



August 28, 2014

Via Email (burbank_los.angeles@hsr.ca.gov; palmdale_burbank@hsr.ca.gov) and U.S. Mail

Mr. Mark A. McLoughlin
Director of Environmental Services
Attention: Burbank to Los Angeles Section EIR/EIS; Palmdale to Burbank Section EIR/EIS
California High-Speed Rail Authority (CHSRA)
700 North Alameda Street, Room 3-532
Los Angeles, CA 90012

Re: Scoping Comments on Burbank to Los Angeles Section EIR/EIS and Palmdale to Burbank Section EIR/EIS

Dear Mr. McLoughlin:

On behalf of the undersigned organizations, which represent a broad, multicultural and economically diverse group of community, environmental, civil rights and civic leaders, we respectfully submit our comments on the Notices of Intent and Notices of Preparation to prepare Environmental Impact Reports (EIR)/Environmental Impact Statements (EIS) for the proposed California High-Speed Rail System's Burbank to Los Angeles Section and Palmdale to Burbank Section (the Project).

Our groups represent a large, multicultural and economically diverse community. We value community empowerment and democratic participation in ensuring equal access to an urban environment that is beneficial to physical, psychological, and social health for all. Our organizations and members have put a tremendous amount of time and resources into longstanding efforts to restore and revitalize the urban environment along the Los Angeles River. As such, we wish to strongly reiterate the views our organizations, along with several others, expressed in a September 20, 2010 letter to CHSRA: The proposed rail line must not be allowed to adversely impact the two important urban state parks north of Union Station—Los Angeles State Historic Park (LASHP) and Rio de Los Angeles State Park (RDLA)—or the communities surrounding them and the Los Angeles River, or interfere with restoration and revitalization of the River. Critical water resources including all tributaries along the route must also be protected through, for example, appropriate setbacks and design of viaduct crossings to accommodate future channel modifications that may be necessary to address accelerating climate challenges and restoration of natural hydrodynamic processes. We have attached our 2010 letter below and hereby incorporate its contents into our scoping comments.

We appreciate the opportunity to comment on the scope of the Project's EIR/EIS. As you know, the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) require that the EIR/EIS discuss the reasonable alternatives, reasons for rejecting any of the alternatives, and mitigation measures for the environmental impacts identified in "sufficient details to enable meaningful participation and criticism by the public." See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal., 47 Cal. 3d 376, 403, 405 (Cal. 1998). Courts also have held that socioeconomic effects on the "quality of life for city residents" due to physical impact on the urban environment should be assessed. City of Rochester v. U.S. Postal Service, 541 F.2d 967, 973 (2d Cir. 1976); Hanly v. Mitchell, 460 F.2d 640, 647 (2d Cir. 1972).

In addition, the U.S. Army Corps of Engineers (USACE) draft 2013 study for the revitalization of the Los Angeles River recognizes that there are unfair disparities in access to green space for people of color and low-income people in Los Angeles, that those disparities contribute to health disparities, and that environmental justice requires agencies to address those disparities. According to USACE, much of Los Angeles is park deficient, with less than 3 acres of green space per 1,000 residents, as defined by California law. In general, access to parks is lowest in areas that have the highest number of families below \$47,331. Many organizations have stressed the importance of making sure that River revitalization addresses environmental justice issues. Of key concern is the growing disparity of access to and use of open space resources, including parks, ball fields, and natural areas by those living in low-income communities of color. The President's Executive Order 12898 focuses attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directs agencies to develop environmental justice strategies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Environmental justice concerns may arise from impacts on the natural and physical environment, such as human health or ecological impacts on minority populations, low-income populations, and Indian tribes, or from related social or economic impacts.¹

Our organizations appreciate CHSRA staff's diligent efforts over the last few years to meet with us regularly to discuss our issues. Through frequent discussions with technical staff, we believe the alignment options now under consideration for the segment immediately north of Union Station better reflect the community's input and desires than was the case when the Project was first introduced several years ago. As indicated in the attached letter, our groups

¹ USACE, Los Angeles River Ecosystem Restoration Draft Integrated Feasibility Report, pages 3-61, 3-86, 5-106 (Sept. 2013). Similarly, the National Park Service recognizes that there are disparities in access to green space for people of color and low-income people in Los Angeles, that those contribute to health disparities, and that environmental justice requires agencies to address the disparities, citing Order 12898, and related laws and principles. NPS, San Gabriel Watershed and Mountains Special Resource Study & Environmental Assessment, p. 231 (Newsletter #5, Nov. 2011) at p. 219, 231, and Errata p. 11-12. Accord, Federal Transit Administration, *Environmental justice policy guidance for Federal Transit Administration recipients*, Circular (FTA C 4703.1) (Washington, DC: Department of Transportation, Aug. 15, 2012); FTA, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*, Circular (FTA C 4702.1B) (Washington, DC: Oct. 1, 2012); Letters from FTA to Metropolitan Transportation Commission and San Francisco Bay Area Rapid Transit District (Jan. 15, 2010 and Feb. 12, 2010).

support the two alignment options that utilize a bored tunnel running beneath LASHP, RDLA, and portions of the Los Angeles River (LAPT1 and LAPT3) to minimize surface and community disturbance during Project construction and operation.

With regard to the Palmdale to Burbank Section, our groups are very concerned regarding the recently proposed alternative to tunnel beneath the Angeles National Forest in the San Gabriel Mountain range. According to the August 23, 2014 article in the Los Angeles Times,² the proposed alternative recommended by Los Angeles County Supervisor Antonovich would run about 35 miles through the Angeles National Forest, “go around” the Hansen Dam Recreational Area, and include roughly 20 miles of tunnels. This alternative route may have significant impacts on sensitive water, natural, and recreational resources including, but not limited to, the Angeles National Forest, Big and Little Tujunga Washes, Big Tujunga Reservoir, La Tuna Canyon Park, Deukmejian Wilderness Park, and important urban hiking trails including the Rim of the Valley Trail, which is the linchpin of a National Park Service special resource study to determine whether this area that provides urban communities with critical access to low-cost recreational and natural amenities should be added to the national park system. It could also significantly impact areas in the San Gabriel Mountains under legislative and administrative consideration for further federal protection as a National Monument or National Recreation Area. Moreover, the San Gabriels are one of the most dynamic mountain ranges in the world. This activity is being further impacted by climate disruptions such as the drought, which has caused a rapid uplift of 15mm over the past 18 months alone.³ The environmental review of this proposed alternative should be rigorous and extensive, and at minimum should carefully analyze the Project’s potential impacts on all of the important resources listed above.

We also would like to raise a few other issues regarding the proposed Project. First, we are concerned about the Project’s potential impacts on wetlands and riparian habitats in RDLA and the Los Angeles River during Project construction and operation. Our respective organizations and many others, numerous agencies at the local, state, and federal levels, the City of Los Angeles, and several local communities have made tireless efforts and spent countless hours attempting to restore the wetland and riparian habitats in RDLA and adjacent sections of Los Angeles River. The EIR/EIS must analyze the potential impacts of the Project on the natural drainage systems that support these wetlands and riparian habitats. Mitigation measures to address these concerns regarding drainage and water quality should be incorporated, for example, into the tunnel design and construction specifications for contractors.

Second, we are concerned about the potential induced development impacts on local communities, especially in the areas around the two stations. According to the CEQA Guidelines, growth-inducing impacts may occur if “the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Cal. Code Regs. tit. 14, § 15126.2(d). The EIR/EIS must assess whether the Project would cause indirect or secondary effects, including reasonably foreseeable

² Dan Weikel, “L.A. County supervisor's alternate bullet-train route gaining traction,” Los Angeles Times (Aug. 23, 2014), available at <http://www.latimes.com/local/la-me-bullet-train-route-20140824-story.html>.

³ Borsa, Agnew, Dayal. Ongoing Drought-induced Uplift in the Western United States (Aug, 2014), available at <https://scripps.ucsd.edu/biblio/ongoing-drought-induced-uplift-western-united-states>.

“growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems.” Cal. Code Regs. tit. 14, § 15358(a)(2). If the EIR/EIS identifies adverse growth-inducing impacts, such as increased local traffic congestion, increased burden on existing community services, or displacement of residents, CHSRA must consider less environmentally damaging alternatives and develop appropriate mitigation measures to address the impacts.

Third, the master plan now being prepared for Union Station and Metro’s announced plan for run-through tracks must be coordinated with Project planning. It will not be possible to evaluate Project alternatives adequately without reference to these plans, so they must be reflected in the scope of the environmental review.

Fourth, we believe CHSRA staff needs to understand the implications for lines that are planned to run east and south in later phases (*i.e.*, Los Angeles to San Diego and Los Angeles to Anaheim, respectively) in order to evaluate alternatives adjacent to Union Station for the Project running north. These lines have major potential impacts on the revitalization of the Los Angeles River and on the Piggyback Yard site. While recognizing that planning for these lines is still in its early stages, we call for the alignments under consideration to be included in the scope of Project review.

Fifth, some of our groups’ representatives heard at a recent meeting with CHSRA staff about a possible maintenance yard being planned within the Project area. Evaluating a maintenance facility’s potential impacts to communities or sensitive natural resources should be part of the scope of Project environmental review.

Finally, we are concerned about impacts to neighboring communities during Project construction. The EIR/EIS should assess the potential impacts due to air emissions from the operation of construction equipment, increased construction traffic, noise and vibration from construction activities, and increased emissions of particulate matter from excavation activities and the transportation of construction materials. Also, public access to LASHP and RDLA during construction should be maintained and defined based on consultations with nearby communities.

Thank you for considering our comments. Please notify us of the availability of the draft EIR/EIS when it is complete. We look forward to continuing our productive and frequent discussions with CHSRA staff as the Project’s environmental review moves forward.

Very truly yours,

Damon Nagami
Senior Attorney
Director, SoCal Ecosystems Project
Natural Resources Defense Council

Robert García
Executive Director and Counsel
The City Project

California High-Speed Rail Authority

August 28, 2014

Page 5 of 5

Tim Brick
Managing Director
Arroyo Seco Foundation

Lewis MacAdams
President
Friends of the Los Angeles River

Melanie Winter
Founder and Director
The River Project

Attachment

cc: Mr. Jeff Morales, CEO, CHSRA
Ms. Michelle Boehm, Southern California Regional Director, CHSRA
Mr. Karl Fielding, Parsons Brinckerhoff
Mr. Dan Tempelis, Hatch Mott MacDonald
Ms. Valerie Martinez, CHSRA



The
City
Project



LA CONSERVATION CORPS



THE EARTH'S BEST DEFENSE



The RIVER
PROJECT



September 20, 2010

California High-Speed Rail Authority (“HSRA”)
925 L Street, Suite 1425
Sacramento, CA 95814

Re: Concerns Regarding High-Speed Rail Through Downtown Los Angeles

Dear Chairman Pringle and Members of the Board:

On behalf of the undersigned organizations, which represent a broad, multicultural and economically diverse group of community, environmental, civil rights and civic leaders, we write to express several concerns regarding the proposed high-speed rail (“HSR”) line through downtown Los Angeles.

The proposed rail line must provide benefits for all. The rail line must not be allowed to adversely impact the two important urban state parks north of Union Station – Los Angeles State Historic Park and Rio de Los Angeles State Park – or the communities surrounding them and the Los Angeles River, or interfere with restoration and revitalization of the River.

Any proposed route for HSR must comply with basic principles and laws that protect the environment, human health, equal justice and democratic participation, including principles and laws governing recipients of federal financial assistance. Our shared values include investing in people and stronger communities; improving physical, psychological and social health for all communities, including people of color, low income people, and at-risk youth, through equal access to parks and green space; achieving conservation benefits, including climate justice, clean land, water and air, and habitat protection; and protecting Native American values and sacred sites.

For these reasons, we support the “long tunnel option,” in which a bored tunnel would run beneath the Los Angeles State Historic Park, Rio de Los Angeles State Park, and the River, avoid adverse impacts to each of those places and the surrounding communities, and emerge near the 2 Freeway. This alternative is described generally in the July 8, 2010, letter from Los Angeles City Councilmember Ed Reyes to HSRA, which is attached for your reference.

Los Angeles State Historic Park and Rio de Los Angeles State Park are innovative urban parks that serve low-income, park-poor communities that fought for equal access to parks and green space compared to other neighborhoods throughout Los Angeles. Los Angeles State Historic Park revives the forgotten history of Los Angeles from Native American times to the present, and cradles historic artifacts under its surface. We strongly oppose any route that would use cut-and-cover construction to create tunnels either through or immediately next to this Park, which would endanger important archeological resources and hinder public access to the park.

Rio de Los Angeles State Park features cutting-edge wetlands restoration, much-needed athletic fields and community activities. We strongly oppose any route that would adversely affect this Park or the surrounding communities. For instance, a trench along San Fernando Road that would permanently impede access to this Park, take a significant portion of land from the parking area and sports fields, and maroon the park between two rail lines is unacceptable. Neither would we support an at-grade or elevated route along the existing Metrolink corridor that would permanently interfere with access to the River or create potential impacts to avifauna and other wildlife. That alignment might provide a more acceptable solution if all of the tracks, including those for HSR, Metrolink and Amtrak, were brought down into a covered trench. This would minimize impacts to local residents and students at LAUSD’s Central Region High School #13, while providing an opportunity to create a land bridge connecting the park to the parcel known as G-2, creating a seamless link to the River.

Our concerns also extend to a number of other issues around HSR. For example, critical water resources must be protected. Proposed alignments should provide a minimum 200’ buffer from all watercourses, and any viaduct crossings over a watercourse should be designed to accommodate recreational access and potential future channel modifications for restoration of natural hydrodynamic processes. Other concerns include, but are not limited to, HSR’s potential impacts on the historic Sixth Street Bridge over the River; HSR’s riverbank alignment south of Union Station; the site and height of any proposed riverfront terminal for HSR; and potential impacts to wetlands and groundwater recharge along the L.A. to Palmdale segment.

In addition, HSR must take into account principles of equitable infrastructure development. For example, HSRA should ensure that the people who live in the local community get the job opportunities that accompany the investment, and provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, which play a critical role in stimulating economic growth and creating jobs. HSRA should make effective use of community-based organizations in connecting disadvantaged people with economic opportunities. Everyone should have the chance to share in the opportunities created by HSR.

It is important that HSR be done right. Thank you for considering our comments. We appreciate your staff's efforts thus far to listen to our concerns and ideas, and would welcome additional meetings and briefings in the future to discuss in more detail these very important issues.

Very truly yours,

Raul Macias
Founder and Executive Director
Anahuak Youth Sports Association

Sara Feldman
Vice President for Programs
California State Parks Foundation

Robert García
Executive Director and Counsel
The City Project

Lewis MacAdams
President
Friends of the Los Angeles River

Bruce Saito
Executive Director
Los Angeles Conservation Corps

Joel Reynolds
Senior Attorney
Director, Urban Program
Natural Resources Defense Council

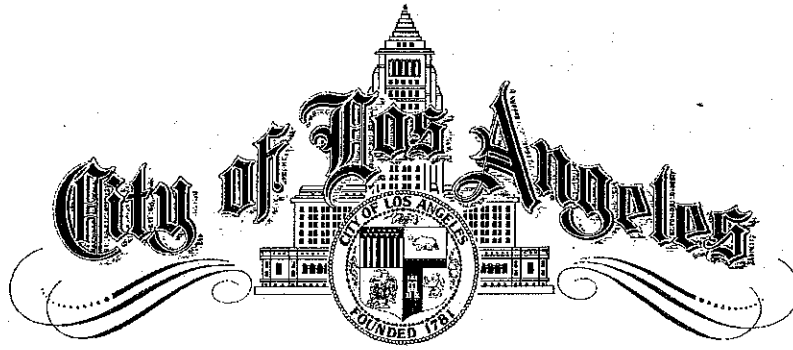
Melanie Winter
Director
The River Project

Miguel Luna
Executive Director
Urban Semillas

Attachment

cc: Mr. Roelof van Ark, CEO, HSRA
Mr. Andrew Althorp, Parsons Brinckerhoff
Mr. Dan Tempelis, Hatch Mott MacDonald
Mr. C. Michael Gillam, Parsons Brinckerhoff
Mr. Dave Thomson, STV Incorporated
Ms. Valerie Martinez, HSRA

200 N. SPRING STREET
CITY HALL, ROOM 410,
LOS ANGELES, CA 90012
(213) 485-3451 PHONE
(213) 485-8907 FAX



DISTRICT OFFICE
163 S. AVE. 24
ROOM 202
LOS ANGELES, CA 90031
(213) 485-0763 PHONE
(213) 485-8908 FAX

ED P. REYES
Councilmember, First District

July 8, 2010

California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814

RE: ITEM 10, PRELIMINARY ALTERNATIVES ANALYSIS PRELIMINARY
REPORT – PALMDALE TO LOS ANGELES

Dear Honorable Members of the Board,

I would like to take this opportunity to comment on the Preliminary Alternatives Analysis Preliminary Report for the Los Angeles to Palmdale alignment of the high speed rail. These are initial reactions to the report as it has only been made publicly available since this morning and I would like to provide more in depth feedback as you and your staff further study and refine these proposed alignments.

First, I do believe the High Speed Rail Authority has made progress in studying both an at grade alignment from Union Station in addition to the aerial alignments that were previously on the table. I can appreciate the many constraints in and around downtown Los Angeles and I believe it is an important step to be considering multiple approaches in and out of Union Station. There are many sensitive uses to consider in this area including, but not limited to, the Los Angeles State Historic Park, Rio de Los Angeles State Park, the Los Angeles River, as well as the many homes and businesses along the proposed route. I continue to pursue win-win alternatives where this vast investment in new infrastructure for high speed rail can serve multiple benefits for downtown and the surrounding region. Where this is not possible mitigation will be imperative and I would like to work with your staff to develop a range of measures that will maintain the important urban fabric of downtown Los Angeles and my district.

Specifically, I would also request that the 'long tunnel option' in which the proposed tunnel from downtown would extend north to the 2 freeway be put back into the Alternatives Analysis for further study and review. The current alignments along San Fernando Road and Rio de Los Angeles State Park are insufficient to provide meaningful alternatives analysis review. I would also request that interaction and feedback from the

Army Corps of Engineers within this segment not be limited to their permitting authority but also be conducted in collaboration with the Los Angeles River Ecosystem Restoration Feasibility Study currently funded by the federal government and underway by the Corps in which the City of Los Angeles is the local sponsor.

I would like to thank you for conducting your board meeting here in Los Angeles. I look forward to continued dialogue and transparency and we continue through this process. I believe downtown Los Angeles can and should be a model for a world class rail system that includes high speed rail in California.

Sincerely,



ED P. REYES

Councilmember, First District

cc: Congressmember Lucille Roybal-Allard
Congressmember Xavier Becerra
Mayor Antonio Villaraigosa, City of Los Angeles
Mark Toy, Army Corps of Engineers, Los Angeles District Commander