Kern Council
of Governments

March 11, 2021

Tom Richards, Chair and Board of Directors
California High-Speed Rail Authority
Attn: Revised Draft 2020 Business Plan
770 L Street, Suite 620 MS-1
Sacramento, CA 95814

Re: Kern COG Comments on the Revised Draft 2020 Business Plan – Due 3-12-21

Dear Chairperson Richards and Directors:

Thank you for the opportunity for Kern Council of Governments (Kern COG) to provide comments and recommendations regarding the Revised Draft 2020 Business Plan. Thank you for revising the maps in the earlier draft as suggested in our April 2020 comment letter. As you may be aware Kern COG and its staff have been coordinating with your project for over twenty-five years and will continue to do so to ensure the best possible outcomes for the project and our region. It is important to note that 20% of the Phase I. System passes through Kern County, as such we have extensive comments attached. It would benefit the project if the Authority would add a representative from Kern to the Authority Board of Directors.

Please contact Robert Ball of our office at 661-635-2902, rball@kerncog.org if you have any questions.

Sincerely,

Ahron Hakimi,
Executive Director

Enclosure:

Draft 2020 HSR Business Plan – Kern COG Comments – April 2020

# KernCOG Comments - Revised Draft 2020 HSR Business Plan: Due 3-12-21

https://hsr.ca.gov/about/business_plans/2020/

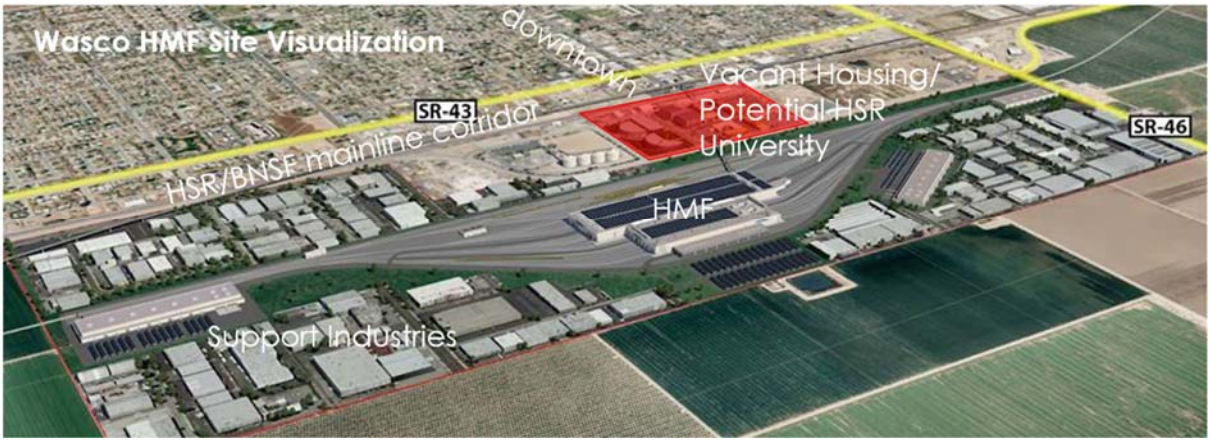
On behalf of Kern Council of Governments, we kindly request you please consider the following comments to the Revised Draft 2020 HSR Business Plan.

1) P. IV, – We agree with using existing funds to complete and expand the 119-mile Central-Valley segment to include Bakersfield station. Building this corridor frees up capacity for rail freight on the parallel BNSF line currently taken up by 14 passenger trains per day.
2) P. 41, Ex. 3.5 shows that Palmdale-Merced will be environmentally cleared this year, however, the current Plan proposes building N. to San Jose before Palmdale (with connections to LA Metrolink and the LV Brightline). Building N. when we are ready to build South is contrary to the CHSRA's #1 guiding principle "*Initiate high-speed rail service as soon as possible.*" Note also that the Ex. 3.5 is missing the Madera Station and the label for the Bakersfield Station.

**Exhibit 3.5:** Map of Environmental Status and Progress

As Modified by Kern COG

3) P. 45, col. 2, para. 2 – CP4, which passes through Wasco & Shafter, is scheduled to be the first segment ready for track installation as early as July 2022. Suggest that the HMF be located along CP4. The Wasco HMF site has been expanded to include property adjacent to the HSR mainline (see red highlighted area below). This site includes vacant dwellings whose residents were moved by the CHSRA to avoid the need for additional sound mitigation of the site. The site provides an ideal location for the full-size HMF site, conveniently located near the center of the system (see modified exhibit 3.5 above) and within walking distance of downtown Wasco. Below is the rendering of the proposed location. Note that the proposed




Fresno control center and interim maintenance facility are not big enough for the full HMF and related industry support buildings. The Fresno location is detrimental to the long-term operation of the system because it is NOT the most efficient and cost-effective location at the center of the system. The operating costs for the Fresno location will be higher because it is too far North in the system and 100 mile north of the steepest, breakdown prone section of the system. This is a serious operational issue if the location also serves as the maintenance facility for the Las Vegas Brightline train sets even further to the South.

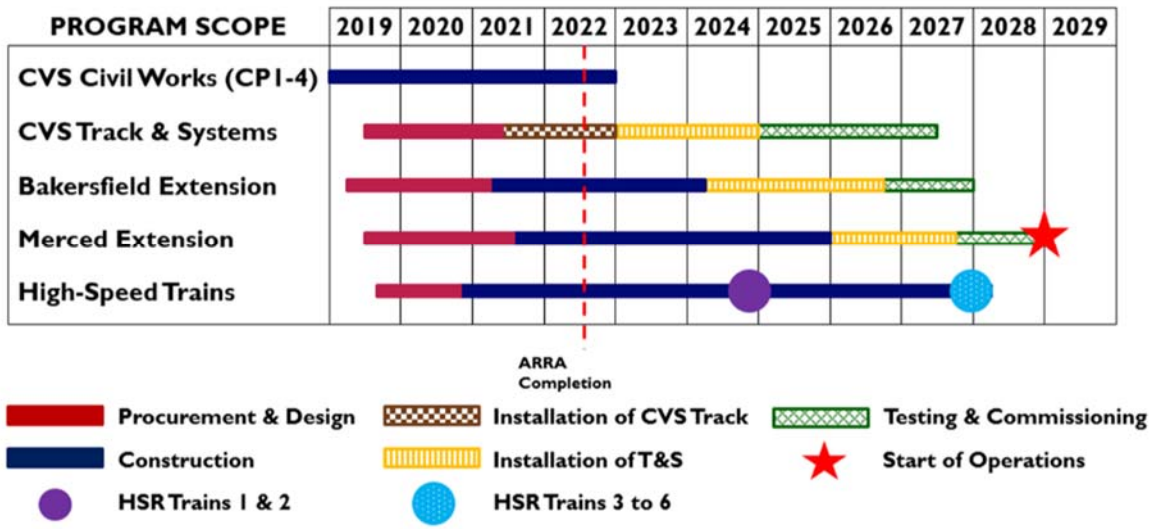
4) Here are some additional issues with HSR Authority activity in the City of Wasco area.
   a) The HSR authority needs to budget $9.3M necessary to demolish the vacant housing to mitigate the blight created by the HSR project moving these residents, recognizing that the site could be used as part of the HMF for the entire system.
   b) HSR on numerous occasions has failed to contact local property owners when verbal assurances were NOT followed. For example, in the City of Wasco HSR representatives have proposed to move access and parking to a property and have failed to follow through, or out-right eliminating property access and on-street parking.
   c) HSR needs to better coordinate communication between sub-consultants and the local jurisdictions to avoid conflicting verbal instructions and agreements. For example, in the City of Wasco, HSR consultants and the Authority staff have made promises verbally that the Poso Ave RR crossing would only be closed a short time, and it has now been closed for almost 1-year. In addition, a water well that requires a new well to be drilled at a new location was not environmentally cleared for discharge water in the environmental document delaying the movement of the well.
   d) HSR has tried numerous times to shift its liability to the local jurisdiction. For example, in the case of the Wasco's water well and the prolonged shutdown of the RR crossing, the authority attempted to shift liability to the City of Wasco. Failure to follow through on verbal commitments has required Wasco to get everything in writing, slowing progress, and causing an increased burden on City of Wasco staff time and attorney reviews.

5) P. 70, col. 2, para. 2 – **Evaluate Option for Early Right-of-way Acquisition** – In less than 2 years the City of Bakersfield has successfully acquired 300 parcels for the Centennial Connector Freeway Project through an affluent residential/commercial district using a federal provision that allows 15% payment above assessed value for early acquisition of property prior to completion of the environmental document. Not a single property required completion of a condemnation proceeding. We have mentioned this provision numerous times to Authority staff but they have refused to consider it. Perhaps now with new leadership and the success of the process in Kern they will reconsider the early acquisition procedure.

6) P. 55, #5 – The ROD has been completed on the extension to Bakersfield since October 2019. This extension was based on the 2018 Business Plan. Why hasn't an RFP or an extension of the existing contract gone out for this segment yet? This violates the CHSRA's #1 Principle "*Initiate high-speed rail service as soon as possible.*" Extension to Merced will add years before a first operational segment becomes available. The first operational segment should be Madera to Bakersfield, with bus connectors to the Silicon Valley and Southern California as well as existing Amtrak service to the rest of Northern California. Two years after that, Merced could be added as the next extension when it is ready. The CHSRA needs to get riders on this train before the 2028 Olympics. This Madera to Bakersfield early operation scenario could see the train in operation by 2027 in time for connecting Southern California via Thruway Bus connections with Yosemite and Northern California via existing Amtrak San Joaquins/ACE passenger rail services. The decision to wait to begin operations till Merced is ready is at a detriment to the viability of the system.

7) P. 52 - Reference to Business Case Assessment Study https://hsr.ca.gov/docs/about/business_plans/2020_Business_Plan_Business_Case_Assessment_Study.pdf, p. 50 – Although we agree with the study's general conclusions, The following chart contains a faulty assumption and fails to consider an even earlier construction alternative.

Figure 15: Merced to Bakersfield Interim Service Projected Timeline




This Figure 15 chart is based on the faulty assumption that the 20-mile Bakersfield Extension track & system installation segment will take 2.5 years (yellow bar), 25% longer than the installation of the 119-mile Central Valley Segment (CVS), a segment 6 times longer. Clearly, the track & system installation for the 20-mile Bakersfield Extension can be ready for testing and commissioning at the same time as the 119-mile CVS segment if not before. The combined 139-mile Bakersfield to Madera segment can be ready for train operations before track & system Installation is complete on the Merced Extension. A Bakersfield to Madera system could begin testing and lead to full operations as early as 2027, and possibly even

earlier. This Business Plan's coupling of the Bakersfield and Merced Extensions could delay the use of the CVS and Bakersfield segments for more than 2-years. The Business Plan should include an early "Start of Operations" date for the Bakersfield to Madera segment. This Early Operations segment would connect to the San Joaquins Amtrak passenger rail service in Madera and Thuway Bus service in Madera and Bakersfield. This segment will be ready for the 2028 Olympics, in time to capture the flood of tourists going to Yosemite and Northern California before and after the Games. Merced hasn't even completed its Station Area Plan and to develop a major transportation center will likely require relocation of the Amtrak San Joaquins from the BNSF over to the UP over ½ mile away, and UP is not interested in accommodating any passenger rail service. When the Merced Extension is ready, service to Merced should be the first extension, but why delay the opportunity to begin demonstrating HSR viability before the track is completed to Merced? That is a potential 2-year delay in implementation of the system, in direct opposition to the CHSRA's #1 principle: "*Initiate HSR services as soon as possible*." It also delays the potential to develop a supporting constituency of riders for the project, which is desperately needed to fund future expansion of the project to the major urban centers, and close the rail gap between Bakersfield and So. Cal & Vegas.

8) P. 16, – Although reducing travel time within the Valley is important, this section should address the improved statewide travel times when connecting Amtrak Thruway Bus and Amtrak Passenger Rail services. This chart should show the reduced travel times with connecting thruway bus service between L.A. Union Station & San Jose; L.A. Union Station & San Francisco; L.A. Union Station & Sacramento; Las Vegas & San Jose (with Thruway Bus connector between Bakersfield & San Jose. These travel time comparisons would show how an early HSR service combined with existing/modified connecting service is competitive with car travel, and will eventually be competitive with air travel. For Example L.A. Union Station to San Jose (via. Thruway Bus between Madera and San Jose) is:

   L.A. to San Jose with Connector Buses (Early HSR Service from Bakersfield to Madera)

   | | |
   |---|---|
   | Bus/HSR Train/Bus | ~7 hours |
   | Car (gas/food stops) | ~7 hours |
   | Greyhound | ~7 hours |
   | Current Train Service | ~8 hours (assumes Thruway Bus connections at Bakersfield and Madera) |

   The reason for modifying this chart is to demonstrate that for the first time, rail travel will be competitive with car travel between L.A. and San Jose (largest City in the Bay Area), increasing ridership potential and viability tremendously of the system. And this service can be implemented approximately 2 years earlier than proposed in the business plan, in time for the 2028 Olympics.

9) P. 32 – The following example lesson learned was added to the Spring 2020 Draft Business Plan as a commitment to the Golden Empire Transit District (GET) that HSR would begin reserving RoW for the Bakersfield station by relocating GET immediately. Please honor the Authority staff's commitment to GET to the early purchase of RoW by adding back the following deleted text of a lesson learned:

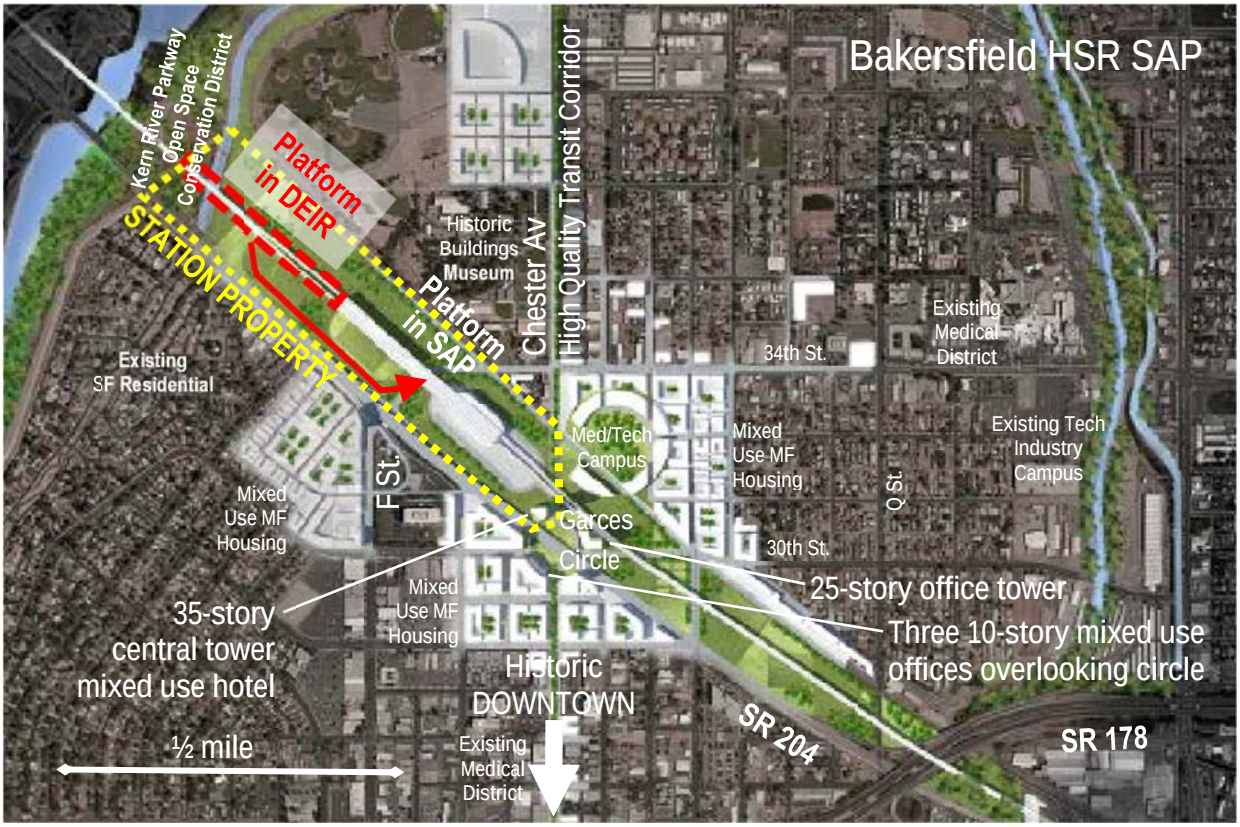
   *"An example of this is the relocation of the Golden Empire Transit (GET) Facility in Bakersfield to accommodate construction of the Bakersfield F Street station. This long-lead right-of-way purchase and relocation will require a large parcel to accommodate the construction of a new transit maintenance and storage yard. Relocation of this facility early will allow the transit agency to implement planned upgrades and address future regional bus service needs and ensure that the area is available for high-speed rail construction."*

   This text was included to help avert a lawsuit from GET. Please honor HSR staff's prior commitments by re-inserting this lesson learned and commencing relocation of GET ASAP.

10) P. 69, col. 2, last para. – We welcome the proposal to advance design to 30-40% from the current 15% in the phase 2 environmental documents prior to proceeding on the design-build contract from Poplar Ave to Bakersfield Station. Note that the Adopted EIR location of the station differs from what was adopted in the Bakersfield Station Area Plan. The Authority Staff promised that the EIR would be revised to match the SAP. The following issue needs to be resolved prior to commencing construction on the Bakersfield station segment:

**Move Location of the Bakersfield F St. Station Platform** as depicted in B-P DEIR, Vol 3, Book 4, CH 1, Sec O - Map TT-D1049 and other related maps in the B-P DEIR file:///C:/Users/ballr/Desktop/BP_Draft_EIRS_Vol_3_Book4_CH_1_Section_O_Coordination_Set_Locally_Generated_Alternative_LGA_General_Plans.pdf . Move platform to be consistent with the location identified in the adopted Bakersfield Station Area Vision Plan and Environmental Document. At the July 2017 Locally Generated Alternative (LGA) Technical Working Group (TWG) Meeting the consultant informed the local government stakeholders that they could not move the platform because the curve geometry to the Southeast of the station would not allow it and still be able to maintain the design speed. If this is the case, then the design speed should be slowed down through Bakersfield and/or the alignment modified to allow the platform to be placed where extensive public input and local electeds have approved, and where transit and pedestrian access is maximized based on the adopted Station Area Plan. The figure below shows the DEIR station design pedestrian access points conflict with the station access points in the Bakersfield HSR Station Area Plan. The Station Area is large, and the DEIR places the platform to the NW of F Street while the Station Area Plan places it to the SE of F Street. The difference places the platform more than ¼ mile away from the epicenter of planned infill and pedestrian/transit activity around Garces Circle at Chester Ave, and the same distance further away from historic downtown.

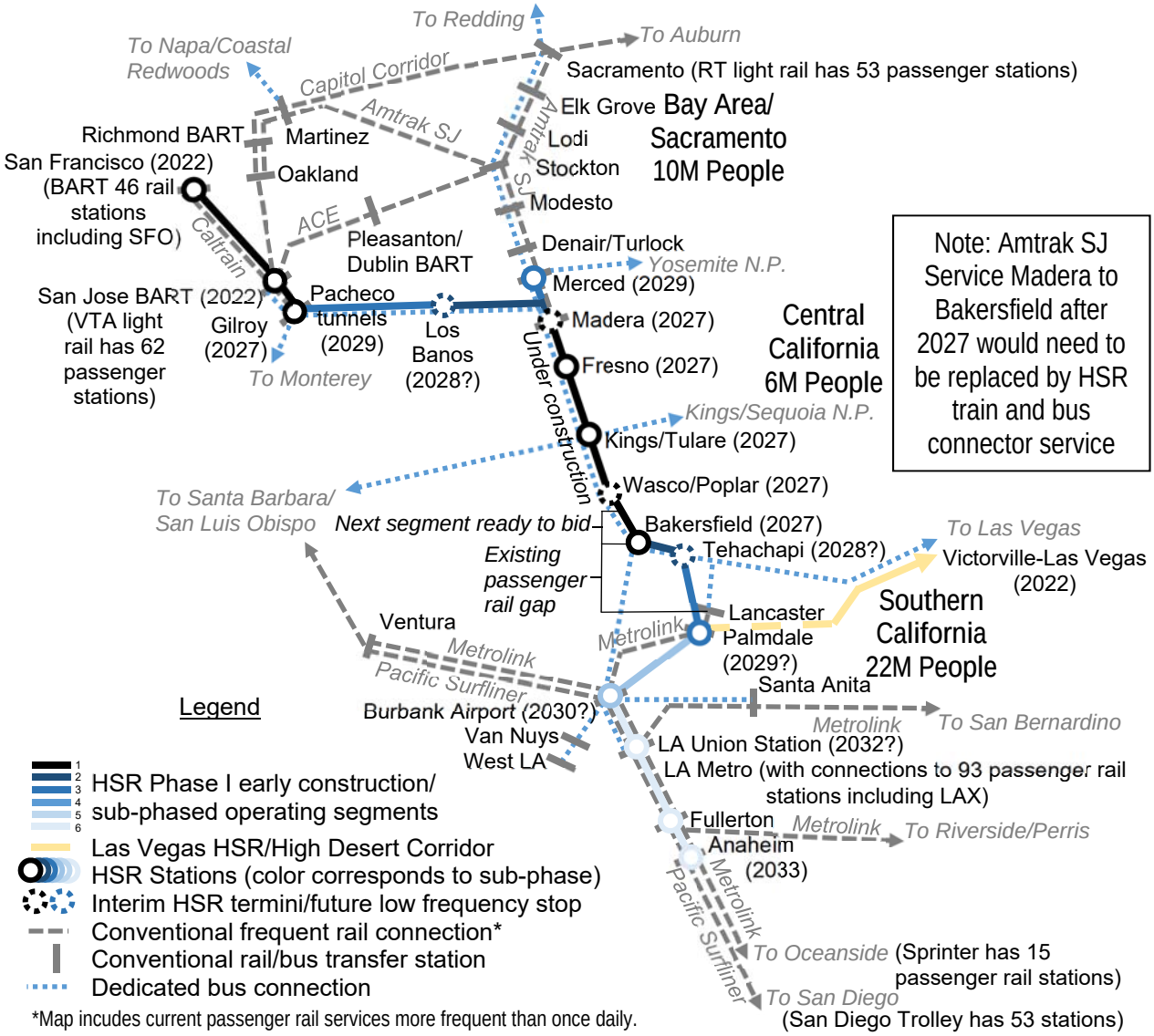
**Figure - Move Platform in DEIR to align with Bakersfield Station Area Plan (SAP)**
https://bakersfieldcity.us/gov/depts/community_development/planning/planning_services/hsr_station_area_plan/default.htm



11) Elimination of Amtrak San Joaquin Service South of Madera at the start of HSR service – 2027

Kern COG supports the HSR early operation segment to include Bakersfield to Merced as a logical segment to complete before the Pacheco Pass segment. The Business Plan supporting documents reference the California State Rail Plan (SRP), model. On p. 135 of the SRP "Service Goals and Improvements" section, the first bullet point describes the San Joaquin service elimination from the Amtrak Bakersfield station to mid-corridor starts in Fresno. Later on Page 135, the elimination of all passenger rail services south of Fresno is discussed. The map below illustrates a Kern COG staff recommended phased replacement of Amtrak SJ diesel service as each segment of the HSR Phase I system comes online. Replacement of duplicate diesel passenger rail service in this corridor with electric HSR and connector bus service will likely result in significant operating cost savings for the state. The proposal also frees up rail main lines for un-subsidized goods movement. Impacts from loss of passenger rail service to disadvantaged communities of Corcoran, Allensworth, and Wasco have yet to be addressed. At a minimum, connecting bus service to these communities is essential.

## Recommended 2027 Early Operational Sub-Phasing of Phase I. System
### Providing Daily Rail/Bus Service Connecting 40M+ People to HSR Core Segment



The state must mitigate the Impacts of eliminating Amtrak stations and passenger rail service to communities South of Madera (Corcoran, Allensworth, Wasco, Bakersfield, and the surrounding communities that use these stops).

Page 135 of the 2017 State Rail Plan, under the "Planning, Analysis, and Project Development" section, in bullet point number five, states: *"Study potential regional rail and integrated Express Bus needs to communities between Fresno and Bakersfield, developing recommendations that consider capacity currently used for San Joaquin service, along with regional rail opportunities and the need to feed HSR stations at Fresno, Kings-Tulare, and Bakersfield."* Since the planning period described in this section begins in 2022, we are assuming from the 2020 HSR draft business plan that HSR service could begin as early as 2027 between Bakersfield and Madera. Planning needs to begin immediately to mitigate the following impacts to the communities losing Amtrak service:

a. **Comprehensive connector bus system** - Provide coordinated access to new HSR service and Southern California via dedicated connector bus service. This would include a parallel bus service to the operational HSR corridor that would pick up passengers at cities such as Shafter, Delano, and Corcoran that don't have an HSR stop and arrive just in time to catch the train at the appropriate HSR station.
b. **Interim HSR termini** - Provide interim HSR platforms/stops at temporary HSR system termini, including a stop at the community of Wasco downtown at the current Amtrak SJ station site. Provide sufficient connector bus spaces and facilities to safely transfer passengers connecting with Southern California destinations. These temporary termini could also be co-located with railway maintenance facilities to make better use of the infrastructure investment in the stop.
c. **Low-frequency future and/or emergency stops** - As the HSR system completes portions of longer segments, provide new interim platforms at the termini at locations such as Wasco, Madera, Los Banos, and Tehachapi (see figure 1). These platforms will allow the HSR system to benefit from rail travel time improvements sooner, creating a potential future low-frequency stop location or emergency turnout for the system. These also provide a node for future transit-oriented development in these smaller communities. The stop platforms should include rail sidings off the two mainlines just like the regular HSR station stops. These stops also provide access to these impacted disadvantaged communities should the IOS be used by Amtrak San Joaquin Service.
d. **Wasco-Bakersfield is the next segment ready to bid** - The locally generated alternative alignment for the Wasco (Poplar Ave) to Bakersfield segment is completely environmentally cleared and is ready to be the next segment to bid and construct. Building all the way to Bakersfield prior to initial operation in 2027 will minimize traffic impacts and the need for extra bus bays at an interim stop in Wasco. Still, a downtown platform in Wasco will be needed for future low-frequency service and to mitigate impacts to that disadvantaged community to be the loss of an Amtrak station.
e. **Reserve right to operate commuter rail on BNSF mainline in the future in South Valley** - In 2012 Kern COG completed a Commuter Rail Study that included

a plan for commuter rail service between Wasco, Shafter, NW Bakersfield, and downtown Bakersfield. The future NW Bakersfield stop is in the Amtrak SJ business plan and the 2018 Kern COG Regional Transportation Plan (RTP). The state of California has invested hundreds of millions in improvements to the BNSF mainline, and based on that investment should retain the right to operate passenger service along the South Valley BNSF corridor in the future. The State should negotiate such an agreement with BNSF before Amtrak passenger rail service is eliminated in the South Valley. The agreement should anticipate future service in Kern between Wasco, Shafter, NW Bakersfield, and Downtown Bakersfield to the Bakersfield HSR station when future ridership warrants such a service.

f. **State plan missing planned commuter rail routes in Kern** - The State Rail Plan should include the planned commuter rail routes from the Kern COG 2012 Commuter Rail Plan, including stops in NW Bakersfield (Amtrak SJ) and Rosamond (Metrolink) which are currently funded in the out years of the 2018 RTP. These routes would provide an important future feeder rail system to the HSR stations at Bakersfield and Palmdale. See Kern COG's *Commuter Rail Feasibility Study*: http://www.kerncog.org/wp-content/uploads/2010/03/KernCOG_Commuter_Rail_Draft_Report_20120720.pdf

12) Interim Use of the Initial Operating Segment (IOS) by the Amtrak San Joaquins - Any use of the IOS alignment by the Amtrak San Joaquins should mitigate the potential loss of service to the disadvantaged communities like Corcoran, Allensworth, and Wasco.

13) Potential Co-location of HMF at interim HSR stop at Wasco platform - Kern COG recommends that the State consider co-locating an HSR passenger boarding and alighting platform be located co-terminus with the HSR Heavy Maintenance Facility (HMF). Both the Wasco and Shafter HMF locations could serve as a low-frequency stop on the HSR system. The sites could also be the location for a rail maintenance-of-way facility.

14) Tehachapi Pass Freight Capacity - Unlike passenger rail service, rail freight rarely requires a subsidy. One of the more expensive infrastructure projects on the HSR system will be the system of tunnels and viaducts between Bakersfield and Palmdale over the Tehachapi Pass. The Tehachapi pass is also a freight rail bottleneck. State Senator Beall has suggested constructing a third rail line for freight, adjacent (with sufficient protective rail traffic barriers) to the proposed HSR alignment. The adjacent HSR corridor could provide a revenue stream that could be bonded off of to help finance the tunnel system over the Tehachapi Pass. The alignment would require a connector to the existing double track just West of the City of Tehachapi. The additional freight activity would require mitigation through the community of Tehachapi with a below grade alignment. This option should be explored further by the State and discussed in the 2020 HSR Business Plan.

15) Build South through 2028 - The decision to build North first was made before LA was awarded the 2028 Olympics. It makes sense now to build South to Palmdale by 2028 to connect with the Southern California Metrolink System and possibly the Las Vegas HSR ahead of the HSR connection to San Jose. During the 1984 LA Olympics, some

events such as whitewater kayaking were held in central California, and Yosemite N.P. had a record number of visitors that year. This would provide a 3-seat rail ride (no busses) between Southern and Northern California with travel times that would compete with passenger car travel. In addition, these segments are farther along environmentally than the Pacheco Pass alignment and can be delivered faster.

16) Budget for Zero Emission Vehicle Bus Connectors - Since one of the purposes of high-speed rail is to reduce vehicle emissions, there is no mention of the Authority purchasing or contracting with an electric over-the-road coach company to purchase or contract with bus services that operate electric buses only to offset the emissions generated by busing riders to and from the north of Bakersfield station (estimated to be at least 1,000 passengers per hour).

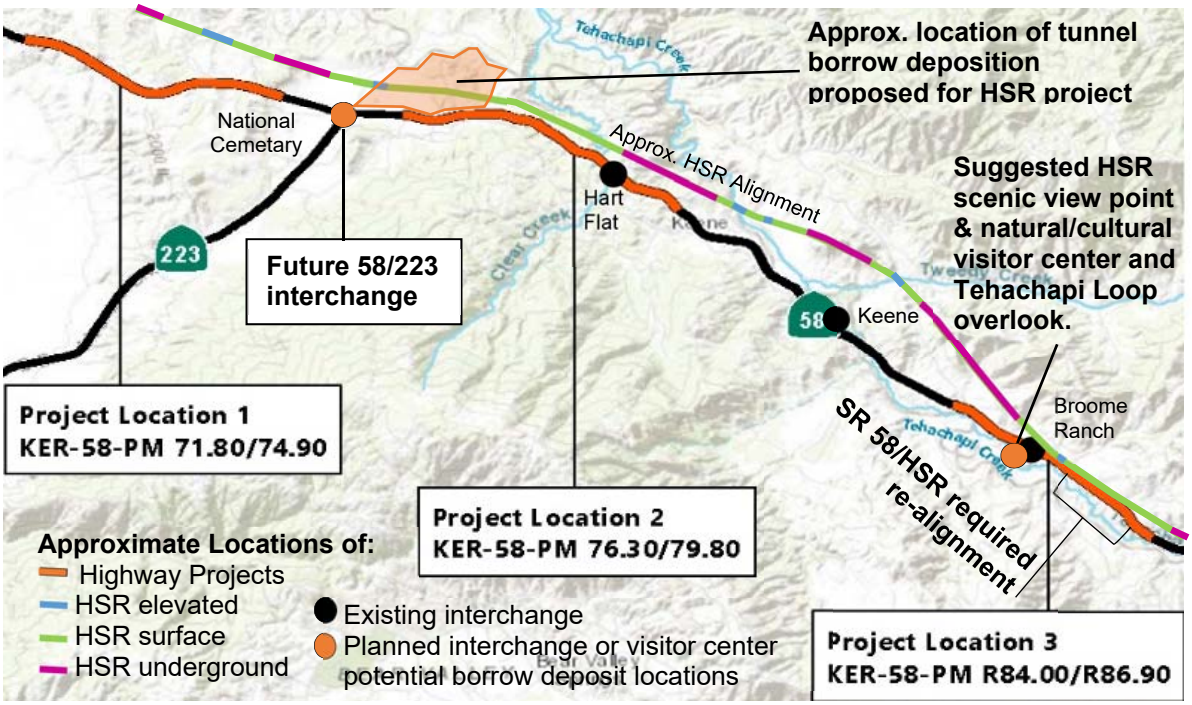
17) Tunneling Contracts Should be Bundled to Save Costs - Tunneling contracts for the Pacheco Pass should also include tunneling through Kern County (Tehachapi Mountains) to keep the IOS Phase 1 on-schedule.

18) Improved Bus Connector Service Between Bakersfield and Santa Clarita - Page 141 emphasizes the importance of connecting bus service to net cash flow. Express bus service is needed between Bakersfield and Santa Clarita, connecting to more frequent rail services between Santa Clarita and Los Angeles, Orange County, and San Diego, as well as the rest of the Metrolink system. Please note that Kern Transit is operating an inter-city service between Bakersfield and Santa Clarita (including the Metrolink Station). Kern Transit could be a possible contracting agency once high-speed rail service commences in Bakersfield. Note that Golden Empire Transit is purchasing 5 hydrogen fuel cell buses and will have facilities to assist with re-fueling connector busses for the HSR system.

19) The proposal to build a single track for the early operation segment will make installing a 2nd track while service is operating difficult and more expensive. The Authority should consider building both tracks at the same time to save overall costs. A single track is also less safe for an HSR system and would increase wear and tear on the single track than if both tracks were being used.

20) The Bakersfield to Palmdale segment includes identification of extensive excavation/ tunneling waste dirt or barrow fill. The EIR suggest spreading this out near the SR


Northside of SR 58/223 interchange - location of planned spread of HSR tunneling waste dirt/crushed rock, four feet deep over hundreds of acres of this pristine oak woodland openspace.




58/223 interchange in a layer 4' deep, covering hundreds of acres (see photo and map). Planned projects at five locations along the SR 58 grade could use more than 150k cubic yards of barrow at 3 future truck climbing lanes (see map project locations 1-3), the future interchange of SR 58/223, and a poteintal HSR tourist/visitor center (with nature/history interpretive center) overlooking the world famous Tehachapi Loop. In addition, the HSR project plans to re-align a long section of SR 58 which will also require considerable fill dirt (see map). By placing and compacting the barrow at these exact locations where needed, the authority will reduce overall GHG emissions from trucking and grading the barrow, as well as reduce overall costs for all these projects because they are located closer to the source of the tunnel barrow than the more habitat distructive B-P DEIR location, resulting in destruction of hundreds of acres of top soil by spreading the crushed rock from tunneling 4-feet deep over pristine oak woodland (see photo and map).

Caltans has already completed a Project Study Report (PSR) for the three truck climbing project locations. Project location 3, East of Broome Rd, coincides with the realignment of SR 58 proposed in the HSR B-P DEIR. The required re-alignment must include the truck climbing lanes identified by Caltrans. In doing so, this will ensure a more ecologically sound deposition of the tunnel barrow.

This location is also a critical California Mountain Lion habitat crossing for the for both HSR and SR 58. In July 2019, a roadkill survey logged on this segment of SR 58 a mountain lion, 6 mule deer, 7 bobcats, and 11 coyotes killed in the 18 mo. prior. The deposition needs to be coordinated with creation of wildlife crossings that use this corridor to pass between the Sierra Nevada and Coast Range populations. Kern COG requests that the design teams meet with local governments and the Caltrans district staff to identify locations for waste dirt that could benefit both potential habitat crossings and future highway projects in the vacinity.