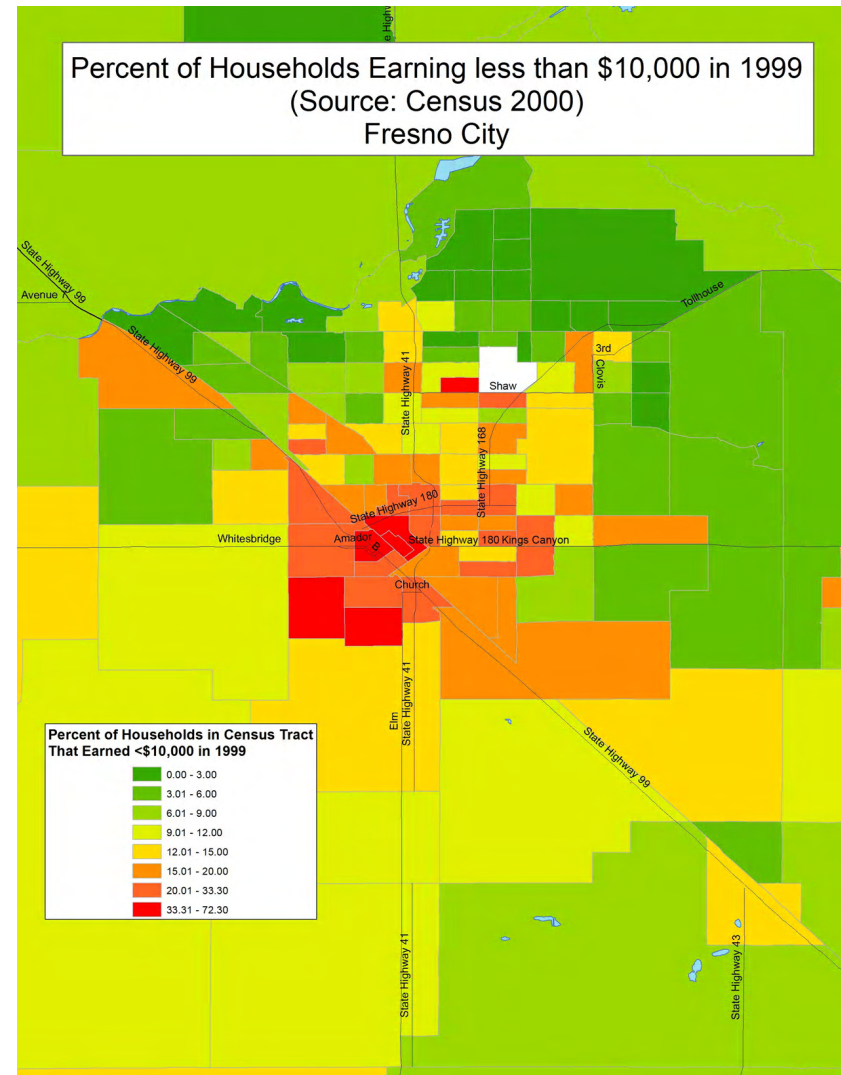
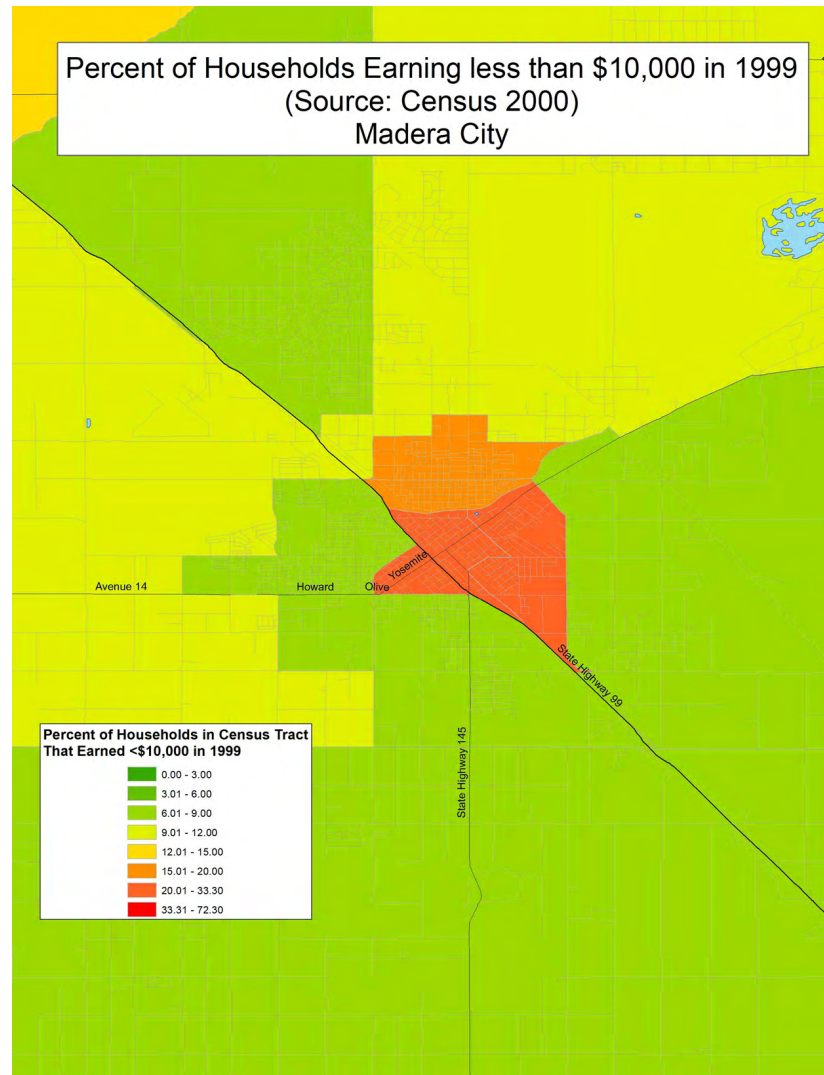
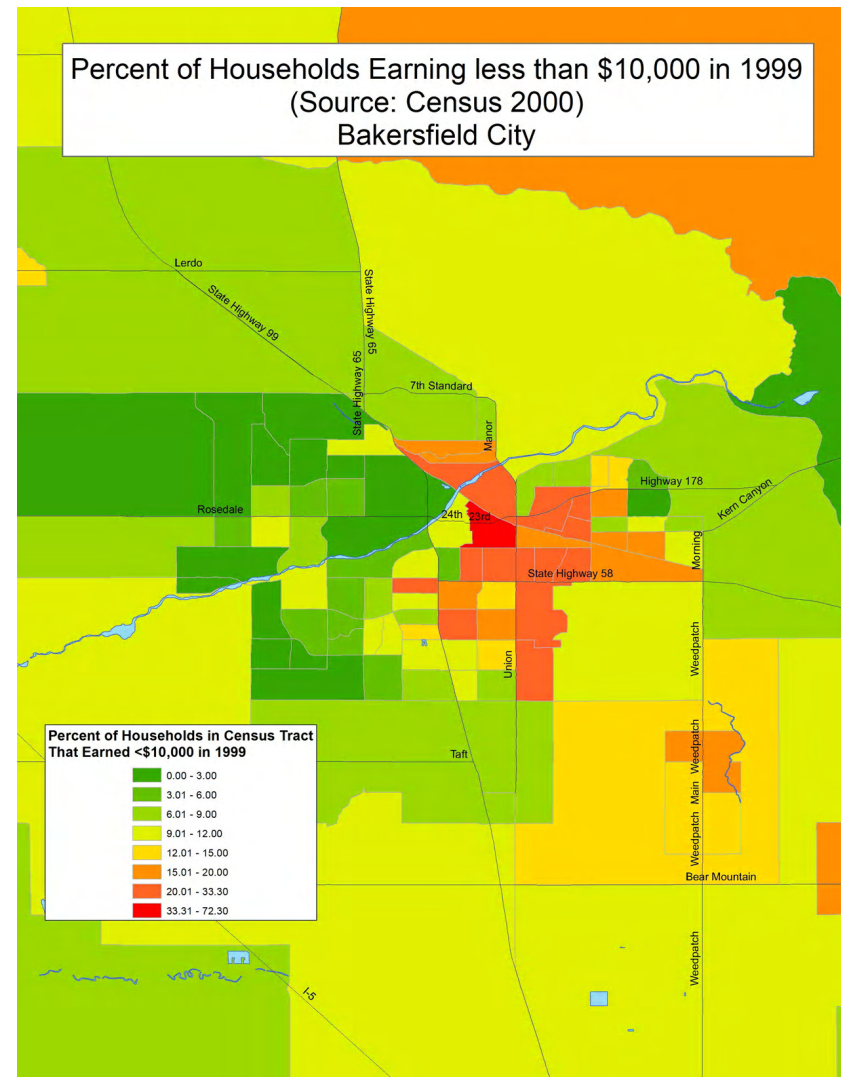
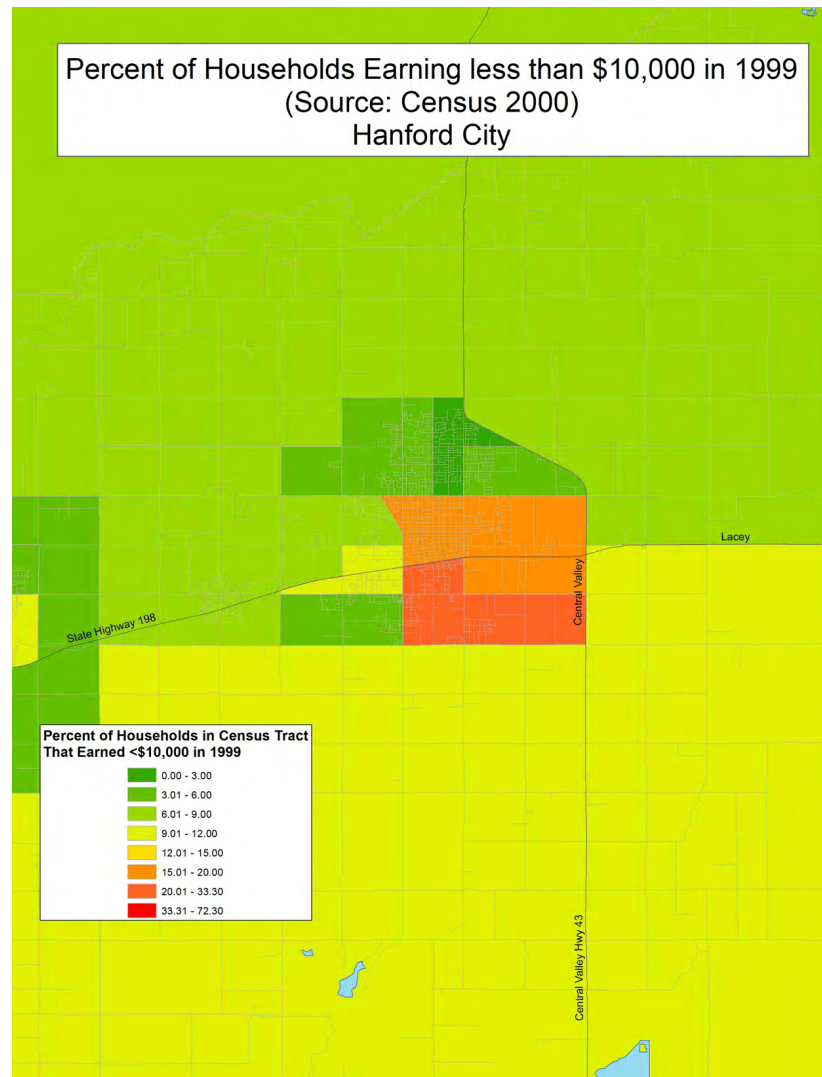


Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued

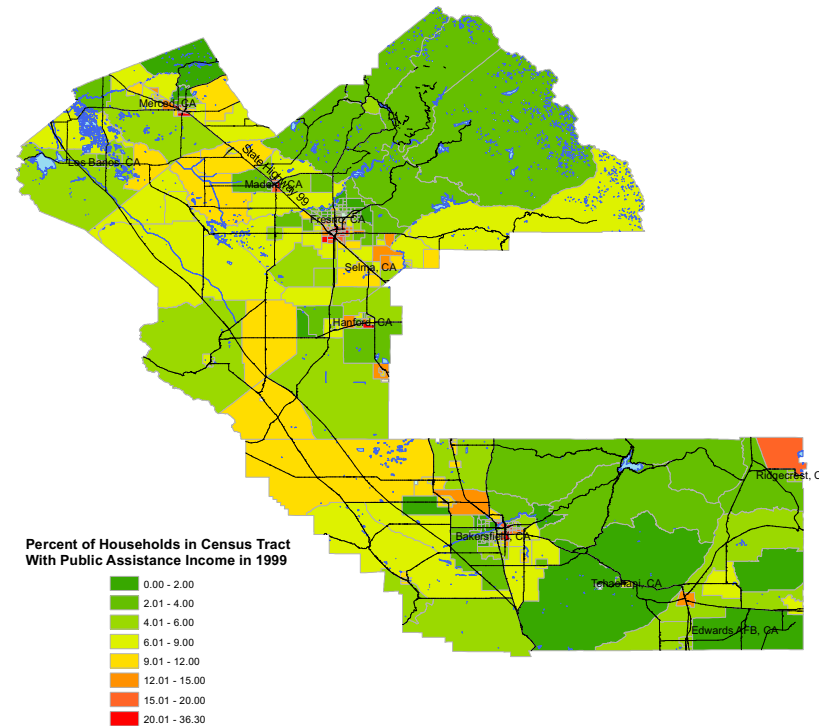


Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued

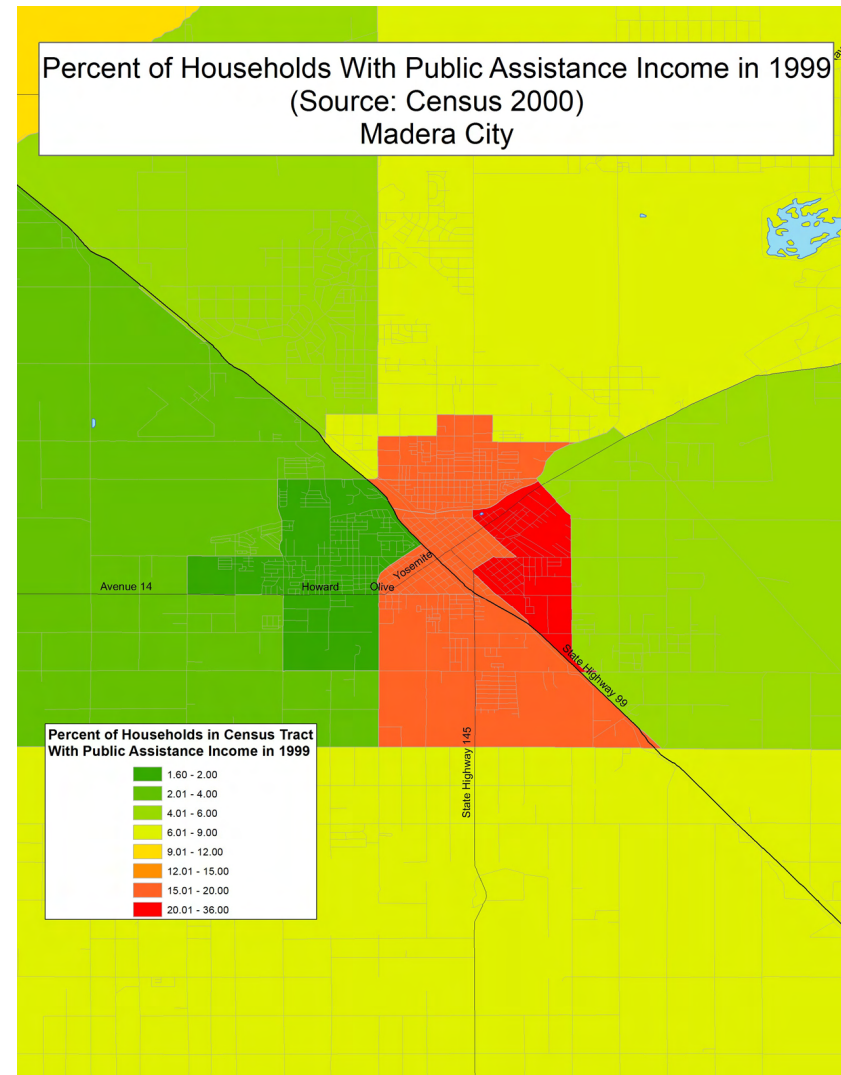
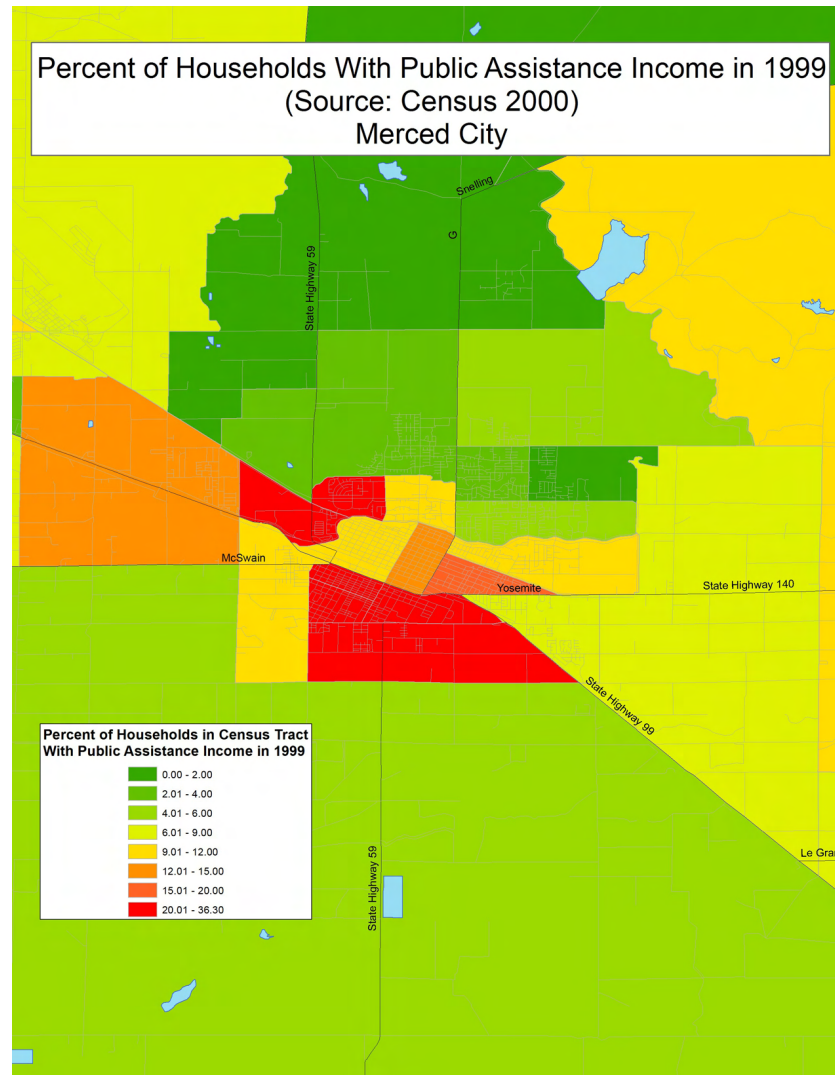
Exhibit C

Housheholds Receiving Public Assistance Income

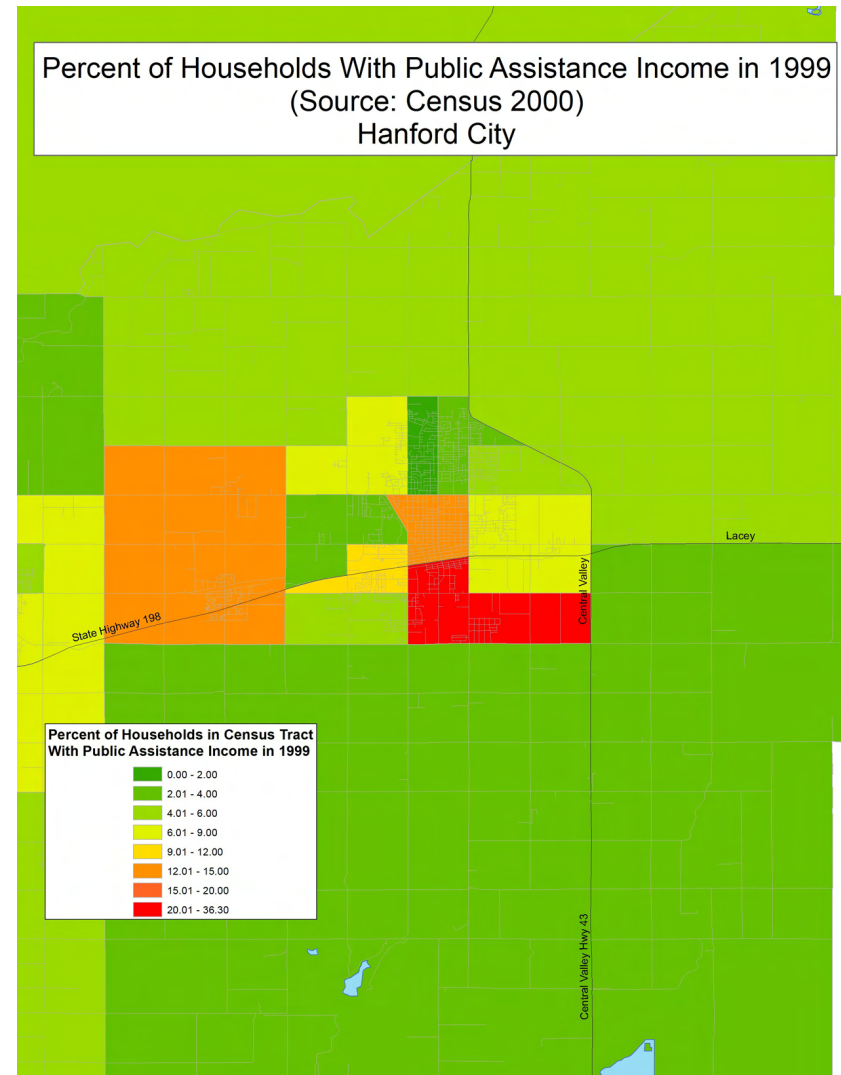
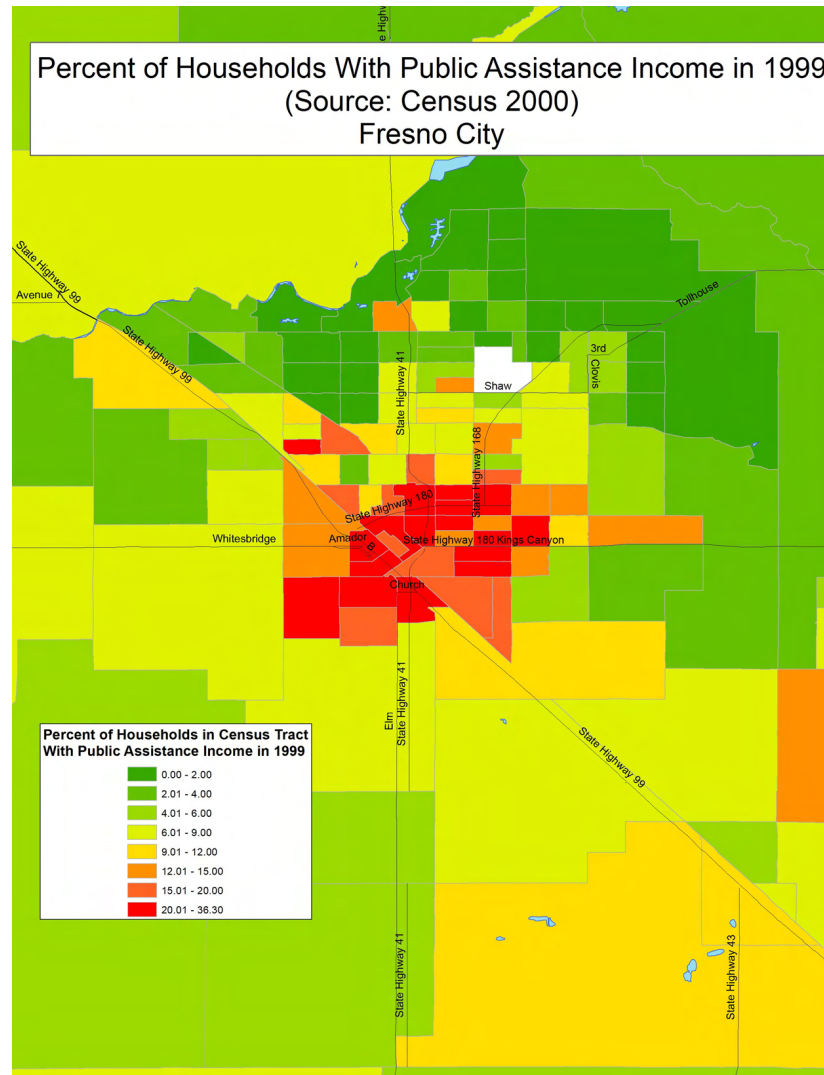
Percent of Households With Public Assistance Income in 1999
(Source: Census 2000)



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued

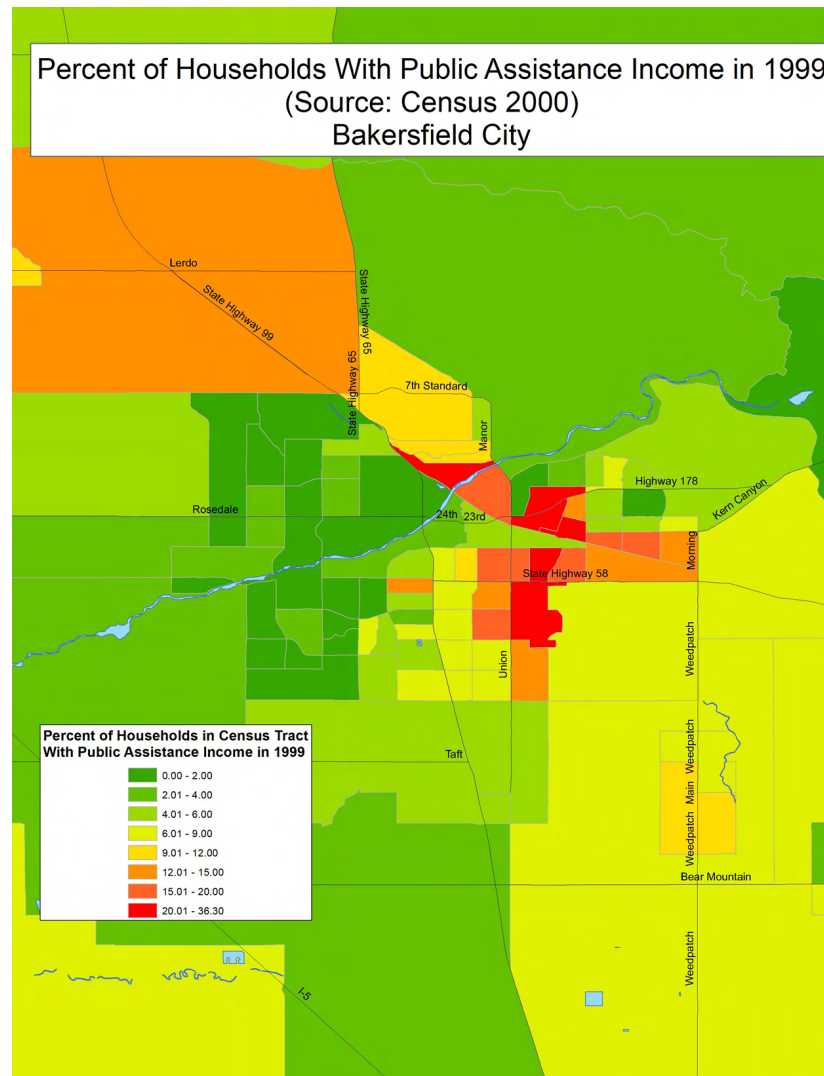
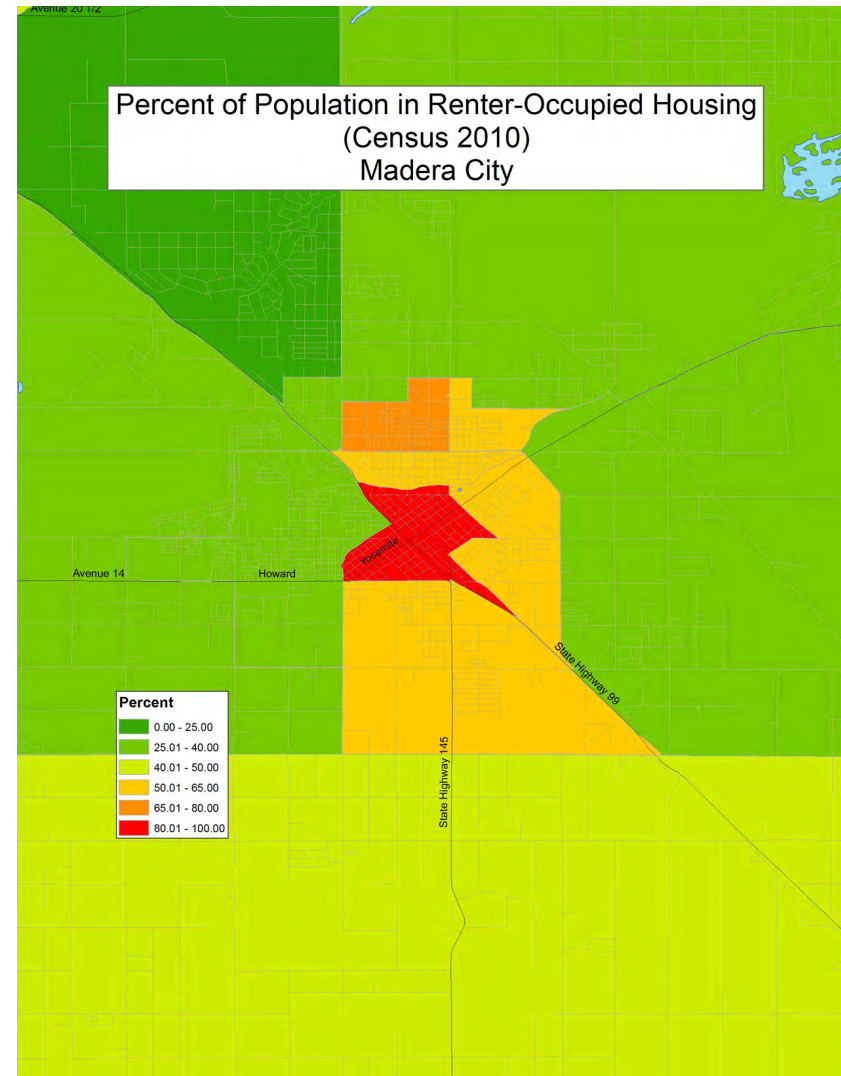
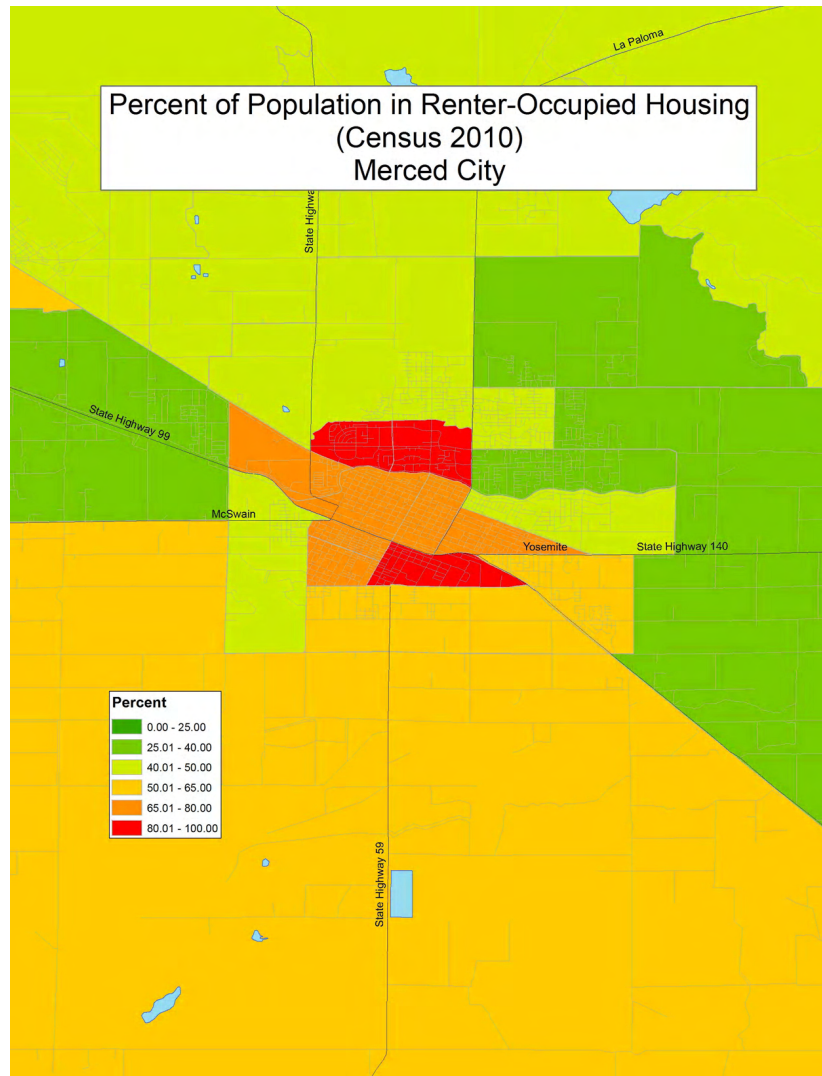


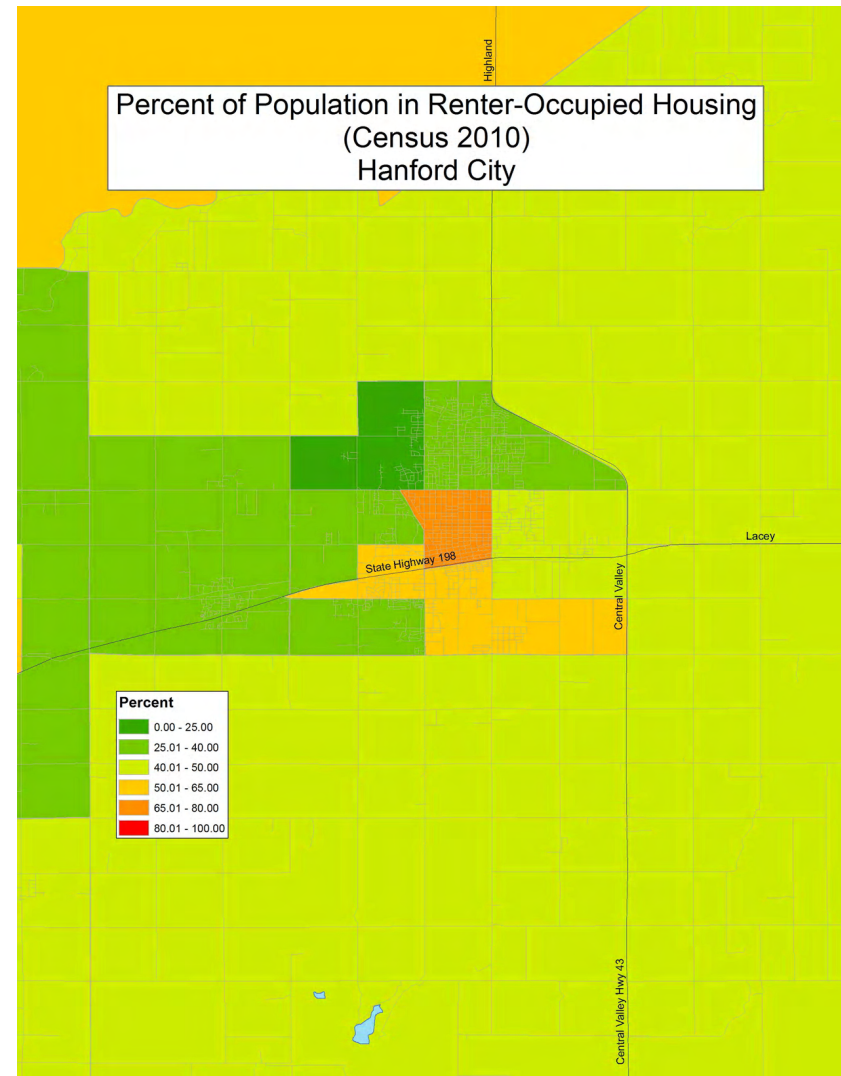
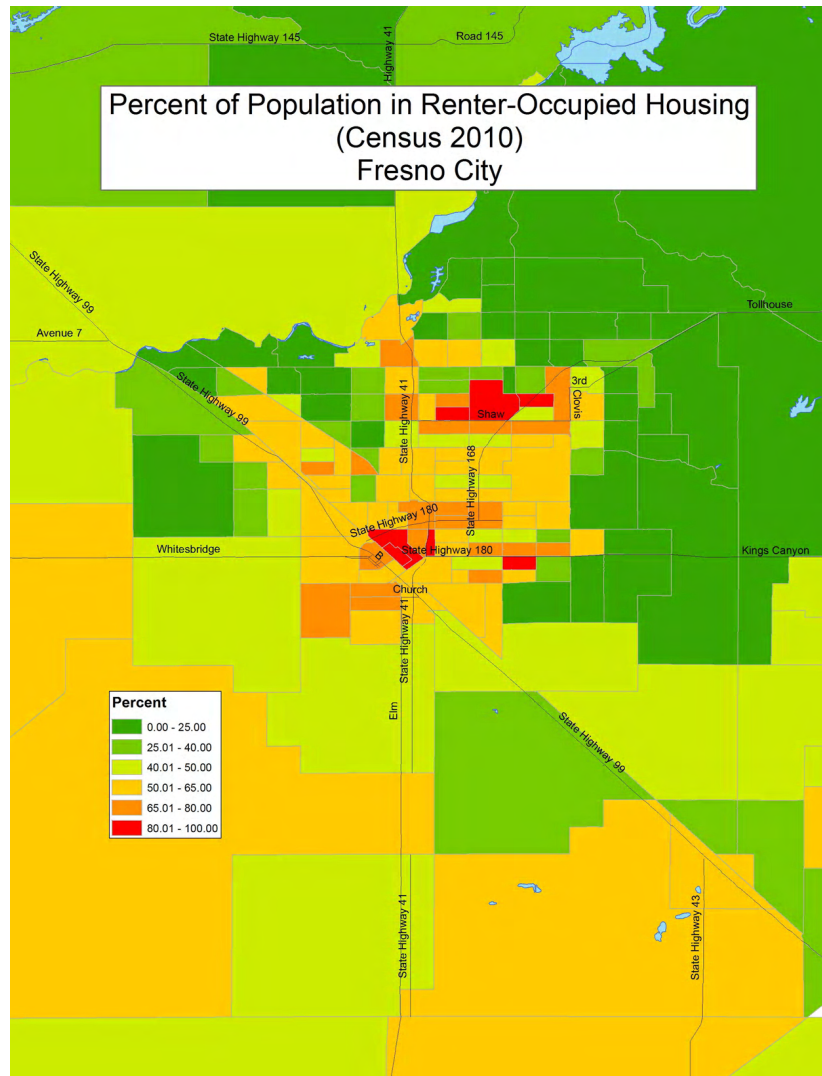
Exhibit D

Population Living in Rented Housing

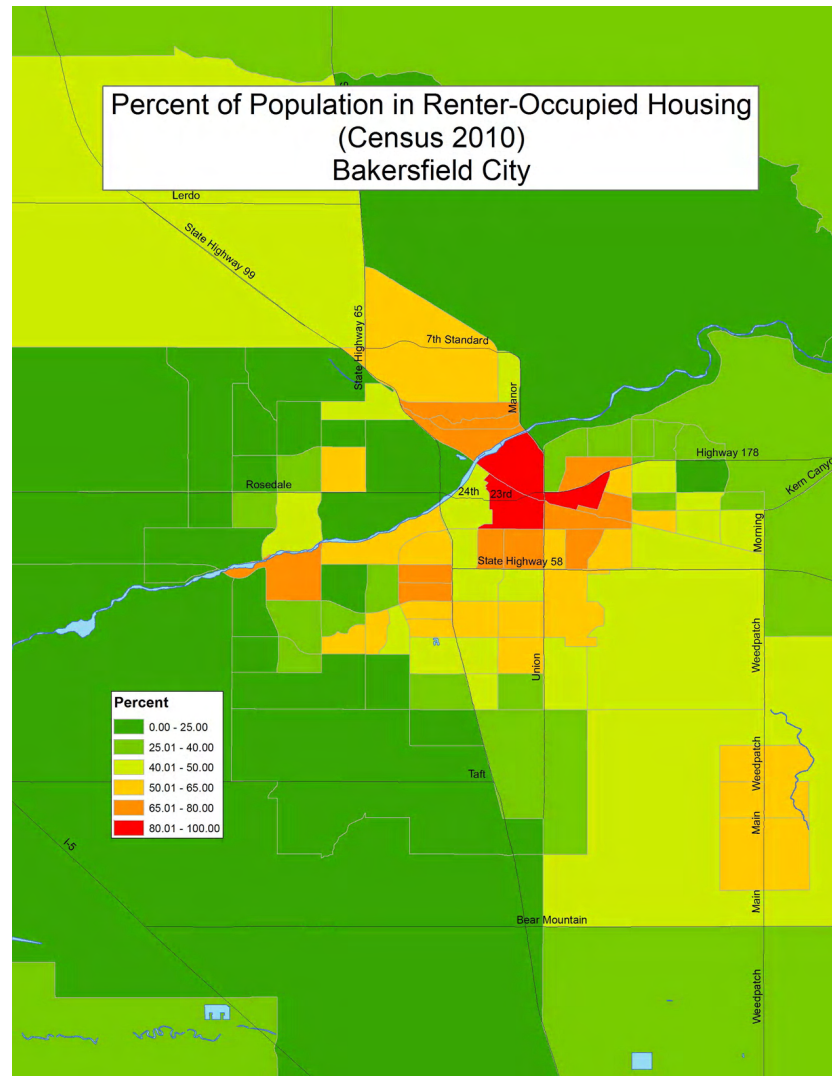
Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) -
Continued



Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued



Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011)

BO004-1

Refer to Standard Response FB-Response-SO-07, FB-Response-GENERAL-16.

Extensive outreach was undertaken by the Authority and FRA, as discussed in Standard Responses FB-Response-SO-07 and FB-Response-GENERAL-16. Also see Volume 1, Section 3.12.3.5, and Section 4.3.2 in the Community Impact Assessment Technical Report, for information on the Environmental Justice outreach.

BO004-2

Refer to Standard Response FB-Response-GENERAL-05, FB-Response-GENERAL-03.

See the Revised DEIR/Supplemental DEIS, Volume 1, Section 3.12, Impact SO #6 and Impact SO #18, as well as Sections 4.3 and 5.3 and Appendix A in the Community Impact Assessment Technical Report, for information on the Environmental Justice (EJ) analysis and methodology. As can be seen in this baseline analysis, EJ populations are highly concentrated in urban areas within the study region. Potential impacts in all EJ communities of concern are examined for every resource, and results can be found in the sections referenced above.

BO004-3

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-01.

The size and comprehensiveness of the Revised DEIR/Supplemental DEIS belie this assertion. The document complies with both CEQA and NEPA regarding scope, content, analysis, and mitigation. See Standard Response FB-Response-GENERAL-02 regarding the discussion of alternatives in the Revised DEIR/Supplemental DEIS, and see Standard Response FB-Response-GENERAL-01 regarding the specificity of mitigation measures.

BO004-4

Refer to Standard Response FB-Response-GENERAL-03, FB-Response-GENERAL-05, FB-Response-GENERAL-18.

All impacts addressed in the Revised DEIR/Supplemental DEIS, Volume I, Section

BO004-4

3.12.5, are examined on a community-by-community level, taking into account individual community characteristics in making determinations on the level of effect. Environmental Justice analysis is presented in Section 3.12.9, and in greater detail in Section 4.3 of the Community Impact Assessment Technical Report.

The HST system would also be beneficial to communities in the region by improving access to jobs and amenities, reducing travel times, reducing traffic congestion, and by providing new employment opportunities through project construction and operation. Other benefits would occur in the neighborhoods where the stations are constructed, such as in Fresno and Bakersfield. The project would likely stimulate redevelopment efforts in these locations, which would result in improved neighborhood character and vitality, potentially strengthening community cohesion. The people who live or work in the general vicinity of the proposed station location, including low- and middle-income families, would benefit the most from the improved access and revitalization.

See Volume I Chapter 3.12 Impact SO #5- Temporary Construction Employment, for information on the number of construction jobs created as a result of the project as well as the ability of the existing regional labor force to fill the demand for the direct construction jobs as well as the resulting indirect and induced jobs. Impact SO#14- Employment Growth, details the long term jobs created to operate and maintain the project in the region, as well as the jobs created as a result of the improved connectivity of the region to the rest of the state. The total number of new jobs created is estimated to be a 3.2% increase in total employment above the 2035 estimate of 1.4 million total jobs in the region under the No Project Alternative (Cambridge Systematics 2010).

Additionally, jobs created by construction and operation of the project would likely be filled by workers in the region. The Authority has approved a Community Benefits Policy that supports employment of individuals who reside in disadvantaged areas and those designated as disadvantaged workers, including veterans returning from military service. It helps to remove potential barriers to small businesses, disadvantaged business enterprises, disabled veteran business enterprises, women-owned businesses, and microbusinesses that want to participate in building the High-Speed Rail system.

BO004-5

Refer to Standard Response FB-Response-GENERAL-03.

Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued

BO004-5

Please see the Draft Relocation Impact Report, Section 5.1, for more information on residential displacements and a community-by-community analysis of available, currently vacant residential units for relocated residents (Authority and FRA 2012h). For estimates of the construction workers expected in the four-county study area, see Volume I, Section 3.12, Impact SO #5.

BO004-6

Refer to Standard Response FB-Response-SO-02, FB-Response-SO-01.

For information on the property acquisition and compensation process, including that for renters, see Volume II, Appendix 3.12-A. Also note the special relocation considerations for renters who live in highly affected areas, which are detailed in Section 6.4.3.1 of the Draft Relocation Impact Report (Authority and FRA 2012h).

There are other project benefits besides increased property values. As discussed in Section 3.12, Impact SO #18, the project would provide benefits that would accrue to all populations, including communities of concern. These benefits would include improved mobility within the region, improved traffic conditions on freeways as modes divert to HST, improvements in air quality within the region, and new employment opportunities during construction and operation. Station construction and planned station area improvements in downtown Fresno and Bakersfield would improve the aesthetics and visual environment in both locations, benefiting the nearby minority and low-income communities. Other station-related benefits, including improved accessibility and increases in property value, would benefit those who live and work closest to the new stations. In Fresno and Bakersfield, these benefits would be disproportionately incurred in minority and low-income communities.

BO004-7

Refer to Standard Response FB-Response-AQ-01, FB-Response-AQ-04, FB-Response-AQ-05, FB-Response-GENERAL-11, FB-Response-GENERAL-23.

Qualitative and quantitative discussions of health impacts during project alignment construction were provided in Section 3.3.6.3 of the Revised DEIR/Supplemental DEIS.

BO004-7

The air quality analysis has identified emission impacts from the project during the construction phase. The regional significant construction emission impacts will be completely offset to below a level of significance through the Voluntary Emissions Reduction Agreement between the Authority and the San Joaquin Valley Air Pollution Control District, as well as by the use of project design features described in Section 3.3.8 of the Final EIR/EIS. Therefore, impacts from regional construction emissions would be less than significant. The HST would be electrically powered. Therefore, there will not be any direct combustion emissions from the HST to cause health concerns, such as sinus problems, allergies, asthma, or other respiratory diseases, during operation. Fugitive dust emissions due to HST travel are not expected to be a significant source of pollutants either (see Appendix 3.3-A of the Final EIR/EIS for details). For these reasons, minority communities will not experience a disproportionate impact from air pollution as a result of the HST project.

The purpose of the Fresno to Bakersfield HST includes providing travel between major urban centers and connectivity to airports, mass transit systems, and the highway network in the south San Joaquin Valley. This will benefit the entire population of the Central Valley, including the environmental justice community. Travel via the HST system will be less expensive than air travel over the same distance, by business design. As a result, it will be affordable to a larger segment of the population than air travel. Additionally, the project will result in benefits to environmental justice communities in the region through job creation and sales tax gains.

BO004-8

Refer to Standard Response FB-Response-TR-02.

As listed in Appendix 2-A of the EIR/EIS, road closures will not be numerous, particularly in the rural areas crossed by the Fresno to Bakersfield alternative alignments. As stated in FB-Response-TR-02, road closures would typically result in out-of-direction travel of 1 mile, or less. This would not result in substantial delays to first responders.

BO004-9

Refer to Standard Response FB-Response-GENERAL-04.

Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued

BO004-9

As detailed in Volume I Chapter 3.12 Impact SO#7, the HST alternatives would travel through existing suburban and urban communities, displacing many homes, businesses and important community facilities. The impact of disruption to community cohesion in some locations would be a significant impact under CEQA. Mitigation Measures SO-1 and SO-2 were developed to reduce the community division impacts by conducting community workshops before the completion of final design to begin the process of determining potential use of the area adjacent to the HST tracks.

Volume I Chapter 3.12 Impact SO#17 discusses the results of the analysis to determine if the social and economic consequences of the project would result in physical deterioration of communities. A detailed analysis is presented in section 5.4.5 of the CIA. Right-of-way acquisition associated with the project would result in many residential and business displacements. For most displacements, sufficient numbers of suitable vacant residential and business structures are located in the area to house these relocations and therefore considerable residential migration or changes in the local business environment are not expected.

Please see Appendix C of the Community Impact Assessment Technical Report for all of the methodological detail, discussion of assumptions, and exact numbers of estimates of reduction in agricultural production. The analysis conducted has been thorough and takes into account the unique circumstances of agricultural production in the four-county region. In brief, this analysis examined potential losses in revenue resulting from: (a) the loss of agricultural production on agricultural land acquired in the project right-of-way and (b) potential yield losses occurring up to 500 feet away from the project as a result of factors such as dust reducing growth of crops, wind effects resulting in reduced pollination benefits, difficulties and limitations imposed in applying pesticides near the project, etc.

These are the direct effects of the project on agriculture. To determine the resulting indirect and induced effects to economic activity in other related sectors, such as agricultural processing and transportation, Bureau of Economic Analysis (BEA) RIMS II multiplier for agricultural production in the region are used. The BEA estimate is a multiplier of 1.96, or for every dollar of agricultural production lost in the region, an additional 96 cents of output is lost across related sectors. Therefore, it is fair to just

BO004-9

about double the estimate of loss to agricultural production to get an overall estimate.

See Volume I, Section 3.12, Impact SO#12 and Impact SO#16 for impacts on agricultural businesses. Because the Authority is required to provide relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, all the displaced businesses would be relocated; most, if not all, within the surrounding area, and their employees would remain employed.

BO004-10

Refer to Standard Response FB-Response-GENERAL-18.

For the Environmental Justice analysis in Section 3.12, minority persons were defined as individuals identified as non-White and Hispanic or Latino, which includes Native American populations. Jobs created by construction and operation of the project would likely be filled by workers in the region. To help offset any disproportionate effects, the Authority has adopted a Community Benefits Policy that supports employment of individuals who reside in disadvantaged areas and those designated as disadvantaged workers, including veterans returning from military service. It helps to remove potential barriers to small businesses, disadvantaged business enterprises, disabled veteran business enterprises, women-owned businesses, and microbusinesses that want to participate in building the high-speed train system. Under the Authority's Community Benefits Policy, design-build construction contracts will be required to adhere to the National Targeted Hiring Initiative, which states a minimum of 30% of all project work hours will be performed by national targeted workers, and a minimum of 10% of national targeted workers hours will be performed by disadvantaged workers. According to the National Targeted Hiring Initiative, disadvantaged workers either live in an economically disadvantaged area or face any of the following barriers to employment: being homeless, being a custodial single parent, receiving public assistance, lacking a GED or high school diploma, having a criminal record or other involvement with the criminal justice system, being chronically unemployed, being emancipated from the foster care system, being a veteran, or an being an apprentice with less than 15% of the required graduating apprenticeship hours in a program. The Community Benefits Policy will supplement the Authority's Small Business Program, which has an aggressive 30% goal for small-business participation and includes goals of

Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued

BO004-10

10% for disadvantaged business enterprises and 3% for disabled veteran business enterprises.

BO004-11

Refer to Standard Response FB-Response-SO-07, FB-Response-GENERAL-02.

An extensive public and agency outreach program was conducted throughout the EIR/EIS process on Environmental Justice (EJ) issues and will continue through the design and construction phases, as detailed in section 4.3.2 of the Community Impact Assessment Technical Report. Many meetings were held with local officials; public, local, and regional organizations; and government agencies. Meetings were also held with representatives of affected communities along the HST alternatives, including those communities containing predominantly minority and/or low-income populations. Existing EJ outreach programs (e.g., the San Joaquin Valley Air Pollution Control District EJ Committee) and established minority organizations (e.g., the Mexican American Political Association) were used to identify issues of concern and the locations of EJ communities. Special outreach conducted for minority and low-income populations included Spanish-language advertising of meetings, the availability of Spanish-language versions of project-related materials, and the availability of Spanish interpreters at public meetings in areas that included an EJ population with a large Hispanic population.

The purpose of these efforts was to gain the input of EJ community leaders and members on the project and to consider their comments as part of the public record. Through analysis of the project, staff identified whether the project would potentially disproportionately affect any of the EJ areas relative to the potential benefit gained by that community from the project, and appropriate alternatives or changes to the project were implemented. From April 2007 through August 2010, 70 EJ-related meetings were held, including meetings to identify EJ areas and leaders to identify strategies for outreach to their communities and gain their input. A full list of these meetings is provided in Table 4-15. Additional meetings have been held since then, and are documented in the Final EIR/EIS.

The environmental justice analysis adheres to the definition defined by Executive Order

BO004-11

12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations" This is an effect that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the nonminority and/or non-low-income population along the project. Determination of potential environmental justice effects includes consideration of all possible mitigations. Mitigation of impacts to less than significant is not possible in every instance, so the remaining effect is acknowledged as an effect to the community of concern and considered in decisions about project alternatives. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project, including the high concentrations of environmental justice populations in Corcoran. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project including impacts and effects identified in Corcoran. Volume 1 Chapter 3.12 Impacts SO#6 and SO#18 summarize these findings.

BO004-12

The project includes mitigation measures that would minimize or avoid the impacts on the population, including communities of concern. These include:

- MM SO-1: Implement measures to reduce impacts associated with the division of existing rural residential communities in the unincorporated areas (east of Hanford, northeast of Corcoran, and between Shafter and Bakersfield)
- MM SO-2: Implement measures to reduce impacts associated with the division of existing communities in the Bakersfield Northeast District
- MM SO-3: Implement measures to reduce impacts associated with the division of existing communities in the Bakersfield Northwest District
- MM SO-4: Implement measures to reduce impacts associated with the relocation of

Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued

BO004-12

important facilities.

As explained in the mitigation measures listed above, the Authority will conduct community workshops before the completion of final design to begin the process of determining potential use of the area adjacent to the HST tracks. These meetings will provide neighborhood residents the opportunity to contribute to the process, and will help to identify community preferences for private-property uses (e.g., parking, equipment storage, new businesses, or residential properties) or alternative public uses that could strengthen community cohesion (e.g., community gardens, a linear park, or bike paths). The Authority will then work with all parties necessary to implement the determined uses identified in these workshops.

The project also includes specific mitigation measures that would minimize or avoid the impacts on the environmental justice populations. These include:

- I. Public Outreach

See MM SO-6: Continue outreach to disproportionately and negatively impacted environmental justice communities of concern. The Authority will continue to conduct substantial environmental justice outreach activities in adversely affected neighborhoods to obtain resident feedback on potential impacts and suggestions for mitigation measures. Input from these communities will be used to refine the alternatives during ongoing design efforts.

In the Environmental Justice Effects Conclusion in Chapter 3.12, Impact SO#18, it explains that the Authority would also continue the existing activities similar to the workshops that have been held in the city of Fresno to discuss the HST project and collect community input. At meetings in September 2011 and February 2012, the Authority provided overviews on the relocation process and distributed the brochure "Your Property, Your High-Speed Train Project" and other brochures on the Relocation Assistance Program. The Authority has also made information available on the right-of-way process (Appendix 3.12-A), with emphasis on property and business owners' rights under federal and state laws and regulations. The overview consisted of a presentation followed by a question-and-answer period.

- II. Memorandum of Understanding

The Authority and FRA along with the EPA, U.S. Department of Housing and Urban Development, and the Federal Transit Administration (FTA) have also entered into an

BO004-12

Interagency Partnership and established a "Memorandum of Understanding (MOU) for Achieving an Environmentally Sustainable High-Speed Train System in California," which includes a common goal of integrating HST station access and amenities into the fabric of surrounding neighborhoods. The principles for this partnership are to help improve access to affordable housing, increase transportation options, lower transportation costs, and protect the environment in communities nationwide.

The implementation of the MOU would be beneficial to all populations, but could help intensify project benefits in the areas most affected by project impacts, especially communities of concern. One example is that the Authority would establish a temporary relocation field office to help facilitate relocation efforts in areas with substantial relocation needs. Project relocation field offices would be open during convenient hours and evening hours if necessary. In addition to these services, the Authority is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits to all affected persons, including persons within communities of concern.

- III. Community Benefits Policy

Jobs created by construction and operation of the project would likely be filled by workers in the region. To help offset any disproportionate effects, the Authority has approved a Community Benefits Policy that supports employment of individuals who reside in disadvantaged areas and those designated as disadvantaged workers, including veterans returning from military service. It helps to remove potential barriers to small businesses, disadvantaged business enterprises, disabled veteran business enterprises, women-owned businesses, and microbusinesses that want to participate in building the High-Speed Rail system. Under the Authority's Community Benefits Policy, design-build construction contracts will be required to adhere to the National Targeted Hiring Initiative, which states a minimum of 30 percent of all project work hours shall be performed by national Targeted Workers and a minimum of 10 percent of National Targeted Workers hours shall be performed by disadvantaged workers. According to the National Targeted Hiring Initiative, disadvantaged workers either live in an economically disadvantaged area or face any of the following barriers to employment: being homeless, a custodial single parent, receiving public assistance, lacking a GED or high school diploma, having a criminal record or other involvement with the criminal justice system, chronically unemployed, emancipated from the foster care system, being a veteran, or an apprentice with less than 15 percent of the required graduating apprenticeship hours in a program. The Community Benefits Policy will be on

Response to Submission BO004 (Baldwin S. Moy, California Rural Legal Assistance, Inc., October 13, 2011) - Continued

BO004-12

supplement the Authority's Small Business Program which has an aggressive 30 percent goal for small business participation, which includes goals of 10 percent for disadvantaged business enterprises and 3 percent for disabled veteran business enterprises.

IV. Title VI Plan

The Authority, as a federal grant recipient, is required by the Federal Railroad Administration to conform to Title VI of the Civil Rights Act of 1964 and related statutes. The Authority's sub-recipients and contractors are required to prevent discrimination and ensure non-discrimination in all of their programs, activities, and services. The Authority is committed to ensuring that no person in the state of California is excluded from participation in, nor denied the benefits of, its programs, activities, and services on the basis of race, color, national origin, age, sex, or disability as afforded by Title VI of the Civil Rights Act of 1964 and Related Statutes.

As permitted and authorized by Title VI, the Authority will administer a Title VI Program in accordance with the spirit and intent of the non-discrimination laws and regulations. The Authority has assembled a Title VI Project Team with a Coordinator and Technical and Policy Consultants who can be contacted via the CAHSR website.

V. Project Benefits

According to EO 12898, the offsetting benefits associated with the project should be considered as part of the environmental justice analysis. The project would provide benefits that would accrue to all populations, including communities of concern. These benefits would include improved mobility within the region, improved traffic conditions on freeways as modes divert to HST, improvements in air quality within the region, and new employment opportunities during construction and operation.

Station construction and planned station area improvements in downtown Fresno and Bakersfield would improve the aesthetics and visual environment in both of these locations, benefiting the nearby minority and low-income communities. Other station-related benefits, including improved accessibility and property value increases, would benefit those who live and work closest to the new stations. In Fresno and Bakersfield, these benefits would be disproportionately incurred in minority and low-income communities.

BO004-13

Refer to Standard Response FB-Response-SO-07.

The environmental justice analysis adheres to the definition defined by Executive Order 12898 and U.S. Department of Transportation Order 5610.2, which defines an environmental justice effect as a "disproportionately high and adverse effect on minority and low-income populations." This is an effect that is predominately borne by a minority population and/or a low-income population or that would be appreciably more severe or greater in magnitude for the minority and/or a low-income population than the adverse effect that would be suffered by the non-minority and/or non-low-income population along the project.

Determination of potential environmental justice effects includes consideration of all possible mitigations. Mitigation of impacts to less than significant is not possible in every instance, so the remaining effect is acknowledged as an effect to the community of concern and considered in decisions about project alternatives. Section 4.3 in the Community Impact Assessment Technical Report identifies the environmental justice populations along the project, including the high concentrations of environmental justice populations in Corcoran. The methodologies for identifying these populations are detailed in Appendix A of the Community Impact Assessment Technical Report. Section 5.3 in the Community Impact Assessment Technical Report provides detailed information on the potential for substantial environmental justice effects across resources along the project, including impacts and effects identified in Corcoran. The Revised DEIR/Supplemental DEIS, Volume 1, Section 3.12, Impacts SO #6 and SO #18, summarize these findings.

Submission BO005 (Charlene Hook, Citizens for California High Speed Rail Accountability
(CCHSRA), October 13, 2011)



CALIFORNIA
High-Speed Rail Authority



Comment Card
Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Draft Environmental Impact Report/
Environmental Impact Statement (EIR/EIS)
Public Hearings
September 2011

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental (EIR/EIS)
Audiencias Públicas
Septiembre del 2011

Please submit your completed comment card at the
end of the meeting, or mail to:

Por favor entregue su tarjeta completada al final de la
reunión, o envíela por correo a la siguiente dirección:

Fresno to Bakersfield DEIR/EIS Comment, 770 I Street, Suite 800, Sacramento, CA 95814

The comment period is from August 15 to ~~September~~
13, 2011. Comments must be received electronically, or
postmarked, on or before ~~September 28~~, 2011.
Oct. 13

El periodo de comentario es del 15 de Agosto al 28
de Septiembre del 2011. Los comentarios tienen que ser
recibidos electrónicamente, o matasellados, el o antes
del 28 de Septiembre del 2011.

Name/Nombre: Charlene Hook
Organization/Organización: CCHSRA
Address/Domicilio: 3116 5th Ave
Phone Number/Número de Teléfono: 559-992-5486
City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran, CA 93212
E-mail Address/Correo Electrónico: char61353@netscape.net
(Use additional pages if needed/Usar paginas adicionales si es necesario)

BO005-1

Do you really think changing the alignment
to the west of Kings County will be less of an
impact? Not your crayons out because you
will be in for another ride awakening. What
are you, the Authority, thinking? Obviously
you're not. You are just trying to hurry & spend
the money before you lose it. I really hope you
people sleep good at night or at all.



CALIFORNIA
High-Speed Rail Authority



U.S. Department
of Transportation
Federal Railroad
Administration

Response to Submission BO005 (Charlene Hook, Citizens for California High Speed Rail
Accountability (CCHSRA), October 13, 2011)

BO005-1

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

Submission BO006 (Charlene Hook, Citizens for California High Speed Rail Accountability
(CCHSRA), October 13, 2011)



CALIFORNIA
High-Speed Rail Authority



10-18-11A11:06

Comment Card

Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section
Draft Environmental Impact Report/
Environmental Impact Statement (EIR/EIS)

Public Hearings
September 2011

Please submit your completed comment card at the
end of the meeting, or mail to:

Fresno to Bakersfield DEIR/EIS Comment, 770 I Street, Suite 800, Sacramento, CA 95814

**La Sección de Fresno a Bakersfield del Tren de Alta
Velocidad** Proyecto de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental (EIR/EIS)

Audiencias Públicas
Septiembre del 2011

Por favor entregue su tarjeta completada al final de la
reunión, o envíela por correo a la siguiente dirección:

The comr 28, 2011, C post	Extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: August 15-October 13	ar or 1.	El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.
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Name/Nombre: Charlene Hook

Organization/Organización: CCHSRA

Address/Domicilio: 316 5th Ave

Phone Number/Número de Teléfono: 559 992-5466

City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran, CA 93212

E-mail Address/Correo Electrónico: Char61353@netscape.net
(Use additional pages if needed/Usar paginas adicionales si es necesario)

BO006-1

The HSR train can travel fast, except in the
fog? That means the train will shut down in
the winter? Now who saw that coming? Another
reason to take the train route from
Bakersfield to Los Angeles - no waste there.



CALIFORNIA
High-Speed Rail Authority



U.S. Department
of Transportation
Federal Railroad
Administration

Response to Submission BO006 (Charlene Hook, Citizens for California High Speed Rail
Accountability (CCHSRA), October 13, 2011)

BO006-1

Refer to Standard Response FB-Response-S&S-01.

The HST right-of-way will be fully dedicated and grade-separated. As there is no potential for other vehicles to be on the track, there is no need for the HST to operate at reduced speeds in the fog.

Submission BO007 (Charlene Hook, Citizens for California High Speed Rail Accountability (CCHSRA), October 13, 2011)



CALIFORNIA
High-Speed Rail Authority

10-18-11 11:07 AM CVD

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Comment Card

Tarjeta de Comentarios

Fresno to Bakersfield High-Speed Train Section

Draft Environmental Impact Report/
Environmental Impact Statement (EIR/EIS)

Public Hearings

September 2011

Please submit your completed comment card at the
end of the meeting, or mail to:

Fresno to Bakersfield DEIR/EIS Comment, 770 I Street, Suite 800, Sacramento, CA 95814

La Sección de Fresno a Bakersfield del Tren de Alta

Velocidad Proyecto de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental (EIR/EIS)

Audiencias Públicas

Septiembre del 2011

Por favor entregue su tarjeta completada al final de la
reunión, o envíela por correo a la siguiente dirección:

The com-
28, 2011.
pc

Extended comment period for
Fresno to Bakersfield High-Speed
Train Draft EIR/EIS:
August 15-October 13

ber
/ or
11.

El periodo de comentario es del 15 de Agosto al 28
de Septiembre del 2011. Los comentarios tienen que ser
recibidos electrónicamente, o matasellados, el o antes
del 28 de Septiembre del 2011.

Name/Nombre:

Charlene Hook

Organization/Organización:

CCHSRA

Address/Domicilio:

316 5th Ave

Phone Number/Número de Teléfono:

559-992-5486

City, State, Zip Code/Ciudad, Estado, Código Postal:

Corcoran, CA 93212

E-mail Address/Correo Electrónico:

CHARL1353@netscape.net

(Use additional pages if needed/Usar paginas adicionales si es necesario)

BO007-1

Ok yes, how about the graffiti from our gangland
tugger? Whose cost would that be to remove?
I suggest the Authority will eat that cost
because it will happen. What the eye sore
the HSR system will create will be added
to by the graffiti.



CALIFORNIA
High-Speed Rail Authority



U.S. Department
of Transportation
Federal Railroad
Administration

Response to Submission BO007 (Charlene Hook, Citizens for California High Speed Rail Accountability (CCHSRA), October 13, 2011)

BO007-1

Refer to Standard Response FB-Response-AVR-03.

Section 3.16, Aesthetics and Visual Resources, Table 3.16-2 of the Revised DEIR/Supplemental DEIS has been revised to address graffiti and blight. In addition, mitigation measures for construction have been revised such that "Any graffiti or visual defacement of temporary fencing and walls will be painted over or removed within 5 business days." Mitigation measures for operations have been revised such that "Any graffiti or visual defacement or damage of fencing and walls will be painted over or repaired within a reasonable time after notification."

The Authority is responsible for maintaining the HST tracks and right-of-way, including fencing, walls, etc.

Submission BO008 (Charlene Hook, Citizens for California High Speed Rail Accountability (CCHSRA), October 13, 2011)



Fresno to Bakersfield High-Speed Train Section
Draft Environmental Impact Report/
Environmental Impact Statement (EIR/EIS)
Public Hearings
September 2011

La Sección de Fresno a Bakersfield del Tren de Alta Velocidad
Proyecto de Informe de Impacto Ambiental/
Declaración de Impacto Ambiental (EIR/EIS)
Audiencias Públicas
Septiembre del 2011

Please submit your completed comment card at the end of the meeting, or mail to:

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814

The comment period is from August 15 to ~~September 28~~ ^{October 13}, 2011. Comments must be received electronically, or postmarked, on or before ~~September 28~~ ^{October 13}, 2011.

El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.

Name/Nombre: Charlene Hook
Organization/Organización: CCHSRA
Address/Domicilio: 316 5th Ave
Phone Number/Número de Teléfono: 559-992-5486
City, State, Zip Code/Ciudad, Estado, Código Postal: Corcoran, CA 93212
E-mail Address/Correo Electrónico: Char10353@netscape.net
(Use additional pages if needed/Usar paginas adicionales si es necesario)

BO008-1

Wasn't Prop 1A, that the voters voted for, state an existing or established transportation corridor? I would like to know what happened other than being OK'd. The routes you have chosen are devastating + disruptive, even the worst alternatives you are considering now we cannot get any questions answered + this whole mess has been very frustrating. All I want to know what you are going to do, which includes violating the "Uniform Act". I need to make my plans as well as everyone else. The meetings you are having are useless, it's a dog + pony show wasting tax money + you have your communication person asleep (Lance Simmons), another waste of taxpayer's money. Do what is right + leave the little people, most of them supporting our state, alone. Do I have too much to ask? Do this right or not at all.

Response to Submission BO008 (Charlene Hook, Citizens for California High Speed Rail
Accountability (CCHSRA), October 13, 2011)

BO008-1

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

Submission BO009 (George Mhlsten, Coffee-Brimhall LLC (Atty. for), Latham & Watkins LLP,
October 14, 2011)

LATHAM & WATKINS^{LLP}

VIA FEDERAL EXPRESS

October 12, 2011

California High-Speed Rail Authority
Fresno to Bakersfield Draft EIR/EIS Comment
770 L Street, Suite 800
Sacramento, CA 95814

Re: Comments on California High-Speed Train Project Fresno to Bakersfield Section
Draft Environmental Impact Report/Environmental Impact Statement (State
Clearinghouse No. 2009091126)

Dear Sir or Madam:

We are writing on behalf of our client, Coffee-Brimhall LLC, to comment on the Draft Environmental Impact Report/Environmental Impact Statement for the Fresno to Bakersfield section of the California High-Speed Train Project prepared by the California High-Speed Rail Authority and Federal Railroad Administration.

We understand that the Authority has committed to issue a "Revised Draft EIR/EIS" in the Spring of 2012, which will redefine the Project's alignment for the Bakersfield portion of the statewide route.¹ We have a number of serious questions and concerns regarding the Draft EIR/EIS's adequacy under CEQA and NEPA. However, based on the press release issued by the Authority on October 5, 2011, it is clear that the Project's description is not settled. As you know, "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.) Since the Authority has announced that it no longer even knows where the alignment will be proposed, it is hard for the public to comment on the potential environmental impacts of the project. The Authority has stated that it will analyze a changed route in the Revised Draft EIR/EIS, and because the Authority has stated that all comments received during the Revised Draft EIR/EIS comment period will be responded to in writing, we will review this revised document when it is released and reserve our right to comment on both the Draft EIR/EIS and Revised Draft EIR/EIS at that time.

Coffee-Brimhall, LLC owns approximately 255 acres located at the intersection of Coffee Road and Brimhall Road in the City of Bakersfield. This property is approved for the

¹ See attached October 5, 2011, California High-Speed Rail Authority Press Release.

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Los Angeles, California 90071-1560
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File No. 006526-0176

October 12, 2011
Page 2

LATHAM & WATKINS^{LLP}

development of over 2 million square feet of commercial development and 425 residences, and known as Bakersfield Commons. The Draft EIR/EIS reveals for the first time that the Project proposes a temporary take of Coffee-Brimhall, LLC's property. The Draft EIR/EIS also indicates that both of the alternative alignments analyzed in the Draft EIR/EIS, the locations of which may be changed in the Revised Draft EIR/EIS, would bisect Coffee-Brimhall's property.

BO009-1 | Despite the almost certain significant environmental impacts that the Project will have on Coffee-Brimhall's property, both from the undefined temporary take and its operation, the Draft EIR/EIS addresses the potential significant impacts to the property and approved development in only a couple of sentences. (Draft EIR/EIS at 3.19-36 to 3.19-37.) This discussion is wholly inadequate.

BO009-2 | With respect to the "temporary taking," the Draft EIR/EIS does not state what the property would be taken for, how long the take would be, when the take would be expected to commence, and whether compensation would be provided. Despite a 17,000-page Draft EIR/EIS, this substantial blight and restriction of use on the property is entirely unexplained. The Revised Draft EIR/EIS must provide additional information and analysis of the environmental and social impacts of this "temporary taking."

BO009-3 | Similarly unexplained are the construction-related and operational impacts on Coffee-Brimhall's property. The only operational impact explained, albeit in a single sentence, is an increase in visual impacts on users and residents of Bakersfield Commons. (Draft EIR/EIS at 3.19-36 to 3.19-37.) There is no discussion or analysis of air quality, noise, vibration, odors, transportation and circulation, biological resource, noise increases, traffic generation, electromagnetic fields, geology and soils, or hydrology and water resources impacts. The Revised Draft EIR/EIS must provide a more fulsome discussion of impacts to the property so that we can assess these potentially significant impacts.

BO009-4 | The Draft EIR/EIS is also seriously deficient in its analysis of impacts to the Bakersfield community. The document proposes two alternative sites for construction of a Bakersfield Station, each with its own set of significant environmental impacts that are not adequately presented for the public to review. Two alternative track alignments through the City of Bakersfield are presented without adequate analysis of significant impacts to properties that these alignments will impact. For example, the Draft EIR/EIS consistently uses the wrong baseline against which the Project's impacts are compared. (Pub. Resources Code, § 21060.5, 21100(d), 21151(b) [CEQA requires that impacts be evaluated against baseline of existing environmental conditions].) The Draft EIR/EIS also defers formulating mitigation measures that would reduce the Project's adverse noise, vibration, aesthetic, safety and security, and transportation impacts, and the socio-economic impacts from the take of thousands of homes and businesses in Bakersfield. (See *City of Long Beach v. City of Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 915 ["Impermissible deferral of mitigation measures occurs when an EIR puts of analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR."].) Beyond these problems, the Draft EIR/EIS is so complex and lengthy that it is impossible for members of the public to understand and evaluate.

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Submission BO009 (George Mhlsten, Coffee-Brimhall LLC (Atty. for), Latham & Watkins LLP,
October 14, 2011) - Continued

October 12, 2011
Page 3

LATHAM & WATKINS^{LLP}

We look forward to discussing the Authority's plans with respect to Coffee-Brimhall's property and the Bakersfield community in the coming months. Please do not hesitate to contact me should you wish to discuss these matters further at (213) 485-1234.

Very truly yours,


George Mhlsten
of LATHAM & WATKINS LLP






cc: California High-Speed Rail Authority Board of Directors
Thomas Fellenz, Chief Counsel, California High-Speed Rail Authority
Mr. Dan Leavitt, Deputy Director, California High-Speed Rail Authority
Mr. David Valenstein
Christine Mirabel, Esq.
Benjamin Hanelin, Esq.
Mr. Alan Tandy

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High-Speed Rail Authority to Issue Revised Environmental Report for Fresno to Bakersfi... Page 1 of 2

High-Speed Rail Authority to Issue Revised Environmental Report for Fresno to Bakersfi... Page 1 of 2

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Press Release

FOR IMMEDIATE RELEASE: October 5, 2011 CONTACT: Rachel Wall, 916.384.9026

HIGH-SPEED RAIL AUTHORITY TO ISSUE REVISED ENVIRONMENTAL REPORT FOR FRESNO-BAKERSFIELD SECTION

SACRAMENTO, Calif. – The California High-Speed Rail Authority announced today that it will issue a Revised Draft Environmental Impact Report (EIR)/Supplemental Draft Environmental Impact Statement (EIS) for the Fresno-to-Bakersfield section of the high-speed train project. The revised environmental document is scheduled to be released next spring. This additional analysis of alternatives in the Fresno to Bakersfield section will not impact the construction schedule, set to begin late next year in Fresno, nor will it affect the Draft EIR/EIS for the Merced-to-Fresno section.

In response to stakeholder, agency, and public feedback on the high-speed train alignment that bypasses Hanford to the east, the Authority will re-introduce an alternative route, along with an alternative station location to serve the Kings/Tulare region along that portion of the Fresno to Bakersfield section. The Authority will also investigate improvements to the existing Fresno to Bakersfield alternatives. This step will also afford additional time to review the information contained in the current Fresno to Bakersfield Draft EIR/EIS.

"Our job is to oversee and provide the best possible high-speed train project for California. We encourage the public to take advantage of this additional step in the Fresno-to-Bakersfield environmental process by continuing to review the current Draft EIR/EIS and provide additional comments next year on the revised document," said Roelof van Aik, CEO of the California High-Speed Rail Authority. "Construction will still begin on schedule in Fresno next year."

The Hanford West Bypass alternative was identified in the 2005 Statewide Program EIR/EIS, and including this alternative is consistent with input from regulatory agencies.

Rather than issuing a Final EIR/EIS for the Fresno-to-Bakersfield section in January as previously scheduled, the Authority will now use the coming 5-6 months to further engineer the additional Hanford West Bypass route and new station alternative, conduct the additional environmental analyses needed, seek "value engineering" opportunities to reduce costs, and make other necessary revisions including those based on comments received through Oct. 13, 2011, after which a "Revised Draft EIR/Supplemental Draft EIS" will be issued for public comment.

Subsequent construction packages are scheduled to begin in mid to late 2013, after the Fresno to Bakersfield section environmental review has concluded.

Planned construction is composed of approximately 140 miles dependent on the alternative selected, and has an estimated contract value of nearly \$6 billion. Constructing the backbone of the state's high-speed rail segment is anticipated to generate tens of thousands jobs over the span of construction.

The formal comment period for the Fresno to Bakersfield Draft EIR/EIS section will still end on Oct. 13, 2011, and the revised document, to be issued in the spring of 2012, will have a separate, additional 45-day formal comment period. The public is encouraged to take advantage of the additional time for the Fresno to Bakersfield environmental process to provide further comments on the revised Draft EIR/Supplemental Draft EIS after it is released in the spring. Only comments submitted during the official comment periods will be treated as formal comments and subsequently responded to, in writing, as part of the Final EIR/EIS. As

http://www.cahighspeedrail.ca.gov/10052011_fb.aspx 10/10/2011

Submission BO009 (George Mhlsten, Coffee-Brimhall LLC (Atty. for), Latham & Watkins LLP, October 14, 2011) - Continued

High-Speed Rail Authority to Issue Revised Environmental Report for Fresno to Bakersfi... Page 2 of 2

noted, the Merced to Fresno section's environmental review schedule will not change, the formal comment period for the Merced to Fresno section will end on Oct. 13, 2011.

Local officials welcomed the news.

"Visalia appreciates that the Authority recognizes the need to address concerns and ensure that we have the best possible range of alternatives for the High Speed Rail Project," said Bob Link, Mayor of Visalia. "The City of Visalia remains dedicated to a station that will serve the entire region."

"This remains an important project for the state of California," said Ashley Swearengen, Mayor of Fresno. "The re-release of the Fresno to Bakersfield environmental documents will provide residents the opportunity to work more closely with the Authority and staff over the coming months to better understand the Draft EIR/EIS and to define a high-speed train route through the region that will meet the widest need. While I am pleased that the Authority has listened to local stakeholders by providing additional time to review the draft environmental documents and by re-examining portions of the alignment, I feel strongly that we must stay on track with this project to provide relief to create jobs in the Central Valley, as well as to build a more efficient and economically transformative transportation infrastructure system in California."

"The high-speed train project is one of the largest public infrastructure projects in our state's history and will provide Bakersfield with a better, more efficient connection to the Bay Area and Southern California," said Kern County Supervisor Ray Watson. "It is important to ensure that the alignment through the Fresno to Bakersfield section is thoroughly reviewed and commented on by the public, we're pleased with the additional time to review the document."

"Starting high-speed rail construction next year in the Central Valley, on the backbone of the system, will be an economic boom to our region. Merced will benefit tremendously from this investment in passenger rail transit, including greatly improved connectivity to Southern California and the Bay Area," said Bill Spriggs, Mayor of Merced. "I'm pleased to see that the Authority is working with our neighbors to the South to engineer improvements to the alignment options and I'm satisfied that the 60 days allotted to the greater Merced area was appropriate. I look forward to the selection of an alignment early next year that is embraced by our community."

California's High-Speed Train Project

The California High-Speed Rail Authority is developing an 800-mile high-speed train system that will operate at speeds of up to 220 miles per hour, connecting the state's major urban centers, including the Bay Area, Central Valley, Los Angeles and San Diego. Initial infrastructure construction will begin in the Central Valley, the backbone of the system, in 2012. The project is being funded through a voter-approved state bond, federal funding grants, local funding, and public-private partnerships.

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http://www.cahighspeedrail.ca.gov/10052011_fb.aspx

10/10/2011

Response to Submission BO009 (George Mhlsten, Coffee-Brimhall LLC (Atty. for), Latham & Watkins LLP, October 14, 2011)

BO009-1

Refer to Standard Response FB-Response-LU-03, FB-Response-LU-04.

Impacts to the Bakersfield Commons project are discussed as part of the impact discussion for the BNSF and Bakersfield South alternatives as described for Northwest Bakersfield and those alternatives as a whole. This discussion is included in 3.13 Station Planning, Land Use, and Development; 3.12 Socioeconomics, Communities, and Environmental Justice; and 3.19 Cumulative Impacts.

BO009-2

Refer to Standard Response FB-Response-GENERAL-01.

Please see Appendix A of the Community Impact Assessment Technical Report for a complete description of the methodologies used for property displacement analysis. To be conservative in this analysis and avoid underestimating displacements, it was assumed that residences and businesses located on acquired parcels, including those only temporarily impacted, would be counted as permanent displacements. This was done because it is not possible at this stage of the project to predict the outcome of the parcel-by-parcel property acquisition phase. These conservative displacement numbers were then used in all community division, fiscal revenue, and physical deterioration analyses, and therefore do not underestimate the potential impacts.

Chapter 2 describes the types of construction activities that would require construction easements. Temporary construction easements were included in the Revised DEIR/Supplemental DEIS; however, the design build contractor may choose to use a different location (that is also included in the analysis in the Revised DEIR/Supplemental DEIS) based on input from the land owner. Therefore, impacts to this parcel would be limited to the footprint area that includes the chosen project alignment.

See Mitigation Measure TR-1 (Access Maintenance for Property Owners); during construction, access of owners to their property will be kept to a level that maintains pre-project viability of the property for its pre-project use. If a proposed road closure restricts current access to a property, alternative access via connections to existing roadways will be provided. If adjacent road access is not available, new road connections will be

BO009-2

prepared, if feasible. If alternative road access is not feasible, the property will be considered for acquisition.

BO009-3

There is currently no development on the Coffee-Brimhall property. Therefore, the baseline condition for the project's impacts is vacant land.

Bakersfield Commons was evaluated as a future project in the cumulative impact analysis. The development plan provided in the Bakersfield Commons Final EIR dated 2010 is evaluated in the cumulative impacts analysis of the Revised DEIR/Supplemental DEIS, as summarized in Table 3.19-A-8 "City of Bakersfield Planned and Potential Projects and Plans" in Appendix 3.19-A. Impacts to this future development are specifically disclosed there and in the cumulative impact assessment provided in Section 3.19 of the Revised DEIR/Supplemental DEIS.

Mitigation measures as listed in 3.13.7 would address impacts to this future land use.

BO009-4

Refer to Standard Response FB-Response-GENERAL-01.

Impacts to the Bakersfield community related to a Bakersfield Station are described throughout the Revised DEIR/Supplemental DEIS. Land use and community impacts for the proposed station locations are described in 3.13 Station Planning, Land Use, and Development and 3.12 Socioeconomics, Communities, and Environmental Justice.

BO009-5

Refer to Standard Response FB-Response-GENERAL-01.

BO009-6

Refer to Standard Response FB-Response-GENERAL-22.

Response to Submission BO009 (George Mhlsten, Coffee-Brimhall LLC (Atty. for), Latham & Watkins
LLP, October 14, 2011) - Continued

BO009-7

Refer to Standard Response FB-Response-GENERAL-01.

Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011)

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10-14-11P12:27 RCVB

Memorandum of Comment & Formal Objection to HSR

To: Fresno to Bakersfield Draft EIR/EIS Comment
770 L Street – Suite 800
Sacramento, CA 95814

From: The First Free Will Baptist Church and Bethel Christian School
2236 E. California Ave. Bakersfield, CA, 93307 (661) 325-2661 – (661) 325-6532

Date: 10/11/2011

Re: High-Speed Rail Draft EIR Comments/Formal Objection

To Whom It May Concern:

With regard to the proposed implementation of a High-Speed Railway system, we hereby submit this letter in opposition to this proposed project and the Draft EIR.

Foundational Background of the First Free Will Baptist Church

From its early beginnings (60 years ago), The First Free Will Baptist Church (the BCS Campus Church/founding organization) has experienced abundant blessings; changed lives and facility growth (numerous building/expansion campaigns) give evidence to this fact.

History of Bethel Christian School

In 1964, 87 members and the leaders of the church elected a particularly aggressive young man named C.E. Hames to be pastor of the First Free Will Baptist Church. Soon, the church built a new sanctuary to accommodate the ever-growing church attendance. In 1973 another building project was started, as ground was broken for a new educational building. With the goal of training Christian youth to go into all walks of life, The First Free Will Baptist Church founded Bethel Christian School in 1980. Bethel Christian School was founded as a school for individualized learning (combining independent study with on-site courses, workshops and tutoring). From its inception, this unique educational system has stressed academic excellence and the local church in its Christ-centered, action-oriented curriculum.

Executive Summary (As submitted by: Mr. Kennedy, to the HSR Authority, on September 22, 2011)

The draft of the EIR/EIS released by the California High-Speed Rail Authority on August 9, 2011, has been reviewed by our staff. After careful review of the 30,000 pages we find the EIR/DEIS to be poorly constructed, as it fails to adequately address mitigation issues in our area (East of Baker St./West of Edison Hwy.). In addition, the EIR/EIS has failed to include our school during this initial phase. This is disturbing as according to United States Environmental

FFWB/Bethel Christian School | 2
EIR OBJECTION

Law there is documentation required for such actions "...Significantly affecting the quality of the human environment." For this reason, mitigation for our school and surrounding area must be incorporated into the EIR, as our protection of assets is at risk. Based on US Environmental Law it makes no sense that a project of this size has not had to undergo a thorough assessment of potential impact on a church and school community.

This document is intended to cover the major points thus far accumulated by our staff. As presented before the existing DEIS/EIR places at risk millions of dollars in school and affiliated assets, with little or NO mitigation being offered by the CHSR Authority.

Concerns and Questions:

1. Both alignments (Red line, BS, Bakersfield South and Blue line, BSNF Alternate route, BSN/BLUE) impact our school.
2. The CHSR Authority has, in an early meeting and through the media, provided a map (see Appendix I) showing the footprint of the rail (Red line and Blue line) in our area (E. California and Mt. Vernon) continuing eastbound to Oswell. However, the Draft EIR study ends at Baker Street and there is no information available on property east of Baker St. continuing to Edison. Some maps in Volume III and the portions of the EIR (Socioeconomics) generally discuss impact to East Bakersfield, but our school and church are not included and that is SIGNIFICANT. Furthermore, no parcel information is available to fully evaluate potential impacts to our facilities.

Anticipated Potential Impacts:

- Traffic circulation
 - Land affected (we own approximately 22 parcels of land) Note: See Appendix II
 - Student safety has not been mitigated
 - Visual impacts
 - Mitigation relating to relocation
 - Effects of operational noise
 - Effects of construction activities
3. We understand that updated information on the rail line east of Baker St. is forthcoming; however, we will receive this information regarding impacts after the deadline for comments on the DEIS/EIR has closed.
 4. We also question why the CHSR Authority (established in 1996) as a state entity is not following more detailed and higher standards of the California Environmental Quality Act (CEQA) and related CEQA Guidelines.
 5. Both NEPA and CEQA state that "...an EIS/EIR shall be written in plain language and use appropriate maps and graphics... so the public can rapidly understand the document." In addition, the draft documents, "...should be less than 105 pages, and for

BO010-1

BO010-2

Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011) - Continued

FFWBC/Bethel Christian School | 3
EIR OBJECTION

proposals of unusual complexity (like HSR)... 300 pages." However, the EIR is 100 times the maximum and the HSR drawings are undecipherable to our school and church community.

Conclusion of the Executive Summary

The eventual adoption of the environmental documents will create a significant impact on Bethel Christian School and the First Free Will Baptist Church. Thus, we request that our property be included in the EIR.

Formal Objection from Other Citizen Groups and the FFWB Church/BCS School Community

Prior to taking action, the government must assess the potential environment impacts under NEPA (Federal) and/or CEQA (State & Local). Pursuant to NEPA regulations (40 CFR 1500-1508), project effects are evaluated based on the criteria of context and intensity. **Substantial effects** would result in long-term physical division of an established community, relocation of substantial numbers of residential or commercial businesses, and effects on important community facilities.

Pursuant to CEQA Guidelines, the project would have a **significant impact** if it would:

- Physically divide an established community.
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Relocate substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- Result in substantial adverse physical impacts associated with the provision of new or physically altered community and governmental facilities or with the need for new or physically altered community and governmental facilities, the construction of which could cause significant environmental impacts.

According to the original map released to the media by the HSR Authority: On the east side of Bakersfield, the Red line, BS, Bakersfield South would depart from the Blue line, BSNF Alternate route, BSN/BLUE right-of-way just east of Mt. Vernon and rejoin the rail right-of-way after entering downtown Bakersfield. The alignment would displace hundreds of homes, many non-residential properties, churches (like the First Free Will Baptist Church) and a school (Bethel Christian School). This alignment would alter community social interactions and community cohesion, and would change the physical character of the community. These impacts would be **substantial under NEPA** and **significant under CEQA**.

FFWBC/Bethel Christian School | 4
EIR OBJECTION

However, under either alignment, the impact of the project will be particularly devastating to our church, school and our local community. As Public Notice explains, the effects will be felt in the following areas: "transportation, air quality, noise and vibration, electromagnetic fields, biological resources and wetlands, hazardous materials and wastes, safety and security, communities, agricultural lands, parks, recreation, and open space, aesthetics and visual resources, and cultural and paleontological resources."

BO010-3

Note: So far, there has been no mention of compensation or noise abatement procedures available to those damaged by the project.

Additional Concerns as Raised by our Staff and Other Concerned Citizens by Letter to the HSRA

BO010-4

First, we are *concerned that this project will not be adequately funded*. At this point, we understand that the Authority has only obtained funding for constructing tracks for 80 miles - not for the actual trains or electrification. In addition, given the present fiscal climate, we don't feel that the State or the Federal government will be in a position to give more money. Despite indicating the support of certain "private investors," the Authority has not yet identified any particularized firm commitments. We are concerned that this project will end up as a "train to nowhere," much like Senator Stevens' "bridge to nowhere" in Alaska. The train will severely impact the citizens of Bakersfield without any long term benefit. It will add to the debt of the State of California.

BO010-5

Second, we believe *the location of this project is misplaced*. Currently, the proposed project will run through "old" Bakersfield, which will result in extreme traffic and parking congestion. Thus, we are concerned that local citizens will lose their easy access to downtown Bakersfield. Other cities, such as Denver, Colorado, have wisely chosen to relocate new transportation centers away from the downtown area, to avoid negative impacts, such as unwanted noise, vibrations, pollution, and traffic congestion. Notably, the proposed railway in Fresno, California does not pass through the center of the City and will affect FAR FEWER citizens.

BO010-6

Third, we find that *the EIR report provided is incomplete and insufficient*. For example, although the document provides data on environmental impact, the actual noise and vibration studies were not included. Without reviewing the studies themselves, it is impossible to decipher the relative impact of the project. Important considerations include: when the study was performed, how many trips per day were considered, the duration and location of specific testing sites, the effect of the Hageman/Allen underpass project, etc., thereby making it impossible to decipher the relative impact of the Authority's project. In addition, the report does not address environment impacts on the East side, nor does it explain why the site on 7th Standard Road and State Route 99 was not considered. Furthermore, the EIR report is flawed because, at least in one section, it lists street names that do not exist and addresses that are not located anywhere near the proposed rail line, thereby drawing its accuracy into question.