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January 17, 2014

Findley M. Upton Family Trust
9509 Cross Road
P. O. Box 506
Chowchilla, CA. 93610

The Honorable Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E. Street, S.W., Room 100
Washington, DC 20423-0001

Re: California High Speed Rail Authority Petition for Exemption of Fresno to Bakersfield HST Section (Finance Docket No. 35724 (Sub-No. 1), and Any Action Pertaining to the 'Wye' Portion of the Merced to Fresno Section

Dear Ms. Brown,

On September 26, 2013 the California High Speed Rail Authority (Authority) petitioned the Surface Transportation Board (STB) for an exemption to construct a section of the California High Speed Rail Project (HSR Project) from Fresno to Bakersfield. The STB determined on December 4, 2013 to deny the exemption and extend the comment period for the public to December 24, 2013, and then extended to February 14, 2014. During this period the public is granted the ability to provide comments and concerns to the STB concerning any exemption request that the Authority has requested or may request in the future.

On December 20 2013, the STB requested interested parties to establish their intent to participate in the above subject proceeding. Please accept this letter as a notice of my intent to participate in the above referenced proceeding, or any action pertaining to the 'Wye' portion of the Merced to Fresno Section.

Our farm has an environmental retreat that has been in existence for over 40 years. I have previously submitted pictures and comments to STB when commenting on the Merced to Fresno Section. When the STB approved the Merced to Fresno Section, the 'Wye' portion of the Section was excised out. The 'Wye' portion is now in the process of consultation and outreach while complying with requirements under NEPA, CEQA, the EIR process, and other clearances.

The purpose of this letter is to notify you of my desire to maintain my 'standing' in the STB process. Even though a portion of the Merced to Fresno Section was approved by the STB, it did not provide the Rail Authority a 'free pass' to proceed in the 'Wye' portion of the portion of the Merced to Fresno section without further review by the STB or the other normal processes in place to protect citizens rights and concerns relating to projects that affect them. Please notify us when such review is sought by the Authority so I may participate.

Sincerely,


Kole Upton, Trustee,
Findley M. Upton Trust

