tier starts. State legislators need to know what the project will do to California as a whole, and its effects on its citizens. In the Authority's standard response General-01 it defends its level of detail. Its design-build approach to project-level review is inadequate not only to those impacted but under CEQA as well. There are other alternatives. There is no need to make this a greenfield project. The Authority has chosen the wrong place to put their alignment, their backbone, their test track. When the Authority's alternative leaves the Highway 99 corridor at the City of Fresno and heads south through farms and dairies; the current plan is ill-conceived. California's Gross Value depends on efficient farms and dairies to feed this country and export to others. Interstate 5 (I-5) is where a high-speed train should be. If the Authority can't keep its tracks along Highway 99 and the Union Pacific Railroad (UP), they must choose another *major transportation corridor*. The goals of the HSR system are to move people, be air quality and environmentally friendly, basically. Then move people along the straighter Interstate 5 (I-5) corridor where there would be far fewer overpasses required, like I brought out during the June 12, 2012 Authority's meeting in Hanford. (FYI: That meeting by-the-way, was to answer 60 questions Kings County Government asked the Authority two years earlier. I understand, the few questions the Authority attempted to answer were not answered completely and others were not undertaken at all.) Bobby Pentorali, PE, and I spoke after the meeting. He looked up on his smart phone the small number of overpasses needed from the latitude of Fresno that intersects at I-5, south along I-5 to its intersection with Highway 198 at 36.2529° N latitude. That number was 7. Let's compare \$20,000,000 overpasses of each distance. The cost of overpasses alone is a great amount. These overpasses are ¼ to ½ mile long. For a more useful, model let us look at Chowchilla's latitude (37.1167°N) at I-5 to Wasco (approximately 35.5°N) along I-5. In this case 19 over/under passes would be needed. Now, the number of over or underpasses that are planned from that same latitude at Chowchilla to Wasco's latitude on present alignment is 46. *Some are simply on and off ramps*, and some more complicated in both cases. At the Authorities average of \$20,000,000 each this is \$920,000,000 ("BNSF") minus \$380,000,000 (I-5) is equal to **\$540,000,000 LESS** needed for the I-5 segment. *This is a significant amount less*. Over half a billion dollars a project could use elsewhere in system. Let's face it; many feet of track bed and track can be laid for that difference.

Just in case you don't know, the I-5 corridor still fulfills the Streets and Highways Code Section 2704.04(a) because I-5 is in the *Central Valley*. Along the I-5 corridor the Right-of-Way (ROW) would mainly be on California currently owned property. The California Transportation Department (Caltrans) and the California Aqueduct easements are the primary land uses. Very little private property would need to be acquired. From an agricultural perspective, the small amount of prime farmland along I-5 is rated good soil, but its access to water is poor to nonexistent. As a result in comparison to the present alignment the I-5 area is also less agriculturally productive. Through the present alignment water is more prevalent even in low rainfall years. (I wish I could get more involved with the water storage issue,

but I need to keep my property first, in this issue, or water will not matter.) Water storage is very important to Californians because agriculture is the highest income maker for the state. Forty per cent of water storage going to fish and the environment is out of balance when agriculture is suffering. Makes a person wonder where the leader's heads are. California has a number of problems; financing a high-speed train (HST) does not put food on people's tables. HST is a good idea, if it is done right and viable less costly alignments are thoroughly studied. Furthermore, the preferred alignment of the Authority conflicts with Kings County's and Hanford's land use plans. The I-5 corridor alternative *does* meet most of the project objectives and would result in many fewer significant environmental and agricultural impacts. Therefore, the FEIR/EIS must be revised to consider this alternative seriously and recirculate it for public review. (regarding Gen-02)

Along the I-5, people could be moved more quickly from the Bay Area to the Los Angeles Basin. Amtrak and/or another feeder railroad line could move people from say the City of Fresno to the I-5 corridor to connect with a HST line. In order to be fast this project or another high-speed project needs to be in this less populated area with fewer stops. I-5 is ideal for a HST system. Systems serve people, not destroy the people's enterprise the system is trying to serve. Agriculture cannot take this current greenfield "hit" when there are other good alignments. California's budget cannot take the subsequent reduction in its income as a direct result. Inefficient farm's caused by the ROW and/or over/underpasses cost more to run, burn more fossil fuel, and put an unnecessary burden on the backs of farmers who at this time produce inexpensive food products to the consumer. Food prices will go up. California farmers have the best soil and climate. They are struggling with water issues again. They do not need an extra unnecessary challenge put on them. Prices for food will go up even here in California and more so across this country because of the water shortage. Americans are not accustomed to high food prices. In fact, U.S. citizens pay a smaller percentage of their income on food than any other nation. Americans are spoiled in this regard. But, if you create a greenfield alignment in this Fresno to Bakersfield section high food prices will not just be dependent on precipitation. You will make them PERMANENT. FYI: American food is a much superior quality than other countries. All Californians and U.S. Citizens will be forced to eat inferior products in which our intestinal tracks are not familiar. There are more serious health issues that go along with that. Many public comments try to drive these facts home to the Authority and you, but still the Authority *stubbornly continues in the wrong place*. I am counting on you to have more sense. Agriculture advocates have told the Authority, the FRA, and the Surface Transportation Board (STB) of these serious consequences of destroying prime agricultural lands. I do not know why you collectively remain unbelieving of these facts. It must be by choice. Just as we've learned the environment is like a living organism and fragile; agriculture is also fragile and needs to be protected for our American population's sake. Agriculture in Madera, Fresno, Kings, Tulare, and Kern counties is precious to Californians as well as the Nation.

Let me state a few facts according to the 2013 Kings County Agricultural Crop Report: For year 2012:

Fresno County Ranks 1 in the State with a Gross Value of \$6,587,794,000

Tulare County Ranks 2 with a Gross Value of \$6,212,362,000

Kern County Ranks 3 with a Gross Value of \$6,210,694,000

Kings County Ranks 8 with a Gross Value of \$2,215,014,000

To put these numbers into perspective I will inform you of these counties rank in size (area) out of 58 counties in state:

Total County Area Acres

Fresno	6 th out of 58	3,840,000
Tulare	7 th out of 58	3,112,320
Kern	3 rd out of 58	5,166,720
Kings	34 th out of 58	890,785

What this says is that Kings County ranks 34th in size and is 8th in Gross State Dollar Value. Kings is small, but mighty. Now you know why when this project touches us we bleed. Most of our acres are working for us and the state of California. California's budget depends on these counties plus other agricultural counties for running the State. The "Big Picture" is California needs agricultural dollars to renew its bank-roll every year. This new crop report states an increase in Gross Value for Kings County to \$2,267,178,000 for 2013. And, to give you a national point of view, Kings County ranks 10th of all U.S. counties in *agricultural dollars*. Like I said, my county is small but mighty. Turning producing agricultural land to non-producing land is a travesty in this county. The project speaks of the width of its ROW. This project is not just width of the required ROW. We talk about the width of the ROW, new necessary equipment turn-around area adjacent to the ROW on both sides, ground (mostly producing) for its ¼ to ½ mile long over/underpasses, permanent takes, temporary takes (which permanent crops must be removed), orphaned acres, remnant parcels, new irrigation problems--need of new pipelines and their accesses, now slope wrong way (all claiming producing land), extra miles traveled to tend to crops, extra burning of fossil fuels, parcel shrinkage (production loss) due to new needed access roads, plus chemical spraying problems to name a few. Diagonally bisecting parcels like planned is criminal. Dollars cannot begin to mitigate the horde of problems that farmers will be left with that the Authority shall willfully create. Now, I will go into the Authority's tricky land use half-truth.

Regarding the above farmers list of new problems; let's take the new turn around areas for equipment.. The Authority does not take these areas out of agricultural use and rate them non-agriculture use. Equipment of the farm still will use them as farm use. It is of farm use I agree, but these 50' strips on each side of the ROW are no longer part of PRODUCING Agricultural Land as they were in the past. This is true of all the items in the list above that deal with land use. I want you to know that just because land (pieces of ground) is not changed out of the agricultural lands use category, that doesn't mean they are producing. Every piece taken out of production starts the pebble in the pond. There are ripples of consequences that have to do with air quality (CO₂ levels), local jobs, State income, consumer prices, and the nation's general health. The more PRODUCING Agricultural Land this project changes to either non-producing agricultural land or non-agricultural land the worst it will be on a grander scale.

I wish I could tell you the real width of the diagonal through just my 20 acre parcel that the ROW will render non-producing, but I cannot. Since the Army Corp. of Engineers made the Authority make a huge change through my place I don't know the width of the ROW any longer. I also not sure about temporary construction accesses (TCA); I have read about. They are extra 50' maximums that the Authority will borrow and return to farmers after construction. It is still not clear to me if the Authority is including these (TCA) strips in the leased, temporary construction staging areas it identifies as pink areas on the technical appendices (maps) or not. And in what condition will this land be returned to me? Will it be hard compacted by heavy equipment, uneven with deep groves from tires, gas, oil, or hydraulic fluid on and in it? What guarantees do I have that I will be able to make it useful again? Farmers will need 50' for new turn arounds on each side as well. I read that the Authority will compensate me for this area at the time of acquisition. I know they will not compensate me enough for prime farmland taken out of production in perpetuity. This valuable land will be unable to produce anything; I will be able to turn equipment around on it. What a travesty. So there are three classifications of widths I know little about.

I can tell you that the ROW alone, before the FEIR/EIS change across my property, would have taken 137 trees on my 20 acre parcel, but that doesn't matter now.

I probably do not need to remind you, but I will; agriculture is the largest employer in the State.

This project says it will bring jobs, but it will not employ the workers who are here now. Because of the Authority's wanton disregard for agriculture, Kings County will lose a large numbers of current jobs, for example, in dairies and in orchards. When you drive up expenses we need to cut overhead. Fewer producing acres means less manpower needed. Let's face it; the project's jobs will be higher skilled jobs. The jobs will be filled temporarily by high to moderately skilled workers who will come in from other areas or states. And, later leave our State when the work is done. Those dollars will not remain in the State.

On my comment VI, the Authority states that I was *misinformed*, not true. I wasn't informed at all. I was uninformed or ignorant of the Streets and Highways Code Section 2704.04(a). (emphasis the Authority's) This might be because of its lack the transparency it so eloquently espouses. What is the Authority's excuse? Farm bureaus, more local governments than just Kings County, and public commenters, like me, have been bringing this information forward actively for three years that I know of. So again, I ask what is the Authority's excuse? It obviously doesn't care about our State, or it being in the financial rears; or it is not the forward thinkers it pretends to be. It needs to take the State's interest to heart. With companies fleeing the State and jobs leaving, like Toyota Corp. recently, if farmers and consumers can't make a living here and afford food more residents will leave. There won't be anybody with enough money to purchase the fare for the HST. FRA, you are in a position to save a HST project and the State of California from itself. You have been thinking "railroad" since you were formed. You are the experts. Once former CEO of the Authority, Roelof van Ark left, there has been NO ONE with HST experience at the Authority. You know this country. You need to save our California Air Quality because this is where the food is grown. I don't want my children and grandchildren wheezing over a can of peaches from China. This is not meant to be funny; it is *no joke* when Californian children will not be able to go outside to play at school more days than they can due to AIR QUALITY.

According to the Authority's response to comment X of mine, the report calls Dan Richard CEO a liar twice. I was present once in Fresno and once in Hanford where he stated that the Authority could not use I-5 as an alternative because of lack of water. (pg. 46-42, 1012-26 & 27) Not only is the Authority not transparent, but it totally misinforms the public. Dan Richard does not know his own project. What is the relationship between the Authority Board and its staff? We've (CCHSRA) seen non-communication and miscommunication between the two in the last three years. I don't know if it is "the tail wagging the dog," and/or if there is some "Bermuda Triangle-affect" between the Authority Board, the Authority Staff, and the public. I guess it is up to you, FRA, to get us all "on the same page."

The Authority wants to make this a HST "System," so then let it be a "system" that feeder railroad lines can collect and feed you riders. To pursue the Fresno to Bakersfield section as planned the Authority is doing more damage than good. With moving faster and straighter along I-5 in a less populated area it can build multi-transportation hub stations. HST, feeder lines, light-rail, & buses will have the space to make them like Europe's stations like the Authority wants. You could make this a great system if you would put it in the right place.

Back in General -01 standard response, the Authority states the Statewide Program EIR/EIS (PEIR/EIS) was in 2005. It is not 2005 any longer. The broad decisions are done. This PEIR/EIS was flawed from the start. "You can't make a purse out of a sow's ear." The project plan needs to go back and fix the false

premises. The Authority cannot rectify problems they have now with their chosen alignment because first, they did not follow guidelines to notify the public along this alignment as was necessary and this alignment just is too costly to mitigate. Getting the tracks from north to south should have never been placed where the Authority now intends to put it.

The tiers seem to me a new idea the Authority came up with. This first-tier has had years to be refined, since the PEIR/EIS in 2005. Revealing impacts cannot wait until a second-tier, which in the past meant adding the extremities of Sacramento and San Diego to finish the project. No, that is not right; that is Phase Two not second-tier. What is second-tier? Now Phase Two means building the Kings/Tulare Regional Station, in part, and only in the second-tier will the Authority then acknowledge where all the real impacts are along the section in the first-tier. The real impacts are not the small details. Like the BNSF says in its May 6, 2014 letter, the Authority has not even informed them of where it wants to relocate their ROW in three places. The Authority cannot keep telling property owners to wait for the second-tier, wait for the Authority to inform others of its intentions. In General-21 it sited for me in my Vth comment, that I asked the Authority to develop a final project design, but I actually asked it to provide sufficient detailed project design that reveals impacts so those impacted could have a grasp of impacts and logical mitigation. Now that the Authority is in the Final Stage, the Authority does not even reach its minimal 15% design guidelines. Mitigation is impossible without the Authority's further planning. Again others, individual property owners and large companies', input most likely would be valuable to the Authority. But, it doesn't ask or want to collaborate in any way. The fact is that the Authority does not do the planning anyway. The Authority lets the FRA or another agency or governing entity do all their "homework" for them. The Authority lacks mitigation measures because it relies on these others to clear up its lack of planning when they issue required permits. Or they leave the details to the companies who will design build. Why doesn't the Authority come out and say it doesn't have a clue about impacts because it feels it is not in their scope of work in their estimation. It keeps pushing details of impacts until later. The Authority will *not* be aware of the impacts until others study impacts for them. Property owners and the BNSF see a great deal of problems with the Authority's initial planning stages. This design-build, impacts find out later approach, does NOT work for property owners. We would like to smooth out the rough spots before they are unable to be mended.

Mentioning "homework" brings another event to mind. A peer review I read is stilted. It spoke of no honey bee pollination problems the HSR will create. The Authority supposedly chose a person who knows about agriculture. He was the only consultant the Authority used who was not from a University in California. Why was so much importance placed on his findings? His opinions were bias because the location of his family's operation is close to the I-5 corridor. I am speaking of John Diener. His report is invalid and useless because of these facts. Let's think about the behavior of honeybees. Once the scout bee makes it across the ROW and back it transmits a location across the ROW to the hive. That becomes the hive's absolute destination. I seriously doubt a honeybee can fly fast enough across the path of a 200-220 mph HST and make it across safely. How many bees will need to die to prove this? Oops! Again the Authority is too late. Impacts were not studied without conflict of interest. The Authority chose the wrong person to copy its "homework" from.

The Authority has not used its staff to think about future impacts and the status in which the State will be left when their project is underway and only half finished. Who knows when it will be finished if ever. The Authority is only interested in starting, not building or finishing this monstrosity. I would think a State entity would be interested in their end result to the State in which they are employed. According to the new figures there is not enough money to even build the Madera to Shafter two sections. Now the ICS is only going to one mile north of the Kern County Line; that is approximately 20 miles short of reaching Bakersfield. The price tag keeps going up and up, but the length of the project shrinks and

shrinks. And for the huge price tag Californian's only get less than 29 miles + 89 miles = 118 for two partial section's construction miles because it does not go from Madera to Merced and it stops short of reaching the City of Bakersfield. The Authority's documents usually use + or - 130 miles. Calculating the five mile overlap of the two EIR/EIS Sections; one wonders where the Authority gets the + or - 130 miles. And most cost figures the public sees of this reduced project does not include rolling stock, any type of signaling, or electrification. Californians' get to pay for this project forever, and we don't even get track bed and rails from Merced to Bakersfield. We are getting nothing of value for all our taxes and loans for eternity. So, "Damn the torpedoes and full speed ahead." I guess I am naïve to think that the Authority would want a good product for Californian's to use and for Governor Brown to be proud of his legacy. Instead I'm afraid we'll get just tracks to almost somewhere to somewhere, and we'll still need to pay for them. People's lives and terrific agriculture lands will have been chopped up for no greater good at all.

So, FRA I appeal to you. Let us look critically at the end game. What will California be like in the aftermath. The wetlands in the Chowchilla 'wye' disturbed somewhere there on any alignment, or should I use the word violated. Prime farmland bisected. ROW acquired. The creation of new turn around areas on both sides of the ROW that are non-productive; more wasted great farmland. Farmers and dairymen are forced to go on average five to fifteen miles around to the other side of their property with diesel tractors and farm vehicle's to work and irrigate more than once a day. Hint: Burning more fossil fuel than they did before the project does not make the project green. It will take the air quality 70 years before the carbon dioxide (CO₂) levels will get back to before construction levels according to the Sierra Club. Orphaned pieces of property the Authority now will own long-term. Why is the Authority going to be a permanent land owner of land that is not germane to the running of the train? Why does the Authority want these types of pieces long-term? Did California give the Authority the right to own land forever it doesn't even need to make the project operate? These will be extra pieces of former personal property owner's land the state will procure and maintain long-term. Where is the Authority getting this additional money beyond the project's needs? The California I live in does not have the money now to pay teachers, police, firefighters, and parole officers. There is something, well, "smelly" about this. *Long-term* is my problem with this. You mean to tell me, California tax dollars will be wasted on this Authority land-grab. If the Authority has a *long-term right* to own this land in perpetuity; somebody should STOP THIS NOW! This is yet another program that creates its own additional personal to oversee and maintain this land. California is not in the position to take on more bureaucracy or plain dead weight. When you place this project elsewhere; we will not need more government employees living off the backs of hard working people. California is more than top-heavy enough without this new burden on it. There is no redeeming value for allowing the Authority to own and maintain *extra* land *long-term*.

In my comment II the Authority sites General-13 about an Amtrak train running on a high-speed track.

Let me save your eyes; I will happily type it for you here. It is my shortest one.

Pg.46-37 1012-5

EIR/S Revised Draft

II 1 of 1

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

need another EIR/S to study this conventional train on a high-speed track.

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

Recall the EIR/S until you have the money from S.F. to L.A., the first phase, like

Proposition 1A states you need, or ~~make~~ ^{buy} a new EIR/S with what equipment

and rails you intend to use. You may need to use conventional equipment for years,

and it needs to be studied.

Since General-13 referees the Initial Construction Section (ICS) that is, the majority of this report's section and about half of the section north of this section, this should be looked at and studied as one entity. There should be a separate document for the "+ or - 130 mile" ICS containing the Authority's two "partial sections". The Authority states here that it does use the ICS distance term as a "reference tied to funding availability and construction contracting" purposes. This ICS is the first stretch of track that will be built. I still hold with what I stated before in October of 2012; this needs its own EIR/EIS. Since this is a real possibility due to funding restraints and even if the *Authority* is unable to operate it; there is the possibility that Amtrak, another agency, or company could operate it. This should have been analyzed in the FEIR/EIS since the Authority used this interim service on the ICS to qualify for the "independent utility" stipulation. The Authority was the one who created this "new animal" that morphed due to funding problems, so it should have studied its impacts as a qualified possibility in the FEIR/EIS, but it doesn't.

Since the Authority does not study the ICS in the FEIR/EIS; they should be required to work with another entity to study the ICS because there is a strong possibility that ICS will be the only bed and track built for some time. It will stand brokenly combined. I reiterate; the ICS should have its own EIR/EIS with and without the use of a conventional train running on it. There is no good reason to separate this test line. Twenty-nine miles doesn't stand alone to any real purpose. The first 29 miles should be joined to this Fresno to one mile north of the Kern County Border (not to Bakersfield) section. This is a piece-meal situation in both sections. The Authority is not starting from its origination point in the Merced to Fresno and not reaching its destination in the Fresno to Bakersfield section. The Authority has created this "new animal", and it should be required to deal with it. It doesn't matter if the Authority cannot run a conventional diesel train on it themselves or not. This is the Authority's ICS; and its tracks. In the Authority's response to my comment VIII the Authority admits it has thought of three different contingencies involving a conventional train running on their high-speed tracks (pg.46-41,1012-22 to 23) They have proved by these statements that this is their scope of work. The Authority should have started the first of its segments at the bookends. These tracks and beds would be bringing in money sooner in these high-populated areas. The project would be more economically fluid from the beginning in these high-ridership areas.

I live between the Kings River main branch now and the Alcorn Slough (old branch of Kings River. Two years ago I was told that the rail bed would be ten foot high on a dirt dam bisecting my property on a diagonal cutting my 40 acre side of the road and continuing through my 17 acre & 20 acre parcels across the road from the 40 acre piece (using "40 acres" so you can visualize better than me saying actually: 2--17.5 s & 2--2.5 acre parcels). Now there is a huge change. The rail bed is to be 22' to 25' in the air on a viaduct, years ago we would have called this a trestle. It is more like a monorail track on pillars. The three bridges, two north of me and one south will be much higher and a different structure than last reported. Your FEIR/S remains lacking for conducting detailed impact analysis for anybody and maybe

California Environmental Quality Act (CEQA) as well. The Authority states in General-28 that the level of detail in the RDEIR/SDEIS does not "alter the nature or magnitude of impacts addresses in [said document]." This significant change cannot be the same as the Authority would lead me to believe. Going from solid dirt bank at 10' to elevated viaduct of up to 25' is a major change in the laymen's eye. This FEIR/EIS is far from FINAL. This FEIR/S must be revised to reflect its changes and recirculated to reflect the significant environmental impacts.

My house is approximately 100' plus or minus from the high-speed tracks in the Authority's present proposal. It is the *minus* I am worried about. There are four items in three different paragraphs in the Authority's responses to me in my VIII comment that deal with "safety" or derailment distances. (pg.46-40 two in 1012-19 & two on pg. 46-41 in 1012-22). Sequentially, first I find that the distance of 102' between a freight train and the HST tracks is standard. This as Sean Rudden of URS stated to me that I quoted in my VIIIth comment. He emphasized that this distance needs no barrier. Second and the most questionable is "...people outside the HST right-of-way would be safe from derailment accidents." Let me remind you the HST is 22' to 25' high on a viaduct. Gravity tells me things that are up and fast will come down if an exterior influence acts upon it. This HST may fly in an almost forward motion for some distance and down out off of the ROW just from momentum. I'm not feeling too good about + or - 100' from my house. Third, what extra barriers or barrier walls will a viaduct have? Fourth, we are back to the diesel train running on a HST track. But now put this diesel train 22' to 25' on a viaduct. My best assumption is that the Authority will need to increase their distance in the following statement: "This could result in injuries or fatalities to individuals within approximately 100 feet of the HST alignment." We agreed before in October 2012 that a conventional train does not derail the same way a HST does. I am still questioning the probability of most HSTs derailing in the same way as the one in Taiwan in 2010 the Authority used as an example in light of the Santiago, Spain's *major derailment "accident."* What are the odds that a HST will just jump its curb and run down the ROW like a "good trained" train? When will I know the exact distance from my home? What if my home is less than 100' from the Authority's alignment? What is a safe distant for both a HST on a HSR? What is a safe distance for a conventional train on HSRs? I'll need to move at what distance? I'm obligated to move at what distance? What barriers are in the plans? These questions have not been answered.

Some of the Authority's mitigation measures far from mitigate the new problems. What about them planting 5,000 trees to mitigate for trees removed for their ROW, their access areas (In this FEIR/EIS, I just found out they need more of my land along the ROW for a ladder access), their permanent takes, their temporary takes (including TCE), over/underpasses, and newly needed areas to turn around. All the above will need trees, vines, and current crops gone. 5,000 trees sounds like a large number until one compares it against the number of walnut (in my case), almond, and fruit trees, and vines that will need to be removed. The consciences of the ROW, the project, is just as responsible for removal of carbon to oxygen transferring trees as the ROW itself, possibly more since this ICS is planned where it is. This would not be true on I-5. The trees that will be planted will be saplings and take five to ten years before they become mature. My approximately 40 acres of mature walnut trees are 16 years old trees with half their life left. By rights, I should get paid for the production of these removed trees for the rest of their life expectancy and their average yearly income in perpetuity. That is what I will be losing when they are removed. I've been told by the Authority that that is what "fair market value" means for my property. I'm told I will be compensated at acquisition time. I hope I never have to find out if the Authority was just giving me a line. The Authority's latest term is "Cost to Cure". "Cost to Cure" should mean paying me for what I will lose also. I'm skeptical because the Authority places so little or no value on agriculture, and continues to think the most productive agricultural counties are easier to move their project thru. A great deal less mitigation would be necessary on I-5. Maybe 5,000 trees along I-5 corridor

wouldn't be the absolute joke it is on the BNSF alternative for trying to mitigate the destruction of mature carbon-oxygen transferring trees that are there now. The reason I call it a joke is because I planned 1200 plus trees on my forty two years ago. Linearly with a minimum 200' swath the ROW creates (average 100' ROW and two 50' newly created areas to turn equipment) we could use up 5,000 trees on my place to five miles south of me. As you can see the Authority's mitigation is minuscule using this as comparison. Authority's staff has glossed over this important air quality issue. The Sierra Club has estimated that due to construction emissions alone it will take 70 years for the carbon-oxygen levels to get back to the established standard the year before starting the HSR project. The Sierra Club did not begin to account for the removal of a plethora of mature trees removed to be "replaced" with what? So few saplings it is laughable. There will be major air quality problems because of this. I would like to see the Authority's study on the effects of the removal of all the trees necessary to just build the ICS. As listed previously, all these tree removal areas are the minimum factors. I live in the Central Valley of California. This new terrible air quality will affect people, agriculture (crops & animals), all plants, and the environment at large. This would be a health issue of unsurmountable proportion. The Authority is short-sighted. You need to research this yourself before you act. Need I say it; this is another pebble in a pond?

Another thing wrong with these 5,000 replacement trees is that the Authority, State of California, will own them. Or the Authority will force local cities and counties to be responsible for them. So now we have the State or these fore mentioned governments using precious California water on ornamental baby trees and tax payers get to pay to purchase, plant, train, prune, spray, labor, plus more labor, and more labor forever. If the Authority in its wisdom decides to plant more trees to mitigate that is folly too. Ornamentals will not generate an income for any of these governments. These want-a-be mitigating saplings versus mature trees with much more carbon-oxygen conversion owned by farmers whose job it is to care for them, use their money to maintain them, pay for their own water, and they get a crop. I STRONGLY OBJECT to this bad idea. I do not want my tax dollars spent on the Authority/State creating all this overhead for the State forever. Let the farmers pay for the carbon-oxygen conversation for better air quality. They are doing it now. The Authority once again is not looking at the "big picture." The Authority seems to be more interested in creating government jobs instead of building a great project. This FEIR/EIS is proposed in the wrong place. The Authority is supposed to be building a HSR project to the best of their ability. This project is wrong in so many ways. I have stated several, but certainly not all. This project and Californians need to coexist. This FEIR/EIS isn't what Californians can live with. The truth is California depends on AGRICULTURE. Why it has earned a "dirty" name I don't know. Why it has no respect I don't know either. It is an old concept; and it is smelly and dirty. But, technology has prospered here too. Technology is not just a white-collar job in the Silicone Valley working on new, shiny, little things. The Authority wants to minimize agriculture's importance. I could put an earth-mover with GPS up against an iPad and you tell me agriculture is passé.

Respectfully,



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