



May 1, 2014

California High Speed Rail Authority Board
Attn: Chairman Dan Richard
770 L Street, Suite 800
Sacramento, California 95814

Subject: Final EIR/EIS and Authority Board Meeting

Dear Chairman Richard and Authority Board Members:

The City appreciates the opportunity to review and comment on the Final Revised Environmental Impact Report/Environmental Impact Statement for the Fresno-Bakersfield Section of the California High Speed Rail project.

The City would like to further thank the High Speed Rail Authority Staff for inclusion of item number six (6) on your May 7, 2014 agenda. This item, through approval of Resolution # HSRA 14-10, would approve construction of the project for only the portion of the Fresno-Bakersfield Section north of 7th Standard Road, reserving the decisions on construction south of 7th Standard Road to a future date.

While the City supports this Resolution, we would request the Authority Board include an amendment to the Resolution that further supports its intent by adding language which states that the Authority will not approve any construction south of 7th Standard Road without providing the City of Bakersfield with at least sixty (60) days written notice. We suggest that this language would be an appropriate addition at the end of the 5th whereas clause of Resolution # HSRA 14-10.

While the City is encouraged by the inclusion of item number six (6) on your May 7, 2014 agenda, we feel compelled to again voice our concerns with respect to the adequacy of the Final EIR/EIS as it is presented to you under item number five (5) on your May 7, 2014 agenda. The rail project continues to include significant construction and operational impacts on City facilities, freeway projects, businesses and residents that will permanently affect the physical environment and quality of life in the region. Our comments on the Revised Draft EIR/EIS identified negative impacts to City assets such as our Municipal Services Corporation Yard, Rabobank Arena, McMurtrey Aquatic Center, the Mill Creek redevelopment projects, local streets, and the West Beltway/Centennial Corridor. Also noted were negative impacts to numerous private residents, businesses, schools, churches and medical facilities.

Responses to City comments in the final document are inadequate and do not provide sufficient response under CEQA or NEPA to provide the level of detail necessary to mitigate the impacts we identified. Although the Authority has had months in which to address the issues raised in our letter, many of our concerns remain as the final document continues to lack clarity and provide appropriate mitigation of impacts.

Furthermore, as stated in our April 9, 2014 letter to the Federal Railroad Administration, the final document fails to evaluate all environmental direct and proximity effects to the Section 4(f) and 6(f) resources. Appropriate circulation of findings of the 6(f) analysis has not been made, specific environmental reviews are not complete, nor have final examinations/determinations related to impacts and specific mitigation been finalized.

In conclusion, the magnitude of the High Speed Rail project has the potential to dramatically and forever alter the City of Bakersfield. Mitigation fails to adequately address the impacts we identified in our responses to the Revised Draft EIR/EIS of October 19, 2012. While we maintain the position that the final document for this project is substantially inadequate and that certification should be delayed until the deficiencies are corrected; the City hopes your board will approve item number six (6) with the suggested amendment provided above.

It is the City's view that approval of Resolution # HSRA 14-10 (with the suggested amendment) will preserve the City's legal recourses should the Authority have a future change in direction and decide to advance construction of the project south of 7th Standard Road. However, it is the City's hope that by limiting the approval of the construction of the project to north of 7th Standard Road, the Authority will continue to work with the City to analyze all options with respect to construction south of 7th Standard Road, in the hopes of further refining the project to better serve the interests of the City of Bakersfield as well as those of the Authority.

Sincerely,



Alan Tandy
City Manager

cc: *Honorable Mayor and City Council*
Virginia Gennaro, City Attorney
Doug McIsaac, Community Development Director
Jim Eggert, Planning Director
Dianne Hoover, Recreation and Parks Director
Nick Fidler, Acting Public Works Director
Rhonda Smiley, Assistant to the City Manager
Steve Teglia, Assistant to the City Manager
Chris Huot, Assistant to the City Manager

Jeff Morales, Chief Executive Officer, CA HSRA
Diana Gomez, Central Valley Regional Director, CA HSRA
Mark McLoughlin, Director of Environmental Services, CA HSRA

David Valenstein, USDOT FRA
Zachary Simmons, US Corps of Engineers
David Navecky, Surface Transportation Board
Stephanie Perez, Environmental Protection Specialist, FRA
Melissa Elefante DuMond, FRA