

Comment Letter AL051



701 LAUREL STREET, MENLO PARK, CA 94025-3483  
www.menlopark.org

August 26, 2004

California High-Speed Rail Authority  
Attn: California High-Speed Train  
Draft Program EIR/EIS Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814

Subject: **City of Menlo Park Comments on Draft Program EIR/EIS**

Members of the Authority:

Thank you for the opportunity to review and comment on the Draft Program EIR/EIS for the proposed statewide high-speed rail project.

While we understand that the nature of a "program" environmental document on a statewide project is inherently general, we wish to bring to your attention specific concerns of the City of Menlo Park that are not adequately addressed in the Draft Program EIR/EIS and that must have "project level" environmental review before the overall program can proceed.

The Draft Program EIR/EIS information on the Menlo Park grade separation issue is limited to a map of northern California extending from the Carquinez Strait to Gilroy entitled *Figure 2.7-5, HST Alignment Options-Profile Characteristics, Bay Area To Merced Region*. This Figure has a single colored line passing through Menlo Park bearing the legend "Slightly Elevated or Depressed". This level of information is inadequate as a description of the grade separation work the Authority intends to undertake. Furthermore, grade separation and expanding the line to four tracks as proposed would necessitate relocation of a historic structure within the Menlo Park rail station complex. The document does not provide adequate information on what right-of-way may have to be acquired in Menlo Park permanently or for temporary construction easements to develop four tracks in the Caltrain alignment and construct the grade separations. Until the HST project defines an explicit horizontal and vertical alignment proposal for tracks and roadways, the City and the affected public in Menlo Park cannot reasonably know what the real impacts of the project are.

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AL051



LEE B. DUBOC  
MAYOR

MICKE WINKLER  
MAYOR PRO TEM

PAUL J. COLLACCHI  
COUNCIL MEMBER

NICHOLAS P. JELINS  
COUNCIL MEMBER

CHARLES M. KINNEY  
COUNCIL MEMBER

The document needs to include additional information on impacts and mitigation measures in relation to noise resulting from High Speed rail operation in the areas of Menlo Park with residential housing near the rail corridor. Other issues of concern to the City of Menlo Park are loss of trees, impact to view corridors, economic impacts to nearby property owners and local traffic circulation. These issues need to be discussed in more detail in the document.

The appearance of overhead electric power supply for the trains, including the wires, supporting poles, mast arms and insulators, is a matter of significant concern for Menlo Park. Any new electrical substations in Menlo Park would also be of concern. The Draft Program EIR/EIS provides insufficient information for the public to determine whether these aspects of the project would be detrimental to Menlo Park. The electrification system proposed for the HST is similar to that proposed for the Caltrain system by the Peninsula Corridor Joint Powers Board (the JPB). On May 25, 2004 Menlo Park filed formal comments on the JPB's Draft EIR for Caltrain Electrification. Menlo Park attaches its letter of comment on the proposed Caltrain Electrification to this letter, and identifies those comments as applicable to the HST Program EIR/EIS.

Although the document indicates the Authority will conduct a project level EIR to the extent needed to assess potential Environmental Impacts not already addressed in this Program EIR/EIS, the fact that the project is being taken to the voters of the state for funding approval on the basis of the Program EIR/EIS document tends to deprive the public of full disclosure of the program's environmental impacts at the time they make their decision on whether to vote funding for the project. The opinions of voters in communities like Menlo Park, that are to be traversed by, and likely to be significantly impacted by the high speed rail project, would be more heavily influenced by the details of local impacts of grade separations, right-of-way acquisition and electrification that are not adequately addressed in the Program EIR/EIS than by the information on statewide travel needs and impacts that the Program EIR/EIS focuses on.

Menlo Park is compelled to comment that while economic issues are not normally addressed in the EIR funding the High-Speed Rail Project with general obligation bonds to be paid from the State General Fund seems inappropriate and irresponsible at a time when the general fund is in a deficit condition and state funding to schools and local government is being squeezed to offset the general fund deficit. At a minimum, Menlo Park urges that any bond obligations on the State General Fund be deferred for several years, and that preferably the project be funded through revenue bonds or with a new direct taxation funding source, not through draw-downs on existing state and local fund resources.

Finally, the City of Menlo Park does not concur in the decision to exclude the Altamont Corridor rail route from further consideration and evaluation in the HST

AL051-1  
cont.

AL051-2

AL051-3

AL051-4

AL051-1

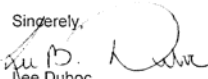


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EIR/EIS. It is premature to arbitrarily eliminate an alternative at such an early stage.

The City of Menlo Park does not wish to be in opposition to the Statewide High-Speed Rail Project. However, until the potentially critical local impacts described above are carefully worked out through the design process and evaluated in a project-level EIR/EIS, and until a financing plan that does not compound the difficulties facing local government is developed, Menlo Park cannot declare itself in support of the Project (please see attached Resolution).

Sincerely,  
  
Lee Duboc  
Mayor

Attachment: Resolution # \_\_\_\_\_  
Letter of comments on Caltrain Electrification Program

AL051-4  
cont.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MENLO PARK  
COMMENTING ON THE CALIFORNIA HIGH SPEED RAIL SYSTEM DRAFT ENVIRONMENTAL  
IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT

WHEREAS, the California High Speed Rail Authority was established by the Legislature in 1996 for implementing a statewide high speed train system for California; and,

WHEREAS, it is the intent of the State Legislature and the High Speed Rail Authority that a statewide ballot measure to authorize bonds that would fund the project through design and the first stages of construction go to the voters in November of 2006; and,

WHEREAS, the California High Speed Rail Authority has circulated a Draft Program Environmental Impact Report/Environmental Impact Statement on the proposed California High Speed Rail Project seeking comments; and,

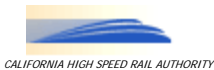
WHEREAS, as proposed, the high speed rail line would pass through Menlo Park in the Caltrain corridor, the project would expand the Caltrain line to four tracks, electrify the line, grade separate all crossings, would generate 86 trips a day by the year 2020, and the Authority would perform more specific environmental impact analysis for segments of the rail line and the stations should the high speed train advance to subsequent phases of project development.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Menlo Park that:

1. The fact that the project is being taken to the voters of the state for funding approval on the basis of the Program EIR/EIS document tends to deprive the public of full disclosure of the program's environmental impacts. The opinions of voters in communities like Menlo Park, that are to be traversed by and likely to be significantly impacted by the high speed rail project, would be more heavily influenced by the details of local impacts of the project that are not adequately addressed in the Program EIR/EIS than by the information on statewide travel needs and impacts that the Program EIR/EIS focuses on.
2. The project sponsor needs to identify issues of critical concern to Menlo Park at this stage of the project development in order to assure that these issues will be addressed in some depth in subsequent project-level environmental documentation.
3. Funding a \$37 billion project with state general obligation funds seems inappropriate at a time when the State General Fund is in a shortfall condition that is already adversely impacting local governments.
4. The Program EIR/EIS is so general it does not provide adequate information regarding the impacts on right-of-way, noise, historic buildings, trees, businesses, aesthetics and local traffic circulation.
5. Menlo Park would experience staff cost in coordinating the planning, design and construction activities of the high speed train project.
6. Menlo Park does not concur in the decision to exclude further evaluation of the Altamont Corridor rail route, and requests the Authority to revive consideration of that route at this stage of environmental review process.
7. Menlo Park expresses its strong desire for exploring alternate routes and/or methods to avoid the Peninsula area as the alignment for the high speed rail line, i.e. by integrating it with existing systems.

I, SILVIA VONDERLINDEN, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on \_\_\_\_\_, 2004, by the following vote:

AYES:	Council members:
NOES:	Council members:
ABSENT:	Council members:
ABSTAIN:	Councilmembers:



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**Comment Letter AL051 Continued**


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**PUBLIC WORKS DEPARTMENT**  
701 Laurel Street / Menlo Park, CA 94025-3483  
(650) 330-6740 / Fax (650) 327-5497

May 25, 2004

Caltrain Electrification  
1250 San Carlos Avenue  
San Carlos, CA 94070

**Subject: Caltrain Electrification Program, Environmental Assessment / Draft Environmental Impact Report**

Members of the Peninsula Corridor Joint Powers Board:

Thank you for the opportunity to comment on the Environmental Assessment / Draft Environmental Impact Report on the proposed Caltrain Electrification Program. Menlo Park recognizes that it benefits substantially from Caltrain services and wishes to cooperate with the JPB in improving the quality and efficiency of Caltrain services and operations. However, it must also be recognized that the central portion of Menlo Park is adversely impacted by some of the characteristics of Caltrain operations. As a result, any significant change in Caltrain operations is a matter of considerable public concern. This letter is intended to convey those concerns on behalf of Menlo Park's most directly affected citizens.

After carefully considering the draft document, we believe that there are a number of considerations that must be addressed in more depth before the document would be reasonably adequate for certification.

Our concerns include the following points:

- The project's impact on trees in and near Menlo Park is not sufficiently clear. We understand that there is a detailed arborist's report, but that report has not been directly incorporated in the document. If the content of the arborist's report concerning tree loss in and near Menlo Park is as has been reported in the press (eight to twelve trees at the San Francisquito Creek crossing, fifteen to twenty-two of the fifty-six trees along the tracks in Menlo Park and twenty-five percent of the trees along the tracks in nearby Atherton slated for removal), the DEIR's conclusion of "no permanent impacts" to biological resources may be incorrect. We suggest that this area of the analysis be thoroughly reconsidered, that more specific detail be provided in the report and that consideration be given to transplanting trees rather than removing them. We would also suggest that

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planting new trees be given consideration as mitigation for the loss of existing trees.

- Regarding visual impacts, it seems certain that many in Menlo Park will consider the prospect of catenary wires, insulators, support poles and mast arms, portal support frames in the station areas and higher poles and wires for the distribution system unsightly. And because the impacts of tree removal associated with the project have not been clearly documented in the DEIR (see point above), it is evident that the visual impacts are likely to be more extensive than analyzed in the DEIR. To be a fair indicator of likely visual impact, the DEIR needs additional photo-simulated views that combine the effects of introduction of the electrification overhead gear together with those of the project's tree removal effects. Tree planting and other landscape treatments should be considered as mitigation for the visual impacts created by the project.
- The DEIR claims the potential for substantial noise reduction benefit as the result of electrification. However, in areas near grade crossings, any such benefit would be imperceptible because of the continued impacts of the much more disturbing train horn soundings. In Menlo Park, where there are four grade crossings in the corridor's 1.5 mile traversal of the community and two more, one just north and one just south of City limits, for an average of one grade crossing every quarter-mile, the adjacent land use in Menlo Park along the entire corridor is adversely impacted by train horn noise. Until grade separations or other actions eliminate the routine sounding of train horns at grade crossings, the claimed noise reduction benefits of the electrification project will generally be unperceived by the public. To eliminate the inaccurate portrait of noise reduction benefit that the DEIR currently presents, the document should provide noise contour maps for the alternatives in which the effects of train horn noise are considered as well as the other forms of train noise.
- On page 2-53, the DEIR opines that grade separating the entire system would delay electrification for several years. It also states that grade separating the entire line would increase costs with no commensurate improvement in train service. This particular assertion appears unfounded given that a fully grade separated system is an adopted goal of the JPB. We question this conclusion of the DEIR given the substantial history of grade crossing accidents on the line that grade separations would avert, given the serious disruption to system reliability that results when a rail accident occurs at a grade crossing and given that the claimed noise-reduction benefits of the electrification project generally will not be truly realized until and unless completion of grade separations eliminates the most disturbing noises created by train horns and wayside warning devices. Contrary to the statement of the DEIR, grade separations are obviously not just a benefit-less cost to the rail system. From the perspective of a community that is substantially benefited by Caltrain service but significantly adversely impacted by certain aspects of Caltrain operations that relate to a lack of grade separations (the train horn noise, congestion and safety at the grade crossings) a fair argument can be made that what the JPB should be doing is using first available funding to grade-separate the entire system and using later funding to do the electrification, in which case: 1) the claimed noise-reduction benefits would be realized because the train horn noise would be eliminated and 2) the electric third rail system that avoids all the overhead equipment many people may consider unsightly may prove most practical.

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**Comment Letter AL051 Continued**

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If electrification precedes complete grade separation of the Caltrain line, during any subsequent grade separation project, the electrification gear will need to be moved over to the shoofly and back again to the permanent tracks, an activity that obviously adds complexity, cost and time to any grade separation project. Less obvious but nonetheless significant, aside from moving the electrical system twice, just having to work near the hot wires while doing the ordinary grade separation construction activity will add complexity, time and cost and may also necessitate more intrusive and disruptive temporary construction easements. These are significant considerations for communities that are prospective candidates for grade separations.

- The DEIR notes that the statewide high-speed rail operation that hopes to operate in the Caltrain corridor will need the high voltage overhead type system and that cost-efficiency could be realized by having the Caltrain electrification compatible with it. However, at this point the statewide high-speed rail is nothing more than a speculative project; it is not assured of moving forward. Therefore, it may be premature to lock-in an electrification technology decision on the presumption that high speed rail will be under construction soon to share electrification costs with Caltrain. Caltrain may be wise to defer decision making on the details of electrification until the fate of the statewide high speed rail project is determined. If the statewide high-speed rail project proves a non-starter, Caltrain might be well advised to rely on the less intrusive electric third rail type system rather than the overhead system that high-speed rail would require and that some may regard as unsightly.
- The "Public Services and Facilities" section of the DEIR contains no information about the potential safety risks of the electrified system. What happens when 'hot wires' fall down due to some kind of incident (storm winds, motorist collision with support, etc.)? How quickly does the power get shut off? How frequently do such incidents happen in areas like the Boston to Washington corridor where such systems are operational? The DEIR is completely lacking regarding information of this type. Such considerations should be addressed in the document.

Thank you again for the opportunity to comment on the Draft Environmental Impact Report.

Sincerely,

Kent Steffens  
Director of Public Works

cc: Mayor and Members of City Council  
City Manager  
Community Development Director  
City Attorney  
Town Council Members – Town of Atherton,  
Via: Jim Robinson, City Manager



CALIFORNIA HIGH SPEED RAIL AUTHORITY



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Administration**

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**Response to Comments of Lee Duboc, Mayor, City of Menlo Park, August 27, 2004 (Letter AL051)**

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**AL051-1**

The Authority acknowledges the City's concerns. Subsequent project level engineering will define the alignment (horizontal and vertical), right of way, power supply systems, and associated facilities to the extent necessary for identification of specific noise, visual, economic, traffic, and other environmental impacts and mitigations. The level of information provided in the Final Program EIR/EIS is both adequate and appropriate for a program-level EIR/EIS document (please see Section 1.1 of the Final Program EIR/EIS regarding a "program-level" document). Please also see standard response 3.15.13. Additional "photo-simulated" views and impacts on trees are beyond the scope of this program EIR/EIS. Should the HST proposal move forward, visual simulations would be created and impacts on trees would be quantified as part of project-specific studies. The HST system would be fully grade separated and would require complete grade separation of portion of the Caltrain right-of-way utilized by the HST system.

**AL051-2**

Detailed environmental review at the project level (full disclosure of site-specific impacts) is required prior to final design and construction of any portion of the proposed system, regardless of the availability of project funding. It is both adequate and appropriate for a decision to move forward with the HST system to be based on a program-level document. The submittal of a proposal to a vote of the people of the State is exempt from CEQA (CEQA Guidelines Section 15378 (b)(3)).

**AL051-3**

Acknowledged. Issues related to the financing of the proposed HST system are beyond the scope of the program EIR/EIS. The bond funding noted in the comment was proposed in legislation, not by the Authority. Legislative proposals are exempt from CEQA (CEQA Guidelines Section 15378 (b)(1)).

**AL051-4**

Acknowledged. See Standard Response 6.3.1.