

November 6, 2014

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20423

RE: STB Finance Docket No. 35861, California High-Speed Rail Authority –Petition for Declaratory Order

Dear Ms. Brown,

I am a private citizen, residing in Bakersfield California. I have been following and submitting correspondence in all of the previous Surface Transportation Board petitions that have been considered by your Board that deal with the California High Speed Rail project.

Since its inception, the California High Speed Authority (CAHSRA) has stated that it would abide by CEQA. The Authority refers to CEQA in each environmental impact report. Public presentations through the years have all included the assurances that CEQA will be followed. To now rule that any part of the CEQA process should be invalidated or replaced by different rules or environmental guidelines is seen as an affront to the citizens of California.

It is disturbing that The CAHSRA has independently decided that they may no longer have to be “burdened” with following these guidelines. It seems that the Authority would like to decide which CEQA guidelines it will follow and which ones it will not. It is as if they view the requirements of following CEQA as “voluntary”. I view this as abusive and in clear opposition to the intent of Proposition 1A. In fact, the funding of this project with monies derived from the passage of Proposition 1A were in large part secured by the promise to adhere to CEQA. It is the reliance on this protection that surely aided in the proposition’s passage. It is reasonable that citizens expect adherence to CEQA for a project of this magnitude and expense. It is also reasonable to expect that any monies promised by Proposition 1A would no longer be available to a project that fails to adhere to all CEQA guidelines and remedies.

An acknowledged power of the states is to regulate interstate commerce to protect the health and safety of its citizens. The state acts to protect its citizens in this case by following the complete CEQA process for the CAHSR project. In doing so, it does not disrupt the economy. It does not interfere or discriminate against any other state or harm interstate commerce.

It is my opinion that the people of California expect that this project will continue to honor and follow the CEQA process without exception. That includes injunctive relief IF that is put before the courts.

What I find to be of particular interest is that there is no current threat or impending petition for injunction to halt construction at this time. To spend valuable time considering this petition is a waste of your Board's time. In my limited knowledge as a layperson of such proceedings, it would appear that this petition request is "unripe". No one is making a request to halt the construction of this project.

Therefore I urge you to deny the petition in its entirety.

Respectfully,



Carol Bender

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