

**Rancho Bernardo Community Planning Board
15721 Bernardo Heights Parkway, Suite B-230
San Diego, CA 92128**

August 30, 2004

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

Subject: Comments Regarding the Adequacy of the draft Program EIR/EIS for the Proposed California High-Speed Rail System

Dear Mr. Leavitt and Mr. Valenstein:

The Rancho Bernardo Community Planning Board, a City of San Diego recognized community planning group, has reviewed the Program EIR/EIS for the Proposed California High-Speed Rail System and finds that the draft, as currently prepared, does not adequately address the environmental consequences of the proposed project, nor does it address a reasonable range of project alternatives. In addition, the project description and impact analysis do not provide adequate information to allow the public or the decisionmakers to fully comprehend the scope of the proposal. We believe that the document, as currently prepared, is seriously flawed, both in its evaluation of impacts and in its discussion of feasible mitigation. We therefore request that the document be revised to incorporate an adequate analysis of the issues presented below.

Alternatives

The Council on Environmental Quality NEPA Regulations describe the alternatives section as the heart of the EIS. As such, the alternatives presented in an EIS should be reasonable and implementable, must be given equal treatment, and must provide clear choices for the decisionmaker.

Similarly, the CEQA Guidelines in Section 15126.6 state that an EIR shall consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

This program EIR/EIS fails to consider an adequate range of alternatives. For a project of this magnitude, there are clearly additional alternatives that must be evaluated, including alternative routes, alternative technologies, and alternative designs for achieving the purpose and needs of the project. The Rancho Bernardo Community Planning Board requests that the discussion of alternatives include

an alternative system design in which the high-speed rail system would only be constructed to the edges of the State's major metropolitan areas, rather than extending through them. Under this alternative, passengers could still move quickly from one city to another, but rather than traveling directly to the center of the city, the trains would stop at an appropriate transit center at the outskirts of the city, allowing passengers to travel to their final destination via a variety of existing or new, less costly feeder transit lines, including trolleys, buses, and other existing rail lines. The implementation of such an alternative would substantially reduce the significant, unmitigated adverse effects of the proposed project on community character and visual quality and would avoid additional noise, vibration, and traffic congestion impacts within existing communities.

A specific example of why such an alternative should be considered is that fact that under the current proposal the high-speed rail line would be constructed all the way into the center of the City of San Diego. However, the construction of the line from Escondido south into San Diego would simply replicate SANDAG's current Transit First plans for mass transit in the I-15 corridor. An alternative should be developed that would tie the proposed high-speed rail project into existing and planned transit systems, rather than trying to overlay a redundant service on top of currently planned local projects. If travelers were to take the high-speed train to the Bay Area, wouldn't they transfer from the larger system onto BART when they reached one of the BART transfer stations? Why would this project need to duplicate existing opportunities on the BART? The same is true for the I-15 corridor into the City of San Diego. Wouldn't it be more reasonable, (with less cost and fewer impacts), to take the high-speed rail system south into the Escondido Transit Center, and at that point transfer onto SANDAG's Transit First system, which would provide more convenient access to communities along I-15 corridor and into the center of the city of San Diego? As stated above, we believe that such an alternative would not only be more cost effective, but it could achieve the same project objectives with far fewer significant, adverse impacts to existing communities and the environment.

Project Description

Section 15124 of the CEQA Guidelines requires an EIR to describe a proposed project in a way that will be meaningful to the public and to the decisionmakers. Unfortunately, this document is so general that it is not possible for the affected community members or the decisionmakers to grasp the magnitude of the impacts that could result from the implementation of this project. Although this is a program EIR/EIS that covers the entire state, significantly more effort should have been made in describing how the system would be implemented within each community. It is apparent that little thought was given regarding how this facility would be constructed within various communities. For instance, within the portion of the I-15 corridor that extends from Lake Hodges to Mira Mesa in San Diego County, no right-of-way will be available for new facilities once the current freeway improvements are completed. That will require the development of an elevated rail line through this entire section of San Diego. Specifics regarding the height and design of the structures, how views could be altered or blocked, how the required construction would be accommodated within already overcrowded transportation corridors, and the effects of construction on existing traffic circulation are not provided at an appropriate level of detail to afford meaningful consideration of environmental consequences.

Existing Conditions/Project Setting

The discussion of existing conditions is extremely generic in nature and does not provide adequate information to allow for a comprehensive analysis of environmental consequences, even at the programmatic level. This is particularly true with respect to aesthetics and visual resources, noise and vibration, traffic and circulation, and biological resources. Where descriptions are provided for the segment between March Air Base and Mira Mesa, they are generally inaccurate. For instance, the local street system along the I-15 corridor in northern San Diego is described as being constructed in a grid pattern. Due to the existing topography in northern San Diego, which consists of a series of canyons and mesas, no such grid pattern exists. On the contrary, relatively few parallel arterial roadways exist in this area, making traffic congestion on our local freeways that much more significant.

The document also fails to describe the proximity of residential development to the existing freeway corridor, the existing visual amenities within the corridor that could be impacted, and the significant open space areas, such as the Lake Hodges/San Pasqual Valley area and Los Penasquitos Canyon, that would have to be crossed by an elevated rail line.

Descriptions of other existing and planned transit projects in the vicinity of the proposed project have been omitted and an explanation of how the high-speed rail system would interact with these other transit programs should be provided.

Environmental Consequences

Once again, the anticipated impacts of the project are generic in nature and do not adequately address the magnitude of the impacts that could occur along various portions of the alignment. The CEQA Guidelines state that a program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. The content of this document is neither specific nor comprehensive, and as a result, the document should be revised to provide a meaningful description of potential project impacts and associated mitigation measures.

Specifically, the discussion of aesthetics and visual resources fails to take into consideration the surrounding topography when addressing the potential effects of an elevated rail through a community. Little if any analysis of impacts to existing community character is presented, yet the impacts to a community such as Rancho Bernardo would be significant due to the high visibility of an elevated rail line passing through the center of the community. If the rail line were to be elevated between Rancho Bernardo Road and Bernardo Center Drive, it would be visible from a substantial portion of the community and the elevation would be so much higher than the surrounding area that it would not be possible to screen the facility. Because of these conditions, the draft EIR/EIS should have determined that in this portion of the corridor, impacts related to community character and visual quality would be significant and unmitigable.

As currently prepared, the document fails to disclose the anticipated noise impacts to sensitive receptors along the proposed alignment, particularly in areas where the system would be elevated. The document should clearly describe the incremental noise impacts generated by 120+ mph trains, traveling in both directions, at a frequency of every ten minutes in such locations. The current analysis seems to assume that because noise levels are already high along the I-15 corridor that additional noise can be generated within the corridor without creating new impacts. This is clearly not the case, particularly where the line would be elevated.

It is likely that there are numerous locations along the route where elevating the line would actually place the trains closer to sensitive receptors than they would be if they were constructed at grade. This is clearly the case along the I-15 corridor between Lake Hodges and Mira Mesa. For instance, within the I-15 corridor in the vicinity of Rancho Bernardo, elevating the rail line would place the train at elevations similar to the adjacent homes, which are situated above the existing freeway. The draft EIR/EIS implies that all such noise impacts can be mitigated. How would noise impacts be realistically mitigated in situations such as those in I-15 corridor where the elevations are too high to construct sound walls or other noise reducing structures?

A comprehensive noise analysis should be conducted that takes into consideration the existing elevations of sensitive receptors and the proximity of the line to these receptors, as well as the existing and future noise levels generated from within the I-15 corridor. Further, the cumulative effects of all of the uses within the corridor on adjacent sensitive receptors should be considered.

Too few visual simulation overlays have been provided in the draft EIR/EIS. As a result, none of the examples are representative of the current or planned conditions within the I-15 corridor between Lake Hodges and Mira Mesa. The photographs that are provided give the impression that there is sufficient space to easily insert the high-speed rail lines into the existing freeway right-of-way. These photographs are misleading and do not accurately depict the effects of the project on the surrounding area. The document should include photo simulations that accurately describe how the rail system would realistically fit into the I-15 corridor once the Managed Lanes project is completed.

The potential effects of existing soil problems along the corridor are also inadequately addressed. What could be the effects of increased vibration in areas with known soil problems? For example, in Rancho Bernardo there are ancient landslides present along both sides of I-15.

Mitigation Measures

The discussion of mitigation is extremely generic, with no discussion of how effective specific mitigation measures would be in specific situations. The EIR/EIS should be revised to address specific conditions that would be experienced along the route and incorporate realistic and feasible mitigation measures that would reduce anticipated impacts to below a level of significance. The document should also clearly identify those significant impacts that cannot be mitigated. For example, the visual impacts of constructing an elevated line between Rancho Bernardo Road and Bernardo Center Drive in Rancho Bernardo would be significant and unmitigable.

Project Feasibility

No discussion is provided regarding how rail lines can be accommodate within the footprint of existing transportation corridors. There are steep grades on I-15 through Rancho Bernardo and numerous overpasses and on and off ramps. Can the rail line be elevated above all of these structures? What would that height be? These are only some of the questions that have not been addressed in the draft EIR/EIS with respect to the feasibility. Another important question is whether the mitigation measures suggested in the document are actually feasible and if so, would they be effective in reducing impacts to below a level of significance.

The Rancho Bernardo Community Planning Board believes that there are feasible alternatives to the current proposal that have not been adequately addressed. Alternative designs, such as the one proposed earlier in this letter, would significantly reduce the adverse affects of the project on those communities located along the I-15 corridor in the San Diego region. We respectfully request that additional alternatives be developed and incorporated into a revised draft EIR/EIS. In addition, we request that a more comprehensive analysis of potential impacts to completed in order to provide the public and the decisionmakers with a complete understanding of the consequences to existing communities and the natural environmental of implementing the proposed project.

We appreciate this opportunity to provide comments and request that we be kept informed of future actions associated with this proposal.

Sincerely,

Original signed on 8/30/04

Victoria Touchstone, Corresponding Secretary
for Jim Denton, Planning Board Chairman

cc: Brian Maienschein, San Diego City Council, District 5
Assemblyman George Plescia
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