





Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
Tarjeta de Comentarios

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**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
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**Public Hearings**  
**September 2011**

**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**  
 Proyecto de Informe de Impacto Ambiental/  
 Declaración de Impacto Ambiental (EIR/EIS)  
**Audiencias Públicas**  
**Septiembre del 2011**

Please submit your completed comment card at the end of the meeting, or mail to:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

The cc Extended comment period for member ly, or  
 28, 201 Fresno to Bakersfield High-Speed Train Draft EIR/EIS: 011.

El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.

Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Cali Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-050 or DEIR/S Section: \_\_\_\_\_

This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle approximately in the middle of the field. When done, approximately 4-acres of cherries will end up on the east side of the rail alignment with the walnuts and the balance of the west side in cherries.

The orchard is irrigated by a deep well located near the middle of the northern boundary. The well and canal access is located in the same place.

The well and canal water is also channeled to parcels 002-150-043 and 002-150-027 through the parcel.

The well is very old, decades old and will be located near the CHSRA proposed rail alignment. What will the impact of vibration from the construction and operation of the rail alignment be on this well. The DEIR/S does not adequately considered or address the possible compaction of our well.

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-70

BO015-71



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Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

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E-mail Address/Correo Electrónico: frank.oliveira@me.com

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This comment card relates specifically to Kings County Assessor's Parcel Number \_\_\_\_\_ or DEIR/S Section: General Comments

MEL's Farms and Cali Farms leases farmland to John Warmerdam on parcels 002-150-050, 002-150-043, 002-150-027 & 002-190-009. All of these parcels will be split by the CHSRA's planned project.

The CHSRA project will affect all of these parcels by reducing their productive acreage because of the 100-foot right of way acquisition, associated right of ways to give land owners access to their properties and loss of tree rows to create new turn rows against the newly created right of ways. All of these factors clearly will affect the productivity of the properties in question.

The Oliveira Family Trust which owns the affected property in common with MEL's Farms & Cali Farms has loaned John Warmerdam money to operate his operation on our properties. Obviously due to CHSRA's proposed plan, MEL's Farms & Cali Farms will no longer be able to provide the same amount of production farmland that Mr. Warmerdam has contracted from us.

How will CHSRA mitigate MEL's Farm's need to alter MEL's Farms/Warmerdam's property lease contract with Mr. Warmerdam in a many that makes MEL's Farms "whole"?

How will CHSRA mitigate Mr. Warmerdam's need to alter MEL's Farms/Warmerdam's property lease contract with MEL's Farms to make Mr. Warmerdam "whole"?

How will CHSRA mitigate the Oliveira Family Trust's need to alter the Oliveira Family Trust's/Warmerdam's loan contract with Mr. Warmerdam to make the Oliveira Family Trust "whole"?

How will CHSRA mitigate Mr. Warmerdam's need to alter the Oliveira Family Trust's/Warmerdam's loan contract with the Oliveira Family Trust to make Mr. Warmerdam "whole"?

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Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

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E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-027 or DEIR/S Section: \_\_\_\_\_

This property is an 80 acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

The property is next to our walnut orchard which also will be against the CHSRA right of way.

Issue – Pesticide drift from the walnut orchard to the organic cherry orchard. If trains are passing by several times in a 30-minutes to one hour eriod there is no way the operator can spray pesticides or herbicides on the field when the train is not present. Failure to spray crop protection/production enhancing products will produce less walnuts that will be of an inferior quality in the walnut orchard which will make the entire orchard less profitable.

How do we spray the field and not have chemical drift on the train?  
 How do we spray the field and not have chemical drift on to the organic cherry orchard or our neighbor's property?  
 If spraying crop protection/production enhancing products ultimately is impeded or prevented by the CHSRA project at CHSRA or the County Agriculture Commissioner direction, how will be be compensated for our short and long term damages?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-73

BO015-74



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This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-009 or DEIR/S Section: \_\_\_\_\_

This property is a 40-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south each roughly 19-Acres in size.

What pesticides/herbicides will be applied to the area to control weeds where the CHSRA right of way located?  
 There has been issues with these pesticides/herbicides being leachers and moving through the soil with water (rain).  
 If the trees close to the CHSRA right of ways become unhealthy or even die, does CHSRA have a protocol in place for payment of these losses?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-75

BO015-76

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**This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-027 or DEIR/S Section: -----**

**BO015-77** | This property is an 80-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

It will take an unknown amount of vehicle miles forever to move farm equipment back and forth between the two newly created fields. It will take an unknown amount of time to move labor back and forth between the two fields. The additional mileage to be driven is impossible to determine because the DEIR/S does not address where the additional access right of ways will be located.

Both of these things will increase our production costs and carbon foot print forever. The CHSRA will cause us a permanent increase in farm equipment wear and tear.

How will we be compensated for these things?

**BO015-78** | The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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**This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-007 or DEIR/S Section: -----**

**BO015-79** | This property is a 40-acre almond orchard roughly 6-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south leaving the westside with approximately 34-acres and the eastside 5-acres.

Due to the split of the property into two smaller parcels in an agricultural zoned area of the county, our property values on the remaining parcels will be diminished because the parcels will be less viable for agricultural use because of their new size and new operational challenges.

How will we be compensated for the permanent loss in our property values?

**BO015-80** | The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section: -----

**BO015-81** | This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

What pesticides/herbicides will be applied to the area to control weeds where the CHSRA right-of-way located?

There has been issues with these pesticides/herbicides being leachers and moving through the soil with water (rain).

If the trees close to the CHSRA right of ways become unhealthy or even die, does CHSRA have a protocol in place for payment of these losses?

**BO015-82** | The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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**BO015-83** | This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

It will take an unknown amount of vehicle miles forever to move farm equipment back and forth between the two newly created fields. It will take an unknown amount of time to move labor back and forth between the two fields. The additional mileage to be driven is impossible to determine because the DEIR/S does not address where the additional access right of ways will be located.

Both of these things will increase our production costs and carbon foot print forever. The CHSRA will cause us a permanent increase in farm equipment wear and tear.

How will we be compensated for these things?

**BO015-84** | The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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**BO015-85** This property is a 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

We will lose between 5 to 7-acres of ground to the CHSRA rail alignment right of way across the property. Additional trees will be lost to creating vehicle turnarounds against the rail alignment and additional ground and trees might be lost to potential access right of ways. We have a long term lease on the farm ground with John Warmerdam.

This property is currently in an agricultural use contract with the State of California pursuant to the Williamson Act.

Will the newly created properties both still be considered as viable agricultural use properties after the split?

If not, how will the increase in our property taxes be mitigated?

**BO015-86** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section: -----

**BO015-87** This property is a 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

Access to this property is from 8th Avenue, once the proposed track alignment is in place, the westside of the field will be land locked. Unless the CHSRA answers the following questions, we have no way to analyze the impact of the project to our operation.

How will we access the westside of our property?

Will we be given a right of way across our neighbors lands on the eastside of the track to access the land locked western parcel?

Where will the access right of way be located?

Will our neighbors be given a right of way across our land to access their properties?

What if we do not want our neighbors on our land or they do not want us on their land?

Who will maintain these access right of ways if they are granted?

Will we be compensated for taking out additional agricultural production ground to facilitate the right of ways?

We currently are leasing the property to John Warmerdam.

Will our Mr. Warmerdam be compensated for the additional trees taken out to facilitate the access right of ways?

Will we be compensated for the loss of income from our lease that will be caused by the removal of Mr. Warmerdam's trees for the access right of way?

**BO015-88** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
 Tarjeta de Comentarios

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**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
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**September 2011**

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**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

The extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: **August 15-October 13**

**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad** Proyecto de Informe de Impacto Ambiental/ Declaración de Impacto Ambiental (EIR/EIS)  
**Audiencias Públicas**  
**Septiembre del 2011**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:  
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Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Cali Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section:

**BO015-89** This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

Since the proposed track alignment will be slicing through middle of the field, we will have to remove 35 to 50-feet of additional trees on both sides of the track to create vehicle turnarounds at the new end of the rows of trees against the track alignment fence.

How will we be compensated for the loss of his addition trees to create the new turnarounds caused by the rail alignment fence?

**BO015-90** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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Comment Card  
 Tarjeta de Comentarios

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This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-050 or DEIR/S Section:

**BO015-91** This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle approximately in the middle of the field. When done, approximately 4-acres of cherries will end up on the east side of the rail alignment with the walnuts and the balance of the west side in cherries.

We will lose between 5 to 7 acres of ground to the CHSRA rail alignment right of way across the property.

How will we be compensated for the loss of that production agricultural ground?

How will our leasee Mr. John Warmerdam be compensated for the loss of his trees which are just now coming into production?

How will we be compensated for the loss of walnut trees?

**BO015-92** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
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Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

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(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-007 or DEIR/S Section:         

This property is a 40-acre almond orchard roughly 6-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south leaving the westside with approximately 34-acres and the eastside 5-acres.

Since the proposed track alignment will be slicing through middle of the field, we will have to remove 35 to 50-feet of additional trees on both sides of the track to create vehicle turnarounds at the new end of the rows of trees against the track alignment fence.

How will our lease Mr. John Tos be compensated for the loss of his addition trees to create the new turnarounds caused by the rail alignment fence?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-95

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BO015-96



Comment Card  
Tarjeta de Comentarios

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This comment card relates specifically to Kings County Assessor's Parcel Number          or DEIR/S Section: General Comments

The DEIR/S reflects that the AmTrack stations between Fresno and Bakersfield will be eliminated and that those riders will ride the HST instead.

We are viewing this statement from the stand point that the "proposed" Kings/Tulare Regional Station is not a "Planned" or funded station that appears also not to comply with the maximum 24-station criteria reflected within Proposition-1A.

Considering that the price of a ticket to ride the HST will be much higher than AmTrack and that the planned HST stations for the same area are located a good drive away from Kings, Tulare and northern Kern Counties, how did CHSRA determine that the AmTrack riders would behave that way?

The closure of these AmTrack stations coupled with the belief that people in Kings, Tulare and northern Counties will drive to Fresno or Bakersfield to ride the HST will have to increase vehicle miles driven and air-pollution in this region. CHSRA does not seem to address this fact very well. How will CHSRA mitigate this problem?

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BO015-97



Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
 Tarjeta de Comentarios

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This comment card relates specifically to Kings County Assessor's Parcel Number 004-200-032 or DEIR/S Section:         

This property is a 58-acre almond orchard roughly 6-years into its 25-year production cycle. The CHSRA is proposing to divide the property across 8th Avenue (002-190-007) with their rail alignment.

Parcel 002-190-007 provides both well and canal water from its deep well and canal access to this parcel.

Buried irrigation pipeline runs the eastern edge of the property to convey both well water and canal. These are permanent structures which will be separated by the proposed track alignment on 002-190-007. Unless well water is conveyed under or around the proposed Excelsior Avenue over-crossing, the field will die due to the lack of dependable irrigation water.

Will the CHSRA create an operational well on parcel 002-190-007?

How will well water be moved to the parcel if a new well is not created?

How will canal water be moved to the parcel?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

BO015-101

BO015-102



Comment Card  
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E-mail Address/Correo Electrónico: frank.oliveira@me.com  
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This comment card relates specifically to Kings County Assessor's Parcel Number          or DEIR/S Section: General Comments

If CHSRA is allowed to submit a 15% designed DEIR/S does that mean that they will be submitting a DEIR/S for comment later that will include the details for the other 85% of the project?

Is it acceptable for us to submit our comments to the CHSRA in a 15% format?

If we submit our comments to the CHSRA in a 15% format, when will we be allowed to submit the other 85% of our comments?



Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
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 E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-009 or DEIR/S Section: -----

This property is a 40-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south each roughly 19-Acres in size.

Due to the split of the property into two smaller parcels in an agricultural zoned area of the county, our property values on the remaining parcels will be diminished because the parcels will be less viable for agricultural use because of their new size and new operational challenges.

How will we be compensated for the permanent loss in our property values?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-109

BO015-110



Comment Card  
 Tarjeta de Comentarios

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 E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-027 or DEIR/S Section: -----

This property is an 80-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

We will lose between 12 to 15-acres of ground to the CHSRA right of way across the property. Additional trees will be lost to creating vehicle turnarounds against the rail alignment and additional ground and trees might be lost to potential access right of ways.

This property is currently in an agricultural use contract with the State of California pursuant to the Williamson Act.

Will the newly created properties both still be considered as viable agricultural use properties after the split?

If not, how will the increase in our property taxes be mitigated?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-111

BO015-112

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

 **Comment Card**  
**Tarjeta de Comentarios**

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Name/Nombre: Franklin Oliveira for Louis Oliveira  
 Organization/Organización: Cali Farms  
 Address/Domicilio: 8835 22nd Avenue  
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 E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section: -----

**BO015-113**

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

Issue - Pesticide drift from the walnut orchard to the organic cherry orchard. If trains are passing by several times in a 30-minute to one hour period there is no way the operator can spray pesticides or herbicides on the field when the train is not present. Failure to spray crop protection/production enhancing products will produce less walnuts that will be of an inferior quality in the walnut orchard which will make the entire orchard less profitable.

How do we spray the field and not have chemical drift on the train?  
 How do we spray the field and not have chemical drift on to the organic cherry orchard or our neighbor's property?  
 If spraying crop protection/production enhancing products ultimately is impeded or prevented by the CHSRA project at CHSRA or the County Agriculture Commissioner direction, how will be be compensated for our short and long term damages?  
 The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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Extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: **August 15-October 13**

The comment period is extended from August 28, 2011 to October 13, 2011. El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.

Name/Nombre: Franklin Oliveira for Louis Oliveira  
 Organization/Organización: Cali Farms  
 Address/Domicilio: 8835 22nd Avenue  
 Phone Number/Número de Teléfono: 559-469-6685  
 City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245  
 E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section: -----

**BO015-114**

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

We will lose between 5 to 7-acres of ground to the CHSRA rail alignment right of way across the property. Additional trees will be lost to creating vehicle turnarounds against the rail alignment and additional ground and trees might be lost to potential access right of ways. We have a long term lease on the farm ground with John Warmerdam.

Due to the split of the property into two smaller parcels in an agricultural zoned area of the county, our property values on the remaining parcels will be diminished because the parcels will be less viable for agricultural use because of there new size and new operational challenges.

How will we be compensated for the permanent loss in our property values?  
 The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



Comment Card  
Tarjeta de Comentarios

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**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
 Environmental Impact Statement (EIR/EIS)  
**Public Hearings**  
**September 2011**

Please submit your completed comment card at the end of the meeting, or mail to:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

The Extended comment period for  
 28, 201 Fresno to Bakersfield High-Speed  
 F Train Draft EIR/EIS:  
**August 15-October 13**

**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**  
 Proyecto de Informe de Impacto Ambiental/  
 Declaración de Impacto Ambiental (EIR/EIS)  
**Audiencias Públicas**  
**Septiembre del 2011**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

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Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Cali Farms

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Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-050 or DEIR/S Section: -----

This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle approximately in the middle of the field. When done, approximately 4-acres of cherries will end up on the east side of the rail alignment with the walnuts and the balance of the west side in cherries.

Pursuant to the Kings County 2035 Land Use plan, that area is zoned for agriculture use with the smallest parcel acreage in that area being 40-acres.

After the CHSRA's proposed plan, will the two parcels still be considered viable agricultural properties anymore by the county, state and federal governments when applying for grants, loans or when complying with current and future imposed regulations?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-116

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BO015-117

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BO015-118

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BO015-119



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Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Cali Farms

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E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-043 or DEIR/S Section: -----

This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle. When done, approximately 5-acres of walnuts will end up on the west side of the rail alignment with the cherries and the balance of the east side in walnuts.

The orchard is irrigated by a deep well and canal water access is located near the middle of the northern boundary of parcel 002-150-050.

The well and canal water is also channeled through this parcel to parcel 002-150-027 through the parcel.

Buried irrigation pipeline runs north to south across the middle of the property to convey both well water and canal water.

These are permanent structures which will be separated by the proposed track alignment.

Unless well water is conveyed across the proposed track alignment, the westside of the field will die due to the lack of dependable irrigation water.

Will the CHSRA create an operational well on the newly created western parcel?

How will well water be moved to the westside of the track if a new well is not created?

How will canal water be moved to the westside of the track?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-118

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BO015-119







Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

**CALIFORNIA**  
 High-Speed Rail Authority

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**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
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The comment card is due on  
 August 28, 2011

Name/Nombre: **Louis, Franklin & Patrick Oliveira & Gloria Denton**

Organization/Organización: **MEL's Farms**

Address/Domicilio: **8835 22nd Avenue**

Phone Number/Número de Teléfono: **559-469-6685**

City, State, Zip Code/Ciudad, Estado, Código Postal: **Lemoore, CA 93245**

E-mail Address/Correo Electrónico: **frank.oliveira@me.com**

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number **002-150-027** or DEIR/S Section: .....

**BO015-132** This property is an 80-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

The orchard is irrigated by a deep well located near the middle of the northern boundary. Well water is also channeled from Cali Farms well on parcel 002-150-050. Canal water is delivered from the northside of the property.

Buried irrigation pipeline runs both east and west across the middle of the property and north and south in some places to convey both well water and canal water.

These are permanent structures which will be separated by the proposed track alignment.

We currently are leasing the property to John Warmerdam. Mr. Warmerdam has modified the irrigation system to facilitate drip irrigation. The proposed track alignment will sever his drip system. Unless well water is conveyed across the proposed track alignment, the eastside of the field will die.

How will he convey adequate water in a cost effective manner to the eastside of the field?

**BO015-133** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

**CALIFORNIA**  
 High-Speed Rail Authority

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The comment card is due on  
 August 28, 2011

Name/Nombre: **Louis, Franklin & Patrick Oliveira & Gloria Denton**

Organization/Organización: **MEL's Farms**

Address/Domicilio: **8835 22nd Avenue**

Phone Number/Número de Teléfono: **559-469-6685**

City, State, Zip Code/Ciudad, Estado, Código Postal: **Lemoore, CA 93245**

E-mail Address/Correo Electrónico: **frank.oliveira@me.com**

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number **002-190-009** or DEIR/S Section: .....

**BO015-134** This property is a 40-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south each roughly 19-Acres in size. The orchard is irrigated by a deep well located near the southwest corner of the property along 8th Avenue. Canal water is delivered from the southeast corner of the property. Buried irrigation pipeline runs the southern edge of the property from east to west to convey both well water and canal. These are permanent structures which will be separated by the proposed track alignment. Unless well water is conveyed across the proposed track alignment, the eastside of the field will die due to the lack of dependable irrigation water.

Will the CHSRA create an operational well on the newly created eastern parcel?

How will well water be moved to the eastside of the track if a new well is not created?

How will canal water be moved to the westside of the track?

**BO015-135** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.



Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



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Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-027 or DEIR/S Section: -----

This property is an 80-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

The property is next to our walnut orchard which also will be against the CHSRA right of way.

What pesticides/herbicides will be applied to the area to control weeds where the CHSRA right of way located?

There has been issues with these pesticides/herbicides being leachers and moving through the soil with water (rain).

If the trees close to the CHSRA right of ways become unhealthy or even die, does CHSRA have a protocol in place for payment of these losses?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-138

BO015-139



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Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

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E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-009 or DEIR/S Section: -----

This property is a 40-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south each roughly 19-Acres in size.

It will take an unknown amount of vehicle miles forever to move farm equipment back and forth between the two newly created fields. It will take an unknown amount of time to move labor back and forth between the two fields. The additional mileage to be driven is impossible to determine because the DEIR/S does not address where the additional access right of ways will be located.

Both of these things will increase our production costs and carbon foot print forever. The CHSRA will cause us a permanent increase in farm equipment wear and tear.

How will we be compensated for these things?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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BO015-140

BO015-141

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

 **CALIFORNIA**  
 High-Speed Rail Authority

Comment Card  
 Tarjeta de Comentarios

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**Fresno to Bakersfield High-Speed Train Section**  
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Extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: **August 15-October 13**

The comment card is available electronically at [www.chsra.com](http://www.chsra.com) or by mail to the address above.

Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

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E-mail Address/Correo Electrónico: frank.oliveira@me.com

(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-027 or DEIR/S Section: \_\_\_\_\_

**BO015-142** This property is an 80-acre organic cherry orchard roughly 5-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south at an angle which will cause a large field with a strange eastern boundary and small field with a strange western boundary.

Due to the split of the property into two smaller parcels in an agricultural zoned area of the county, our property values on the remaining parcels will be diminished because the parcels will be less viable for agricultural use because of their new size and new operational challenges.

How will we be compensated for the permanent loss in our property values?

**BO015-143** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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 **CALIFORNIA**  
 High-Speed Rail Authority

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E-mail Address/Correo Electrónico: frank.oliveira@me.com

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This comment card relates specifically to Kings County Assessor's Parcel Number 002-190-007 or DEIR/S Section: \_\_\_\_\_

**BO015-144** This property is a 40-acre almond orchard roughly 6-years into its 25-year production cycle. The CHSRA is proposing to divide this property into two parcels from north to south leaving the westside with approximately 34-acres and the eastside 5-acres.

We will lose around 1-acre of ground to the CHSRA right of way across the property. Additional trees will be lost to creating vehicle turnarounds against the rail alignment and additional ground and trees might be lost to potential access right of ways. We have a long term lease on the farm ground with John Tos.

This property is currently in an agricultural use contract with the State of California pursuant to the Williamson Act.

Will the newly created properties still be considered as viable agricultural use properties after the split?

If not, how will the increase in our property taxes be mitigated?

**BO015-145** The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

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Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued



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Tarjeta de Comentarios

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---

Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Calif Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-050 or DEIR/S Section: -----

This property is an 20-acre organic cherry orchard roughly 5-years into its 25-year production cycle and a 17-acre walnut orchard roughly 6-years into its 40-year production cycle.

The CHSRA is proposing to divide this property into two parcels from north to south at an angle approximately in the middle of the field.

Issue – Pesticide drift from the walnut orchard to the organic cherry orchard.  
 If trains are passing by several times in a 30-minutes to one hour eriod there is no way the operator can spray pesticides or herbicides on the field when the train is not present. Failure to spray crop protection/production enhancing products will produce less walnuts that will be of an inferior quality in the walnut orchard which will make the entire orchard less profitable.

How do we spray the field and not have chemical drift on the train?

How do we spray the field and not have chemical drift on to the organic cherry orchard or our neighbor's property?

If spraying crop protection/production enhancing products ultimately is impeded or prevented by the CHSRA project at CHSRA or the County Agriculture Commissioner direction, how will be be compensated for our short and long term damages?

The DEIR/S presents very vague general solutions for this situation. In most cases, the DEIR/S and CHSRA personnel explain that these details will be worked out later after this DEIR/S is adopted which seems to defeat the purpose of the DEIR/S. Since this property is easily identified, explain how these problems will be mitigated on this property.

BO015-146

BO015-147



Comment Card  
Tarjeta de Comentarios

---

**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
 Environmental Impact Statement (EIR/EIS)  
**Public Hearings**  
**September 2011**

Please submit your completed comment card at the end of the meeting, or mail to:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

The extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: **August 15-October 13**

**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad** Proyecto de Informe de Impacto Ambiental/Declaración de Impacto Ambiental (EIR/EIS)  
**Audiencias Públicas**  
**Septiembre del 2011**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.

---

Name/Nombre: Louis, Franklin & Patrick Oliveira & Gloria Denton

Organization/Organización: MEL's Farms

Address/Domicilio: 8835 22nd Avenue

Phone Number/Número de Teléfono: 559-469-6685

City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore, CA 93245

E-mail Address/Correo Electrónico: frank.oliveira@me.com  
(Use additional pages if needed/Usar paginas adicionales si es necesario)

This comment card relates specifically to Kings County Assessor's Parcel Number ----- or DEIR/S Section: General Comments

This CHSRA Comment Card is printed in both Spanish and English to assist the majority of our population to participate in the DEIR/S process. When the CHSRA extended the DEIR/S comment period, they covered the Comment Review period deadlines with a sticker that reflected that the comment deadline had changed from September 28, 2011 to October 13, 2011 over the English instructions section to communicate the change. The CHSRA failed however to do the same for our Spanish speaking friends who all now think the comment period ended 15-days before it actually did. The CHSRA discriminated against non-English speaking/Spanish speaking members of the community and prevented their continued participation in the DEIR/S process.

The CHSRA project will be traversing an area of southern Fresno County that is populated by many, many Hmong/American owned small farms. This comment card clearly does not address the Hmong speaking population's language needs to allow them to also participate in the DEIR/S process. Their group appears to be a significant population that is being discriminated against by the CHSRA.

How does the CHSRA's DEIR/S reconcile these environmental/social justice issues?

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

September 22, 2011

Board of Directors  
CALIFORNIA HIGH SPEED RAIL AUTHORITY  
770 L Street, Suite 800  
Sacramento, Calif. 95814-3359

Dear Chairman and Members of the Board

We own an 80 acre parcel of land (assessor's 002-150-027) planted in producing cherry trees.

Trees contribute to clean air and promote a healthy environment. Goals of CEQA and NEPA provide, in part, that government agencies develop, maintain, and enhance a high quality environment and promote efforts that will prevent or eliminate damage to the environment.

This parcel of land does not lie within a designated transportation corridor, but the proposed high speed rail route will cross this parcel of land diagonally and eliminates approximately 1,500 cherry trees.

Have you developed standards and procedures designed to provide environmental protection for the residents of Kings County and our local Kings River residents for the loss of this eco-friendly air and healthy environment that is provided by the trees that will be lost?

Pursuant to the provisions of CEQA and NEPA, I ask you to give us a complete and detailed explanation of how you plan to compensate our community for this loss to our environment.

Yours very truly,

Louie M. Oliveira  
Elsie Oliveira  
2033 Franklin Way  
Hanford, Calif. 93230

BO015-148

September 22, 2011

Board of Directors  
CALIFORNIA HIGH SPEED RAIL AUTHORITY  
770 L Street, Suite 800  
Sacramento, Calif. 95814-3359

Re: Assessor's #002-150-027

Dear Chairman and Members of the Board:

I am concerned that the Draft EIR/EIS has not adequately studied the impact on historical values in our land and the community.

We own an 80 acre parcel of land that is scheduled to be diagonally crossed by high speed rail. This land does not lie within a designated transportation corridor.

This land is of significant historical value to Kings County because it is one of a few parcels that has remained in a single family ownership for over 80 years. This virgin land was purchased by my family in 1928 from the persons who had acquired it from the original land grant owner in early northern Kings County history.

CEQA provides, in part, that government agencies provide residents with historical amenities.

I ask that the EIR affecting this parcel be revisited and a complete and thorough explanation be sent to me explaining why this parcel of land must be sacrificed to meet high speed rails unexplained desire.

Yours very truly,

Elsie Oliveira  
2033 Franklin Way  
Hanford, Calif. 93230

BO015-149

BO015-150

SEP 21 11 12:59 AM  
Elsie Oliveira  
5595844884  
p.1

SEP 21 11 01:48 AM  
Elsie Oliveira  
5595844884  
p.1

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

September 27, 2011

Board of Directors  
CALIFORNIA HIGH SPEED RAIL AUTHORITY  
770 "L" Street, Suite 800  
Sacramento, California 95814-3359

Assessor's parcel (002-150-027)

Dear Chairman and Members of the Board

BO015-151

We own an 80 acre parcel of land that is scheduled to be diagonally crossed by High Speed Rail. This land does not lie within a designated transportation corridor.

Located on this land is a three bedroom house, a well, pipeline and the staging area for a cherry orchard operation. Access to this area is a long driveway from 8th Ave.

The proposed High Speed Rail will cut across the driveway and leave the the area land-locked.

Nearest access would be to the west approximately 7/8ths mile and off 9th Ave. This would involve crossing neighbor's property.

Please advise us how you plan to provide access to these land-locked facilities. We would also like to comment that a house so isolated and between trees can become a breeding ground for criminal activities.

Yours very truly,  
*Louie M. Oliveira*  
*Elsie Oliveira*  
The Oliveira Family Trust  
Louie M. Oliveira, trustee  
Elsie Oliveira, trustee  
2033 Franklin Way  
Hanford, Calif. 93230

SEP 23 11 08:05P ESTE OLIVEIRA 5595844484 p.2

September 26, 2011

Board of Directors  
CALIFORNIA HIGH SPEED RAIL AUTHORITY  
770 "L" Street, Suite 800  
Sacramento, California 95814-3359

Assessor's parcel 002-150-027)

Dear Chairman and Members of the Board

BO015-152

We are owners of Peoples Ditch Stock which receives water from the Kings River north of our land. Water is transported by the Riverside Ditch to the land.

Also on our land and adjacent to 8th Avenue is a ditch right-of-way for the moving of water to lands laying south of us.

These ditches are not now in use, but are necessary appurtenances to the land. They were acquired by deed and water agreement in the past and remain viable water transportation routes in case our wells fail. They also enhance a high quality environment for us by tying us to the Kings Rver and it's scenic pleasing amenities.

High Speed Rail crosses our lands diagonally cutting off these water access rights-of-ways.

Pursuant to the provisions of CEQA and NEPA, we ask you to give us a complete and detailed explanation of how you plan to keep these right-of-ways open and available to us and preserve our right to enjoy the unique river environment.

Yours very truly,  
*Louie M. Oliveira*  
*Elsie Oliveira*  
The Oliveira Family Trust  
Louie M. Oliveira, trustee  
Elsie Oliveira, trustee  
2033 Franklin Way  
Hanford, Calif. 93230

SEP 23 11 08:04P ESTE OLIVEIRA 5595844484 p.1

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

RECEIVED  
10-17-11 P02:37 RCVD

September 30, 2011

Board of Directors  
CALIFORNIA HIGH SPEED RAIL AUTHORITY  
770 "L" Street, Suite 800  
Sacramento, California 95814-3359

Assessor's Parcel 002-150-027

Dear Chairman and Members of the Board

BO015-153

We are concerned that the Draft EIR/EIS has not adequately studied the impact on wild game birds on our land and the community.

We own an 80 acre parcel of land that is scheduled to be diagonally crossed by high speed rail. This land does not lie within a designated transportation corridor.

Our area is an outstanding habitat for pheasants, doves, and quail. In season, it serves as a hunting ground for local and sportsmen throughout California.

Frequent trains "swooshing" across the land will frighten the birds and discourage them from nesting. In a very short time this area will not be hospitable to game birds. The area will be sterile to that purpose.

- CEQA & NEPA provide, in part, that government agencies:
1. prevent the elimination of fish and wildlife species and communities for present and future generations
  2. provide long-term environmental protection
  3. create and maintain harmony between people and nature
  4. develop standards and procedures designed to provide environmental protection
  5. promote efforts that will prevent or eliminate damage to the environment
  6. enrich the understanding of ecological systems and natural resource

I ask that the EIR/EIS affecting this parcel, our community and Kings County be revisited and a complete and thorough explanation be sent to us explaining how you plan to implement the goals described above.

Yours very truly,

The Oliveira Family Trust  
Louie M. Oliveira, trustee  
Elsie Oliveira, trustee  
2033 Franklin Way  
Hanford, Calif. 93230

BO015-154

The potential benefits of the High Speed Rail (HSR) do not outweigh the tremendous costs of this budgetary train wreck.

As a fourth generation farmer, I have lived on the eastside of Kings County all of my life. Farming is a difficult profession; with the ever changing markets, weather and pest pressure, we are subject to factors that are out of our control. In this case though we do have control of the outcome; we can cancel the HSR project or we can move it somewhere it actually is wanted. I support canceling this financial boondoggle! We simply cannot afford this right now.

As a farmer, I am also a Qualified Applicator, certified by the California Department of Pesticide Regulation. A Qualified Applicator (QA) applies crop protection chemicals to crops to prevent weeds, insect damage and diseases. One extremely important factor in applying these expensive and potentially harmful chemicals is offsite movement. When used correctly and under the right conditions; the crop protection chemicals we use today are among the safest substances known to mankind. However these same substances due to there extremely high concentrations (for an example: 1oz will treat the area of a football field ) can be tremendously dangerous to surrounding crops and residences when a HSR train is to create a vortex of wind as it speeds by, trapping the material and moving it off target. The HSR is simply not worth the risk.

I could list dozens of other risks that this project entails, but I know you have many more letters to read from concerned Kings County residents. Just know that this project would do irreparable harm environmentally and economically to our county.

Sincerely,

*Marty J. Dutra*  
Marty J. Dutra

SEP 23 11 08:05P  
EISIE OLIVEIRA  
5585844884  
p. 3

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

October 12, 2011

RECEIVED  
10-17-11PC2:38 RCVD

Thomas J. Umberg, Chairman  
California High Speed Rail Authority  
P.O. Box 41218  
Sacramento, CA 95841

Dear Chairman Umberg,

First of all, thank you very much for the press release issued on October 5, 2011. We truly appreciate the additional time given to review the massive DEIR/DEIS document since we are still in the midst of reviewing it in its entirety.

However, I am still contacting you today re: two (2) parcels of land owned by the Andranigian Family which are currently in the proposed California high-speed rail route and will be adversely impacted via air, land and water. The HSR route is a triple-threat to both our property and our health.

Our properties are along the scenic and majestic Cole Slough of the Kings River. Lush oak trees and foliage dot the area which is inhabited by various forms of wildlife.

Parcels impacted by project footprint appear on Sheet 37 Appendix 3.1-A and Sheet 38 Appendix 3.1-A. Our concerns are about both the temporary and permanent impacts to these parcels.

The permanent impacts were first discovered in May, while the temporary impacts were just discovered last month while reviewing the DEIR/DEIS. Both of these impacts create a myriad of more questions; notwithstanding, why we were never told about the latter (temporary impacts), since they are just as detrimental if not more so than the permanent ones.

Page 2

BO015-155

The temporary construction sites proposed will disrupt the entire farming operation on both parcels impacted by the project footprint. They will also serve to destroy prime farmland due to hazardous waste issues which will also adversely impact the land and the water on the property.

BO015-156

Air quality will also be eroded and thus harm three generations in our family who have sinus and allergy issues. We also have family members who are ultra sensitive to sound. These are extremely serious environmental issues and major health issues. How are you able to bypass such concerns and what are you doing to make sure this doesn't happen? **I await your response to this critical question.**

BO015-157

The impacted parcel which is the "Home Place" is only ¼ mile from the "temporary construction site." How long is "temporary?" Is "temporary" 5 (five) years or is "temporary" forever if the federal funds run out? **I await your response to this critical question.**

The "permanent" section on the "Home Place" will be about a ½ mile from the family home. What happens if there is a derailment at the projected "high-speed" of these trains? How will you account for any potential harming of and/or loss of life? **I await your response to this critical question.**

This completes my comments for the draft document concerning the Fresno to Bakersfield route that was removed on October 5, 2011 for some unknown reason.

Sincerely,

Shelli Andranigian  
on behalf of the Andranigian Family and Andranigian Farming  
19500 S. Highland  
Laton, CA 93242

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

Page 3

Mailing address:

Shelli Andranigian  
Andranigian Family / Andranigian Farming  
P.O. Box 752  
Laton, CA 93242

Enclosure  
cc: Michael L. Farley, Esq.

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RECEIVED  
10-17-11 10:36 RCVD

To: High Speed Rail Authority,

October 12, 2011

BO015-158

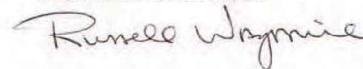
I formally submit comments and objections to the lack of detailed EIR information required to comply with current Environmental Laws. The released EIR documents and comments are massive and impossible to read in the comment period allowed. The EIR comment period needs to be extended to a total of 180 days minimum.

The current documents released to date lack the specific details required so local Agencies, local politicians, Planning Departments and residents can make fully informed decisions.

I have enclosed and attached one of the areas of concern we have and object to lack of required EIR details pertaining to the directly impacted protected 1/2 wide zones described by HSR as 1/4 mile on each side of the HSR Route. This 1/2 mile buffer zone declaration and potential restrictions can and will have tremendous impacts on Land Owners. We need to know the details of any potential restrictions and the EIR process requires this type of information to be part of a projects EIR report. High Speed Rail has failed to provide an accurate and timely EIR report.

Russell Waymire

Waymire Farms, Hanford, Ca.



Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

Note this Page From High Speed Rail Authority - with the rest of the document in the following pages

<http://www.calhighspeedrail.ca.gov/faq/route.htm>

The Authority's objective has been to maximize the use of existing transportation corridors and rights-of-way for the high-speed train system. Consistent with this objective, extensive portions of the alignment alternatives were described and analyzed as if they were placed within or adjacent to existing rail or highway rights-of-way, rather than on new alignment. Evaluations for the Statewide High-Speed Train system Program EIR/EIS and for the Bay Area to Central Valley High-Speed Train Final Program EIR/EIS have consistently shown a potential for fewer significant environmental impacts along existing transportation facilities than on new alignments through both developed and undeveloped areas.

Figures from the Final Program EIR/EIS documents depict typical cross sections for high-speed train facilities at grade, on an elevated structure, and where twin tunnels might be necessary. These figures show maximum proposed rights-of-way of 100 feet, 50 feet, or 120 feet for these facilities, respectively. At the programmatic level, this EIR has analyzed the impacts of constructing and operating the high-speed train system along the proposed alignment alternatives conservatively, by evaluating direct and indirect impacts within a wide band that exceeds the maximum proposed high-speed train right-of-way, whether in an existing transportation right-of-way or adjacent to it.

For example, for biological impacts, the EIR defines the study area for direct biological impacts as 50 feet on either side of the alignment, and for indirect impacts as 1,000 feet in urban areas and 0.25 mile in rural areas on each side of the alignment. At the project level, when detailed field conditions, resource data, and site-specific facility design information become available, certain impacts disclosed in the Program EIR are expected to be far less in those circumstances when the actual final footprint of high-speed train track can be located within existing rights-of-way, rather than adjacent to them.

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Direct impacts 1/4 mile on each side of the tracks = 1/2 mile wide or more w/ direct impact & with what restrictions?

1/2 mile wide equals over 300 acres area impacted per one mile of track -

Kings County Approx 24 miles x 300 = 7,200 Acres  
Tulare County Approx 20 miles x 300 = 6,000 Acres  
Kern County Approx 50 miles x 300 = 15,000 Acres  
Fresno County Approx 24 miles x 300 = 7,200 Acres  
Madera County Approx 16 miles x 300 = 4,800 Acres  
Merced County Approx 36 miles x 300 = 10,800 Acres  
Stanislaus County Approx 26 mi x 300 = 7,800 Acres

#1. Directly Impacted South 7 County Acres impacted 58,800 Acres  
#2. Closed Road impacts - Pg 4 of 6

7 of 7

11/28/2009 1:19 PM

California High-Speed Rail Authority

<http://www.calhighspeedrail.ca.gov/about/>

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### The California High-Speed Rail Authority

Established in 1996, the California High-Speed Rail Authority (Authority) is the state entity responsible for planning, constructing and operating a high-speed train system serving California's major metropolitan areas. The Authority has a nine-member policy board (five appointed by the governor, two appointed by the Senate Rules Committee, and two by the speaker of the Assembly) and a small core staff. All environmental, planning and engineering work is performed by private firms under contract with the Authority.

With the certification of the Statewide Final Program-Level Environmental Impact Report (EIR)/Environmental Impact Statement (EIS), the Authority has begun implementation of the 800-mile high-speed train system serving Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County and San Diego. High-speed trains will be capable of maximum speeds of 220 miles per hour with an expected trip time from San Francisco to Los Angeles in 2 hours and 40 minutes. The system is forecast to potentially carry over 100 million passengers per year by 2030.

Voter approval of Proposition 1A on the November 4, 2008 ballot provided \$9 billion in bond funding for the 800-mile statewide network and \$950 million to finance capital improvements to commuter and intercity rail as well as local transit lines that will connect existing infrastructure to the high-speed train system.

Pg 1 of 6

11/30/2009 7:50 AM

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

<http://www.calhighspeedrail.ca.gov/faqs/route.htm>

Angeles?

As part of the Statewide Program EIR/EIS document (certified November 2005), the Authority selected the alignment through the SR-58/Soledad Canyon Corridor (Antelope Valley) with an high-speed train station at Palmdale as the preferred option for crossing the Tehachapi Mountains between the Central Valley and Southern California. Although the longer Antelope Valley alignment would add about 10 minutes to express service travel times between northern and southern California and have less intercity ridership potential (trips between regions) than the I-5 alignment option, it would have fewer potential environmental impacts, it would be less subject to seismic activity and have considerably less tunneling and thereby have fewer constructability issues, and would increase connectivity and accessibility.

The most significant difference in regards to potential environmental impacts between the Antelope Valley option and I-5 alignments is in regards to major parklands. The Antelope Valley alignment would not go through major parks. In contrast, the I-5 options would potentially impact Fort Tejon Historic Park, Angeles and Los Padres National Forests, Hungry Valley State Vehicular Recreation Area, Pyramid Lake and other local parks. The Antelope Valley alignment would also have a lower overall potential for water-related impacts, less potential impacts to wetlands and non-wetland waters, and was forecast to have less impacts on urbanized land and farmland conversion than the I-5 options (because the I-5 options would result in more growth in the Central Valley).

The Antelope Valley alignment traverses less challenging terrain than the I-5 options, which would result considerably less tunneling overall (13 miles 21 km of tunneling for the Antelope Valley option versus 23.37 km miles for I-5 options), and considerably shorter tunnels (maximum length of 3.4 miles 5.5 km for the Antelope Valley option versus two tunnels greater than 5 miles 8 km for the I-5 options) which would result in fewer constructability issues. Although the Antelope Valley option is about 35 miles longer than the I-5 alignment options, it is estimated to be slightly less expensive to construct as a result of less tunneling through the Tehachapi Mountains. In addition, due to its more gentle gradient, geology, topology and other features, the SR-58/Soledad Canyon Corridor offers greater opportunities for using potential high-speed train alignment variations, particularly through the mountainous areas of the corridor, to avoid impacts to environmental resources. In contrast, the more challenging terrain of the I-5 Corridor greatly limits the ability to avoid sensitive resources and seismic constraints. The alignment optimization system (Quantm) that was utilized to identify and evaluate approximately 12 million alignment options for each mountain crossing could only find one practicable alignment option through the Tehachapi Mountains for the I-5 Corridor.

Additional seismic hazards relating to the I-5 alignment that further differentiate these options from the Antelope Valley alignment. Since the I-5 alignment options follow the San Gabriel fault for over 20 miles and cross through the area where the San Andreas and Garlock faults meet, they would have greater seismic hazard and constructability issues than the Antelope Valley option. The Authority concluded that there are additional seismic hazards and risks for the I-5 alignment options from paralleling the San Gabriel fault, and also from traversing the "triangle" where the San Andreas and Garlock faults meet.

The Antelope Valley option would provide direct service to the Palmdale/Lancaster area, which increases the connectivity and accessibility of the high-speed train network. The Antelope Valley is the fastest growing area in Los Angeles County and currently regional population forecasts estimate the Antelope Valley population could exceed 1 million by the year 2020. The high-speed train system would also provide connectivity to Palmdale Airport and Metrolink commuter rail service.

Pg 2 of 6

11/28/2009 1:19 PM

5 of 7

<http://www.calhighspeedrail.ca.gov/faqs/route.htm>

Public and agency support for the Antelope Valley option is strong in Los Angeles County because of the increased connectivity and accessibility it would provide for the Antelope Valley. Agencies which have indicated support for the Antelope Valley alignment include: the City of Los Angeles, the County of Los Angeles, Los Angeles County Metropolitan Transportation Authority (LAMTA), Los Angeles Department of Transportation, Southern California Association of Governments (SCAG), the City of Palmdale, City of Lancaster, County of Kern, Kern Council of Governments, and the City of Bakersfield.

Why not use Interstate 5 (I-5) throughout the Central Valley?

Review of the I-5 and State Route 99 (SR-99) corridors showed that, although the SR-99 corridor options would be slightly more costly than the I-5 corridor options, the SR-99 corridor would have higher ridership potential, providing far better service to the growing Central Valley population, while offering fast, competitive service between the San Francisco Bay Area and Los Angeles metropolitan regions.

The I-5 corridor has very little existing or projected population between the San Francisco Bay Area and Los Angeles. In contrast, according to the California Department of Finance, well over 3 million residents are projected to live between Fresno and Bakersfield along the SR-99 corridor by 2015, which directly serves all the major Central Valley cities. Residents along the SR-99 corridor lack a competitive transportation alternative to the automobile, and detailed ridership analysis shows that they would be ideal candidates to use a high-speed train system. The I-5 corridor would not be compatible with current land use planning in the Central Valley that accommodates growth in the communities along the SR-99 corridor.

Express trains in the SR-99 corridor would connect San Francisco to Fresno in just 1 hr and 20 min, and Fresno to Los Angeles in 1 hr and 24 min. This corridor would link San Francisco to Bakersfield in about 1 hr and 50 min, and Bakersfield to Los Angeles in 54 min. The SR-99 corridor was estimated to have 3.3 million more intermediate-market ridership (passengers to or from the Central Valley) per year than the highest I-5 corridor projections (CRA 1999). Therefore, while SR-99 corridor travel times would be 11 to 16 min longer than the I-5 alternatives between Los Angeles and San Francisco, overall ridership and revenue for the SR-99 corridor would be higher.

There is strong public support for the SR-99 corridor. In particular, there is overwhelming support for the SR-99 corridor in the Central Valley. The 1996, when the Intercity High-Speed Rail Commission was comparing the I-5, and SR-99 corridors, it received resolutions of support for the SR-99 corridor from nearly every Central Valley city, county, and regional government.

In summary, while the I-5 corridor could provide better end-to-end travel times compared to the SR-99 corridor, the I-5 corridor would result in lower ridership and would not meet the current and future intercity travel demand of Central Valley communities as well as the SR-99 corridor. The I-5 corridor would not provide transit and airport connections in this area, and thus failed to meet the purpose and need and basic objectives of maximizing intermodal transportation opportunities and improving the intercity travel experience in the Central Valley area of California as well as the SR-99 corridor. For these reasons the I-5 corridor was dismissed from further consideration in the Statewide Program EIR/EIS.

Is freight right-of-way required for the system?

No. While the Authority has attempted to minimize environmental impacts by locating alignment alternatives within or adjacent to existing transportation rights-of-way, the Authority's legal environmental EIR/EIS documents do not assume or rely on the availability of existing transportation rights-of-way for their analysis.

To minimize potential environmental impacts from the high-speed train system,

Pg 3 of 6

11/28/2009 1:19 PM

5 of 7

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

<http://www.calhighspeedrail.ca.gov/faqs/route.htm>

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Figures from the Final Program EIR/EIS documents depict typical cross sections for high-speed train facilities at grade, on an elevated structure, and where twin tunnels might be necessary. These figures show maximum proposed rights-of-way of 100 feet, 50 feet, or 120 feet for these facilities, respectively. At the programmatic level, this EIR has analyzed the impacts of constructing and operating the high-speed train system along the proposed alignment alternatives conservatively, by evaluating direct and indirect impacts within a wide band that exceeds the maximum proposed high-speed train right-of-way, whether in an existing transportation right-of-way or adjacent to it.

For example, for biological impacts, the EIR defines the study area for direct biological impacts as 50 feet on either side of the alignment, and for indirect impacts as 1,000 feet in urban areas and 0.25 mile in rural areas on each side of the alignment. At the project level, when detailed field conditions, resource data, and site-specific facility design information become available, certain impacts disclosed in the Program EIR are expected to be far less in those circumstances when the actual final footprint of high-speed train track can be located within existing rights-of-way, rather than adjacent to them.

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Direct impacts 1/4 mile on each side of the tracks = 1/2 mile wide or more w/ direct impact & with what RESTRICTIONS?

1/2 mile wide equals over 300 acres area impacted per one mile of track-

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 Tulare County Approx 20 miles x 300 = 6,000 acres  
 Kern County Approx 50 miles x 300 = 15,000 acres  
 Fresno County Approx 24 miles x 300 = 7,200 acres  
 Madera County Approx 16 miles x 300 = 4,800 acres  
 Merced County Approx 36 miles x 300 = 10,800 acres  
 Stanislaus County Approx 26 miles x 300 = 7,800 acres

#1. Directly Impacted South 7 County Acres impacted → 58,800 acres  
 #2. Closed Road impacts?

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<http://www.calhighspeedrail.ca.gov/faqs/environment.htm>

Central Text Accessibility

**CALIFORNIA High-Speed Rail Authority**

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- California's Economic Stimulus
- What Is Proposition 1A?
- Why High-Speed Trains?
- Protecting Our Environment
- Relieving Traffic & Improving Mobility
- Safety
- Technology
- Ridership
- Other High-Speed Train Systems
- Planning & Peer Review
- Financing/Costs
- Train Route Decisions

**Questions & Answers**

**Protecting Our Environment**

How will high-speed trains benefit our environment?

The development of the high-speed train system is one of many strategies that we can employ to reduce global warming and bring under control our resource consumption to preserve the earth for future generations. Recent environmental analyses and studies\* comparing California's proposed high-speed train system against building more highways and airports to meet projected travel demands found that the system would have the following benefits by 2030:

- High-speed trains will have less impact on the environment than expanding airports and highways, less potential impact on wetlands and water resources, biology and farmlands; and less noise impact.
- High-speed trains need only one-third of the energy than that of an airplane and one-fifth of an automobile trip.
- The system is projected to save 12.7 million barrels of oil per year by 2030, even with future improvements in auto fuel efficiency.
- Electrically powered high-speed trains reduce pollutant and greenhouse gas emissions and reliance on fossil fuels. The total predicted emissions savings of the California high-speed train system is up to 12 billion pounds of CO2 per year by 2030 and would grow with higher ridership. The system will avoid and/or minimize the potential impacts to cultural, park, recreational and wildlife refuges to the greatest extent possible.
- The system will decrease air pollutants statewide and in all air basins analyzed by reducing pollution generated by automobile internal combustion engines.
- The system will maximize the use of existing transportation corridors and railroad rights-of-way in order to minimize the impacts on California's treasured landscape.

\* Final Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) certified July 2008 and Final Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Proposed California High-Speed Train System (Certified November 2009).

Will high-speed trains promote clean air or reduce the emissions that cause

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Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

<http://www.calhighspeedrail.ca.gov/faqs/environment.htm>

global warming?

Global warming and unsustainable rates of natural resource usage pose serious threats to California, the nation and the world community. They threaten our economic well-being, the public's health and the environment in which we live. The potential adverse impacts of global warming, including worsening air quality, reductions in water supply and quality, disruptions to ecosystems and damage to the natural environment, pose significant threats to California's major industries, activities and quality of life. The development of the high-speed train system is one of many strategies that we can employ to reduce global warming and bring under control our resource consumption to preserve the Earth for future generations.

The California high-speed train system will remove 12 billion pounds of CO2 in the year 2030, by attracting riders from more polluting air and auto modes, and by using electric power generated from wind, solar, and other renewable sources. Additionally the system will produce a savings of 12.7 million barrels of oil in 2030.

Furthermore, a study undertaken for the High-Speed Rail Authority entitled "The Use of Renewable Energy Sources to Provide Power to California's High Speed Rail" presents the data and reasons supporting the technical and commercial feasibility for the system to use 100% renewable energy with no CO2 emissions whatsoever.

At its September 2008 meeting, the Authority Board approved the following: "The California High-Speed Rail Authority's policy goal is to power the train by clean renewable energy, making it the first true zero-emission train in the world."

How will high-speed trains promote more sustainable development in California?

In contrast to highway improvements that encourage sprawl, high-speed trains are consistent with the State's adopted smart growth principles and are highly compatible with local and regional plans that support rail systems and transit-oriented development. All high-speed train stations will be multi-modal transportation hubs that will stimulate denser infill development and will be linked directly to local and regional transit systems, airports, and highways.

High-speed trains will act as a catalyst for wider adoption of smart growth principles in communities near high-speed train stations. To meet the Authority's adopted objectives; the locations that were selected would provide linkage with local and regional transit, airports, and highways. In particular, convenient links to other rail services (heavy rail, commuter rail, light rail, and conventional intercity) would increase ridership and pedestrian activity at these hub stations. Most of the 26 potential stations identified are located in the heart of the downtown/central city area of California's major cities. By eliminating potential greenfield sites, the proposed system meets the objectives of minimizing potential impacts on the environment and maximizing connectivity with other modes of transportation. These locations also would have the most potential to support infill development and transit oriented development.

For more information please see Chapter 6 of the Bay Area to Central Valley high-speed train Program EIR/EIS, available in the Library section of this website.

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PLEASE NOTE: The following is a complete transcript of the comments I made on Wednesday, September 21 to the panel at the CHSRA Public Hearing in Hanford, California. I was told by a CHSRA representative to slow down for their appointed court reporter. PLEASE ALSO NOTE: This speech was written and given before the October 5, 2011 press release was issued.

Good evening and welcome to Hanford. My name is Shelli Andranigian and I represent the Andranigian Family. We have lived in Laton, California for 50+ years and have also owned and farmed a 135-acre parcel of land since 1945. This "Home Place" is along the Cole Slough of the Kings River and also part of the proposed high-speed rail route.

My folks have been humanitarians. They helped Kings River Conservation District (KRCD) save the town of Laton in 1969 when our family furnished dirt to build levees to keep this "train town" from flooding. It took KRCD eight (8) years for them to bring someone to level the ground where the dirt had been excavated so our family could again farm this 30 acres of prime farm land.

My dad also farmed and saved the land of his neighbors, the Inouye Family in Kingsburg, California while they were interned during World War II.

We have two (2) properties in the proposed high-speed rail pathway – the aforementioned 135-acre "Home Place" and a 240-acre farm across and adjacent to HWY 43 by the Cole Slough of the Kings River.

Our land, like many others who farm and dairy in the Central Valley are rich and fertile ones, providing for those all over the world. This is also the busiest time of year as it is harvest season.

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AM

Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

Page 2

California farms and dairies have the best to offer the world over. I have traveled abroad on both light rail and speed trains, so I should know!

I do have a laundry list of questions as I try to make sense out of 30,000 pages of documents in a short time frame in order to study and comment not just here in a brief three (3)-minute allotment, but more extensively by October 13<sup>th</sup>.

While I appreciate the 15 extra days to do so (comment, review and question) from 45 to 60 days -- 180 days is more necessary, realistic and fair. It is especially important for those of us in the proposed high-speed rail route to have ample time to look over and fully prepare for something that is not only impacting Californians TODAY, TOMORROW, NEXT WEEK, NEXT MONTH, NEXT YEAR AND THE YEARS FOLLOWING. BUT FOR ALL FUTURE GENERATIONS TO COME THE WORLD OVER!

BO015-160

I have two (2) requests. The first is to please fully consider extending our comment and review period to 180 days. The second is to properly address correspondence sent to us.

My name is not just "Owner/Occupant." It is legally "Shelli Andranigian."  
Thank you!



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## Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011)

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### **BO015-1**

Refer to Standard Response FB-Response-GENERAL-12.

### **BO015-2**

As described in Chapter 2 of the Revised DEIR/Supplemental DEIS, there are two potential alternative station locations in the vicinity of Hanford. The Kings/Tulare Regional Station–East Alternative would be located east of SR 43 and north of the San Joaquin Valley Railroad on the BNSF Alternative. The Kings/Tulare Regional Station–West Alternative would be located east of 13th Avenue and north of the San Joaquin Valley Railroad on the Hanford West Bypass 1 Alternative and Hanford West Bypass 2 Alternative. For more detail on the Fresno to Bakersfield Section station alternatives, please refer to the discussion and figures included in Chapter 2, Section 2.4.4, Station Alternatives.

### **BO015-3**

Refer to Standard Response FB-Response-GENERAL-23.

### **BO015-4**

Refer to Standard Response FB-Response-GENERAL-12.

### **BO015-5**

Although there may be localized increases in vehicle miles traveled (VMT) and air emissions, HST operations would help improve long-term air quality in the San Joaquin Valley Air Basin by reducing VMT, a major source of air pollution. As described in Section 3.3.6.3 of the EIR/EIS, the reductions in VMT, and the consequential reduction in air pollution, would cover both inter-regional (from county to county) and intra-regional (within the county) travel.

### **BO015-6**

Refer to Standard Response FB-Response-LU-01, FB-Response-AG-02 and FB-Response-AG-03.

Land uses surrounding the HST are under the jurisdiction of counties and cities along the HST section. Fresno, Tulare, Kings, and Kern Counties all have right-to-farm

### **BO015-6**

ordinances in their Code of Ordinances. These ordinances afford agricultural land use protection by enforcing a right to farm in lawful customary agricultural operations.

Changes in land use and the potential for growth due to the HST are discussed in Section 3.13.5.3.

### **BO015-7**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

### **BO015-8**

Refer to Standard Response FB-Response-AG-02, FB-Response-SO-01, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-8**

agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder due to the construction in the manner proposed.

**BO015-9**

Refer to Standard Response FB-Response-AG-02 and FB-Response-AG-03, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

**BO015-10**

Refer to Standard Response FB-Response-AG-02, FB-Response-SO-01, FB-Response-AG-03, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before and after method described above.

**BO015-11**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-12**

Refer to Standard Response FB-Response-AG-02, FB-Response-SO-01, FB-Response-AG-04.

Impacts to irrigation systems, the resulting curative work, and/or potential ramifications

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-12**

will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-13**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

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The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and this could ultimately be a legal matter between the property owner and lessee.

**BO015-14**

Refer to Standard Response FB-Response-AG-02, FB-Response-SO-01, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This process involves appraising the

**BO015-14**

remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

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**BO015-15**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-15**

remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

**BO015-16**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

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**BO015-17**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the

**BO015-17**

remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

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**BO015-18**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-18**

as for removal and grading costs.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

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**BO015-19**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

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**BO015-20**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-21**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and a "certificate of compliance" may be issued at the landowner's request establishing the legality of the parcels for purposes of the Subdivision Map Act. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before-and-after method described above.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-22**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before and after method described above.

**BO015-23**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-24**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-

**BO015-24**

separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-25**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-26**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-27**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-27**

the right-of-way contract.

**BO015-28**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-29**

Refer to Standard Response FB-Response-GENERAL-12.

(1) Neither Chapter 2, Alternatives, nor Section 3.2, Transportation, of the Draft EIR/EIS discusses eliminating Amtrak service between Fresno and Bakersfield. Similarly, the ridership forecasts do not assume that Amtrak service is discontinued. The following language was added on page 3.2-71 of Section 3.2, Transportation, of the Revised DEIR/Supplemental DEIS to clarify the impacts of HST service on continued Amtrak service:

With the introduction of HST service, it is expected that Amtrak San Joaquin rail service would likely adjust to function more in the role of a feeder service to the HST System in the Fresno to Bakersfield area, providing passengers with the opportunity to connect to cities not served by HST. Initially, as HST service becomes available, it would be expected that many San Joaquin riders would shift to HST service (for example, for Fresno to Bay Area trips). However as HST ridership increases, it is likely that Amtrak San Joaquin rail service would improve as the San Joaquin line would connect and/or provide direct service to existing markets between HST stations and/or markets not served by HST. Also, during Phase 1 of HST operations, before the extension to Sacramento (Phase 2), the San Joaquin route would provide important connecting service to municipalities north of Merced.

In addition, the Corcoran Amtrak Station is anticipated to require relocation as part of the

**BO015-29**

HST project and the Wasco Amtrak passenger platform may be affected. As mitigation, relocation of the Corcoran Amtrak Station would be completed prior to demolition of the existing structure. Relocation of the Wasco passenger platform would also be completed prior to demolition if necessary to ensure that no disruption to Amtrak service would occur (see Mitigation Measure SO-4 discussed in Section 3.12, Socioeconomics). Therefore, the impacts to commercial rail passenger services and existing facilities are expected to result in effects of negligible intensity under NEPA and less than significant impacts under CEQA.

(2) The Kings-Tulare Regional Station is indeed in addition to the stations proposed in the latest Program EIR/EIS (Authority and FRA 2005). This addition of a station does not mean that the Authority will exceed the 24-station limit in Proposition 1A, because the Authority has not finalized the selection of all stations. This possibility is realistic, because in project-level alternatives analyses for other sections of the line, the removal of several smaller stations has been requested by regional and local agencies, and the financial plan in the Revised 2012 Business Plan (Authority 2012a) is based on a maximum of 13 stations in the Phase 1 Blended scenario.

**BO015-30**

The Authority does not propose to close Amtrak stations in the San Joaquin Valley. Caltrans, which operates Amtrak service in the San Joaquin Valley has no plans to close Amtrak stations. The ridership forecasts used for the analysis of the project did not assume that Amtrak service would be discontinued.

Although there may be localized increases in VMT and air emissions, HST operations would help improve long-term air quality in the San Joaquin Valley Air Basin by reducing VMT, a major source of air pollution. As described in EIR/EIS Section 3.3.6.3, the reductions in VMT and the consequential reduction in air pollution cover both inter-regional (from county to county) and intra-regional (within the county) travel.

**BO015-31**

Refer to Standard Response FB-Response-AQ-01.

The Authority and FRA recognize that there is a legitimate concern regarding the health

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-31**

effects of agricultural pesticides. However, the existing regulatory framework significantly reduces the potential that agricultural properties are contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially-sold organic and non-organic herbicides prior to approval for sale. Additionally, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use; and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of our analysis, we have assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8 of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less than significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed, however due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-32**

Refer to Standard Response FB-Response-AQ-01.

The Authority and FRA recognize that there is a legitimate concern regarding the health effects of agricultural pesticides. However, the existing regulatory framework significantly reduces the potential that agricultural properties are contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides before approval for sale. Also, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use; and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down.

**BO015-32**

For the purpose of our analysis, we have assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8, Project Design Features, of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less than significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed, but due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-33**

A sticker denoting the extension of the public comment period was provided in Spanish and English and was affixed to comment cards and the EIR/EIS outreach brochure, which was also available in Spanish and English. These materials were available to the public at all public meetings, at the project office in Kings County, in all public repositories, and on the Internet. Materials were not translated into Hmong, but translation services were made available and noticed on all public outreach/notification materials, and a multi-lingual, toll-free hotline is available for community members to obtain information and submit requests or comments.

**BO015-34**

Refer to Standard Response FB-Response-AQ-03 and FB-Response-AG-02.

The potential increases in operations costs and loss of desirability as a result of increased farm equipment and labor travel time will be analyzed and addressed at the appraisal stage, with input from the property owners and managers and experts in the field.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-35**

Refer to Standard Response FB-Response-AG-02.

These potential increases in the costs of operations and loss of desirability will be analyzed and addressed at the appraisal stage with input from the property owners and managers and experts in the field.

**BO015-36**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-07.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

**BO015-37**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems,

**BO015-37**

replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-38**

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans *Maintenance Manual Volume 1* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods as outlined below:

- Chemical vegetation control noting planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snail, rodent, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program. See Caltrans *Maintenance Manual Volume 1*, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf) (Caltrans 2010). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if such weed control is established by local agencies. Farmers/landowners who request weed control on State right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit

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## Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-38**

request application for weed control, identifying the weeds and control method desired.

**BO015-39**

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans Maintenance Manual (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control, with notes on planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snails, rodents, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program (see Caltrans Maintenance Manual, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in area-wide control of noxious/invasive weeds if established by local agencies. Farmers/landowners who request weed control on State of California right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control that identifies the weeds and control method desired.

**BO015-40**

Refer to Standard Response FB-Response-AG-02, FB-Response-AQ-03.

The Authority will consider access issues on a case-by-case basis. If it is cost-effective and does not threaten the integrity of the HST, the Authority may provide access under

**BO015-40**

the train route. If it is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-41**

Refer to Standard Response FB-Response-AG-02.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

**BO015-42**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-07.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

The analysis looked at each Williamson Act and FSZ contracted parcel to see if the HST footprint removed enough acreage for the parcel to be below the minimum acreage size. If the acreage was below the minimum size then it was listed as possibly removed from

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-42**

the program. Final determinations of whether or not an individual parcel can remain in the Williamson Act or FSZ Contract is up to the discretion of the county, however all parcels that could be removed were included to present a worst case scenario. Any impacts to an individual's property taxes as a result of the HST would be subject to possible compensation from the Authority as a result of the loss of the Williamson Act Contract benefits.

**BO015-43**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-44**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

Land owners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost effectiveness to reconfigure and restore the

**BO015-44**

remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

The appraiser will appraise the subject parcels as fee simple attributing a single value to just compensation. If possible, the appraiser will note tenant owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease and this could ultimately be a legal matter between the property owner and lessee.

**BO015-45**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-45**

agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-46**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

**BO015-46**

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease and this could ultimately be a legal matter between the property owner and lessee.

**BO015-47**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-47**

determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-48**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-49**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-50**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e.,

**BO015-50**

as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

**BO015-51**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-51**

as removal and grading costs.

**BO015-52**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in the value of the remainder due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

**BO015-53**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems,

**BO015-53**

replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-54**

Refer to Standard Response FB-Response-AG-02 and , FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

**BO015-55**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-55**

parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-56**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

Land owners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost effectiveness to reconfigure and restore the remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

**BO015-56**

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

The appraiser will appraise the subject parcels as fee simple attributing a single value to just compensation. If possible, the appraiser will note tenant owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease and this could ultimately be a legal matter between the property owner and lessee.

**BO015-57**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems,

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-57**

replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-58**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-59**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will

**BO015-59**

be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-60**

Material and manpower will be moved along the right-of-way, and the right-of-way will be accessed from public roads and leased temporary easements. If Authority agents are not within land leased or owned by the Authority, public land, or land that they have received permission from the landowner to access, they would be trespassing. The Authority will not allow that to occur.

**BO015-61**

Material and manpower will be moved along the right-of-way, and the right-of-way will be accessed from public roads and leased temporary easements. If Authority agents are not on land leased or owned by the Authority, public land, or land that they have received permission from the landowner to access, they would be trespassing.

**BO015-62**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-63**

Refer to Standard Response FB-Response-SO-04, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-63**

be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-64**

High speed trains will cause vibrations along the track which will attenuate with distance from the track centerline. The attenuation is both due to distance from the vibration source (vertical and horizontal), and cyclic hysteresis in the soils. Based on FRA guidelines (FRA 2012), the vibration associated with the passage of a high speed train can be measured either by an instantaneous velocity (soil peak particle velocity, PPV, in inches per second), or as a moving average expressed as a velocity decibel, VdB, (in micro inches per second) of the sinusoidal ground response.

The impact of such vibrations to buildings, which can be expected to be more sensitive than below ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory TAV-02-01-R9601 [Caltrans 2002]) in which:

- Single pulses at 0-2 inches per second can be expected to cause virtually no risk of building damage
- Vibrations of less than 0.006-0.019 inch per second are not perceptible to humans.
- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage
- Constant vibration from 0.4-0.6 inch per second and above can be expected to cause architectural and minor structural building damage

FRA has completed analysis of the attenuation of vibrations from HST track for various running speeds and ground conditions that can be compared with the above damage criteria. This analysis, presented in the FRA manual: *High-Speed Ground Transportation Noise and Vibration Impact Assessment*, (FRA 2012), indicates that:

**BO015-64**

- Vibrations on the order of 95 VdB (0.095 inch per second) can be expected from a high speed train at 220 mph within 10 feet of track centerline on a generic soil profile.
- Vibrations on the order of 85 VdB (0.085 inch per second) can be expected from a high speed train at 220 mph within 50 feet of track centerline (typically just outside the proposed right-of-way).
- At 400 feet from the track centerline vibrations have attenuated to below the level of human perception.

The top few feet of water wells adjacent to the HST right-of-way would be subject to vibrations on the order of 85 VdB. The water wells in the project area vary in depth from about 100 to 2,000 feet deep (see Table 3.8-8 in Section 3.8 of the EIR/EIS). Therefore, the screening for any well adjacent to the HST right-of-way would be less than 85 VdB. There is no evidence that wells would be more susceptible to vibration than structures. Therefore, based on the Caltrans criteria outlined above, the level of impact to wells outside the HST right-of-way is anticipated to be below the level of "virtually no risk of damage."

Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. There are numerous water wells immediately outside the right-of-way of highways that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-65**

Refer to Standard Response FB-Response-N&V-04, FB-Response-AG-04.

High-speed trains will cause vibrations along the track, and these vibrations will attenuate with distance from the track centerline. The attenuation is due to both distance from the vibration source (vertical and horizontal) and cyclic hysteresis in the soils. Per FRA guidelines (FRA 2012), the vibration associated with the passage of a high-speed train can be measured by either an instantaneous velocity (soil peak particle velocity [PAW], in inches per second) or as a moving average expressed as a velocity decibel (VdB) (in micro inches per second) of the sinusoidal ground response.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-65**

The impact of such vibrations on buildings, which can be expected to be more sensitive than below-ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory, Vibration, TAV-02-01-R9601 [Caltrans 2002]) in which:

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- At 400 feet from the track centerline, vibrations have attenuated to below the level of human perception.

The top few feet of water wells adjacent to the HST right-of-way would be subject to vibrations on the order of 85 VdB. The water wells in the project area vary in depth from about 100 to 2,000 feet (see Table 3.8-8 in Section 3.8, Hydrology and Water

**BO015-65**

Resources, of the EIR/EIS). Therefore, the screening for any well adjacent to the HST right-of-way would be less than 85 VdB. There is no evidence that wells would be more susceptible to vibration than structures. Therefore, based on the Caltrans criteria outlined above, the level of impact to wells outside the HST right-of-way is anticipated to be below the level of "virtually no risk of damage."

Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. Numerous water wells are immediately outside the right-of-way of highways that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-66**

High speed trains will cause vibrations along the track which will attenuate with distance from the track centerline. The attenuation is both due to distance from the vibration source (vertical and horizontal), and cyclic hysteresis in the soils. Based on FRA guidelines (FRA 2012), the vibration associated with the passage of a high speed train can be measured either by an instantaneous velocity (soil peak particle velocity, PPV, in inches per second), or as a moving average expressed as a velocity decibel, VdB, (in micro inches per second) of the sinusoidal ground response.

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- Vibrations of less than 0.006-0.019 inch per second are not perceptible to humans.
- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage
- Constant vibration from 0.4-0.6 inch per second and above can be expected to

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-66**

cause architectural and minor structural building damage

FRA has completed analysis of the attenuation of vibrations from HST track for various running speeds and ground conditions which can be compared with the above damage criteria. This analysis, presented in the FRA manual *High-Speed Ground Transportation Noise and Vibration Impact Assessment* (FRA 2012), indicates that:

- Vibrations on the order of 95 VdB (0.095 inch per second) can be expected from a high speed train at 220 mph within 10 feet of track centerline on a generic soil profile.
- Vibrations on the order of 85 VdB (0.085 inch per second) can be expected from a high speed train at 220 mph within 50 feet of track centerline (typically just outside the proposed right-of-way).
- At 400 feet from the track centerline vibrations have attenuated to below the level of human perception.

The top few feet of water wells adjacent to the HST right-of-way would be subject to vibrations on the order of 85 VdB. The water wells in the project area vary in depth from about 100 to 2,000 feet deep (see Table 3.8-8 in Section 3.8 of the EIR/EIS). Therefore, the screening for any well adjacent to the HST right-of-way would be less than 85 VdB. There is no evidence that wells would be more susceptible to vibration than structures. Therefore, based on the Caltrans criteria outlined above, the level of impact to wells outside the HST right-of-way is anticipated to be below the level of "virtually no risk of damage."

Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. There are numerous water wells immediately outside the right-of-way of highways that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-67**

Refer to Standard Response FB-Response-N&V-04, FB-Response-AG-04.

High-speed trains will cause vibrations along the track, and these vibrations will

**BO015-67**

attenuate with distance from the track centerline. The attenuation is due to both distance from the vibration source (vertical and horizontal) and cyclic hysteresis in the soils. Per FRA guidelines (FRA 2012), the vibration associated with the passage of a high-speed train can be measured by either an instantaneous velocity (soil peak particle velocity [PAW], in inches per second) or as a moving average expressed as a velocity decibel (VdB) (in micro inches per second) of the sinusoidal ground response.

The impact of such vibrations on buildings, which can be expected to be more sensitive than below-ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory, Vibration, TAV-02-01-R9601 [Caltrans 2002]) in which:

- Single pulses at 0 to 2 inches per second can be expected to cause virtually no risk of building damage.
- Vibrations of less than 0.006 to 0.019 inch per second are not perceptible to humans.
- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings.
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage.
- Constant vibration from 0.4 to 0.6 inch per second and above can be expected to cause architectural and minor structural building damage.

FRA has completed analysis of the attenuation of vibrations from HST track for various running speeds and ground conditions that can be compared with the above damage criteria. This analysis, which is presented in the FRA manual *High-Speed Ground Transportation Noise and Vibration Impact Assessment* (FRA 2012), indicates that:

- Vibrations on the order of 95 VdB (0.095 inch per second) can be expected from a high-speed train at 220 miles per hour (mph) within 10 feet of track centerline on a generic soil profile.
- Vibrations on the order of 85 VdB (0.085 inch per second) can be expected from a high-speed train at 220 mph within 50 feet of track centerline (typically just outside the proposed right-of-way).

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-67**

- At 400 feet from the track centerline, vibrations have attenuated to below the level of human perception.

The top few feet of water wells adjacent to the HST right-of-way would be subject to vibrations on the order of 85 VdB. The water wells in the project area vary in depth from about 100 to 2,000 feet (see Table 3.8-8 in Section 3.8, Hydrology and Water Resources, of the EIR/EIS). Therefore, the screening for any well adjacent to the HST right-of-way would be less than 85 VdB. There is no evidence that wells would be more susceptible to vibration than structures. Therefore, based on the Caltrans criteria outlined above, the level of impact to wells outside the HST right-of-way is anticipated to be below the level of "virtually no risk of damage."

Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. Numerous water wells are immediately outside the right-of-way of highways that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-68**

The vibration criteria for HST construction are found in Table 3.4-2, and the vibration criteria for HST project operations are found in Table 3.4-6. Wells currently located adjacent to the existing BNSF tracks are subject to vibration levels substantially higher than the vibration levels that would be generated by HST operations. If the wells are not currently experiencing any of these problems under existing conditions, they would not be expected to experience these problems with the addition of HST operations. Effects of vibration due to construction activities will be dependent upon what type of construction activities are taking place in a given area, and how close those activities are to the existing pipelines. Mitigation Measure N&V-MM#2 lists the mitigation measures for construction vibration on sensitive structures.

**BO015-69**

Refer to Standard Response FB-Response-N&V-04.

High speed trains will cause vibrations along the track which will attenuate with distance from the track centerline. The attenuation is both due to distance from the vibration

**BO015-69**

source (vertical and horizontal), and cyclic hysteresis in the soils. Based on FRA guidelines (FRA 2012), the vibration associated with the passage of a high speed train can be measured either by an instantaneous velocity (soil peak particle velocity, PPV, in inches per second), or as a moving average expressed as a velocity decibel, VdB, (in micro inches per second) of the sinusoidal ground response.

The impact of such vibrations to buildings, which can be expected to be more sensitive than below ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory TAV-02-01-R9601 [Caltrans 2002]) in which:

- Single pulses at 0-2 inches per second can be expected to cause virtually no risk of building damage
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- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage
- Constant vibration from 0.4-0.6 inch per second and above can be expected to cause architectural and minor structural building damage

FRA has completed analysis of the attenuation of vibrations from HST track for various running speeds and ground conditions which can be compared with the above damage criteria. This analysis, presented in the FRA manual *High-Speed Ground Transportation Noise and Vibration Impact Assessment* (FRA 2012), indicates that:

- Vibrations on the order of 95 VdB (0.095 inch per second) can be expected from a high speed train at 220 mph within 10 feet of track centerline on a generic soil profile.
- Vibrations on the order of 85 VdB (0.085 inch per second) can be expected from a high speed train at 220 mph within 50 feet of track centerline (typically just outside the proposed right-of-way).
- At 400 feet from the track centerline vibrations have attenuated to below the level of human perception.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-69**

The top few feet of water wells adjacent to the HST right-of-way would be subject to vibrations on the order of 85 VdB. The water wells in the project area vary in depth from about 100 to 2,000 feet deep (see Table 3.8-8 in Section 3.8 of the EIR/EIS). Therefore, the screening for any well adjacent to the HST right-of-way would be less than 85 VdB. There is no evidence that wells would be more susceptible to vibration than structures. Therefore, based on the Caltrans criteria outlined above, the level of impact to wells outside the HST right-of-way is anticipated to be below the level of "virtually no risk of damage."

Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. There are numerous water wells immediately outside the right-of-way of highways that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-70**

Refer to Standard Response FB-Response-N&V-04, FB-Response-AG-04.

High-speed trains will cause vibrations along the track, and these vibrations will attenuate with distance from the track centerline. The attenuation is due to both distance from the vibration source (vertical and horizontal) and cyclic hysteresis in the soils. Per FRA guidelines (FRA 2012), the vibration associated with the passage of a high-speed train can be measured by either an instantaneous velocity (soil peak particle velocity [PAW], in inches per second) or as a moving average expressed as a velocity decibel (VdB) (in micro inches per second) of the sinusoidal ground response.

The impact of such vibrations on buildings, which can be expected to be more sensitive than below-ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory, Vibration, TAV-02-01-R9601 [Caltrans 2002]) in which:

- Single pulses at 0 to 2 inches per second can be expected to cause virtually no risk of building damage.

**BO015-70**

- Vibrations of less than 0.006 to 0.019 inch per second are not perceptible to humans.
- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings.
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage.
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- At 400 feet from the track centerline, vibrations have attenuated to below the level of human perception.

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Existing conditions in the southern San Joaquin Valley tend to substantiate this conclusion. Numerous water wells are immediately outside the right-of-way of highways

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-70**

that are used by large trucks and freight railroads. The Authority is unaware of incidents where any of these wells have failed because of vibration from truck or freight rail traffic.

**BO015-71**

Refer to Standard Response FB-Response-N&V-04, FB-Response-AG-04.

High-speed trains will cause vibrations along the track, and these vibrations will attenuate with distance from the track centerline. The attenuation is due to both distance from the vibration source (vertical and horizontal) and cyclic hysteresis in the soils. Per FRA guidelines (FRA 2012), the vibration associated with the passage of a high-speed train can be measured by either an instantaneous velocity (soil peak particle velocity [PAW], in inches per second) or as a moving average expressed as a velocity decibel (VdB) (in micro inches per second) of the sinusoidal ground response.

The impact of such vibrations on buildings, which can be expected to be more sensitive than below-ground structures such as wells, can be estimated using criteria such as those used by Caltrans (Technical Advisory, Vibration, TAV-02-01-R9601 [Caltrans 2002]) in which:

- Single pulses at 0 to 2 inches per second can be expected to cause virtually no risk of building damage.
- Vibrations of less than 0.006 to 0.019 inch per second are not perceptible to humans.
- Constant vibration below 0.1 inch per second carries "virtually no risk of 'architectural' damage" to normal buildings.
- Constant vibration above 0.2 inch per second can be expected to cause slight architectural building damage.
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FRA has completed analysis of the attenuation of vibrations from HST track for various running speeds and ground conditions that can be compared with the above damage criteria. This analysis, which is presented in the FRA manual *High-Speed Ground Transportation Noise and Vibration Impact Assessment* (FRA 2012), indicates that:

**BO015-71**

- Vibrations on the order of 95 VdB (0.095 inch per second) can be expected from a high-speed train at 220 miles per hour (mph) within 10 feet of track centerline on a generic soil profile.
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**BO015-72**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The

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**BO015-72**

difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and this could ultimately be a legal matter between the property owner and lessee.

**BO015-73**

Refer to Standard Response FB-Response-AQ-01.

The Authority and FRA recognize that there is a legitimate concern regarding the health effects of agricultural pesticides. However, the existing regulatory framework significantly reduces the potential that agricultural properties are contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides prior to approval for sale. Additionally, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use, and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of our analysis, we have assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8 of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less-than-

**BO015-73**

significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed; however, due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-74**

Refer to Standard Response FB-Response-AQ-01.

The existing regulatory framework significantly reduces the potential that agricultural properties are contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides before approval for sale. Also, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use, and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of our analysis, we have assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8, Project Design Features, of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less than significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed, but due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-75**

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans *Maintenance Manual Volume 1* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-75**

would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control noting planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snail, rodent, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program. See Caltrans *Maintenance Manual Volume 1*, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf) (Caltrans 2010). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if such weed control is established by local agencies. Farmers/landowners who request weed control on State right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control, identifying the weeds and control method desired.

Application of herbicides within the HST right-of-way is not expected to result in the loss of adjacent orchard trees; however, as discussed in FB-Response-SO-01, the Authority would compensate farm owners for the value of crops that are lost as a result of the project's disruption to farm infrastructure.

**BO015-76**

The Authority would generally follow the procedures established in Chapter C2, "Vegetation Control," of the Caltrans Maintenance Manual (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as

**BO015-76**

outlined below:

- Chemical vegetation control with notes on planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snails, rodents, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program (see Caltrans Maintenance Manual, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if established by local agencies. Farmers/landowners who request weed control on State of California right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control that identifies the weeds and control method desired.

**BO015-77**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-78**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-78**

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

**BO015-79**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

**BO015-80**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

**BO015-81**

Refer to Master Response < Select a standard reply >.

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans *Maintenance Manual Volume 1* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control noting planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snail, rodent, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program. See Caltrans *Maintenance Manual Volume 1*, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf) (Caltrans 2010). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if such weed control is established by local agencies. Farmers/landowners who request weed control on State right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control, identifying the weeds and control method desired.

**BO015-82**

The Authority would generally follow the procedures established in Chapter C2, "Vegetation Control," of the Caltrans *Maintenance Manual* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-82**

control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control, with notes on planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snails, rodents, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program (see Caltrans Maintenance Manual, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if established by local agencies. Farmers/landowners who request weed control on State of California right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control that identifies the weeds and control method desired.

**BO015-83**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-84**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

**BO015-85**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-07.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

The analysis looked at each Williamson Act and FSZ contracted parcel to see if the HST footprint removed enough acreage for the parcel to be below the minimum acreage size. If the acreage was below the minimum size then it was listed as possibly removed from the program. Final determinations of whether or not an individual parcel can remain in the Williamson Act or FSZ Contract is up to the discretion of the county, however all parcels that could be removed were included to present a worst case scenario. Any impacts to an individual's property taxes as a result of the HST would be subject to

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-85**

possible compensation from the Authority as a result of the loss of the Williamson Act Contract benefits.

**BO015-86**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-87**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide grade-separated access across the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-88**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

**BO015-89**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

**BO015-90**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-91**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

The appraiser will appraise the subject parcels as fee simple attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and this could ultimately be a legal matter between the property owner and lessee.

**BO015-92**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

**BO015-92**

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

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**BO015-93**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-93**

remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

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**BO015-94**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

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**BO015-94**

compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-95**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project were constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

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The appraiser will appraise the subject parcels as fee simple attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease and this could ultimately be a legal matter between the property owner and lessee.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-96**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-97**

Refer to Standard Response FB-Response-GENERAL-12.

**BO015-97**

The Kings-Tulare Regional Station is indeed in addition to the stations proposed in the latest Program EIR/EIS (Authority and FRA 2005). This addition of a station does not mean that the Authority will exceed the 24-station limit in Proposition 1A, because the Authority has not finalized the selection of all stations. This possibility is realistic, because in project-level alternatives analyses for other sections of the line, the removal of several smaller stations has been requested by regional and local agencies, and the financial plan in the Revised 2012 Business Plan (Authority 2012a) is based on a maximum of 13 stations in the Phase 1 Blended scenario.

**BO015-98**

An EIR project description is intended to be general, not detailed (CEQA Guidelines § 15124[c]). Final design or even advanced design of infrastructure is not required in the project description (Dry Creek Citizens Coalition v. County of Tulare [1999] 70 Cal.App.4th 20, 36). The question is whether the project description narrowed the scope of environmental review or prevented full understanding of the project and its consequences (Ibid.).

Abundant substantive evidence in the record demonstrates that the project description was more than adequate for the environmental analysis of the project. The term "15% design" is an engineering term of art that refers to the level of engineering prepared on HST project elements for the EIR. The 15% design generates detailed information, like the horizontal and vertical location of track, cross sections of the infrastructure with measurements, precise station footprints with site configuration, and temporary construction staging sites and facilities. The 15% design also yields a "project footprint" overlaid on parcel maps, which shows the outside envelope of all disturbance, including both permanent infrastructure and temporary construction activity. This 15% design translated into a project description in the EIR with 100% of the information that is required under CEQA Guidelines Section 1512447 (see Dry Creek, supra, 70 Cal.App.4th at pp. 27-36 [upholding EIR conceptual project description as inadequate when based on preliminary design]).

A higher level of design is not necessary because 15% design provides enough information for a conservative environmental analysis. A higher level of design provides refinement, but does not yield more information needed for adequate CEQA review. For

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-98**

example, if a lead agency knows the location, size, and basic design of a building, it has enough information for environmental review. The details about whether the water system will use PVC or copper pipe or whether the windows will be vinyl or wood are not necessary for assessing the impacts of the building construction. Further, it is common practice with larger transportation infrastructure projects to prepare the environmental analysis before the completion of the final design.

**BO015-99**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-100**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-101**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the

**BO015-101**

hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-102**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-05.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-103**

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans *Maintenance Manual Volume 1* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control noting planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snail, rodent, etc.)

Only Caltans approved herbicides would be used in the vegetation control program. See Caltrans *Maintenance Manual Volume 1*, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf) (Caltrans 2010)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-103**

pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if such weed control is established by local agencies. Farmers/landowners who request weed control on State right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control, identifying the weeds and control method desired.

**BO015-104**

The Authority would generally follow the procedures established in Chapter C2, "Vegetation Control," of the Caltrans Maintenance Manual (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control, with notes on planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snails, rodents, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program (see Caltrans Maintenance Manual, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if established by local agencies. Farmers/landowners who request weed control on State of California right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control that identifies the weeds and control method desired.

**BO015-105**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues on a case-by-case basis. If it is cost-effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If this is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-106**

Refer to Standard Response FB-Response-AVR-01.

The commenters' property is over 8 miles west of the proposed alignment. Therefore, the HST Project would have no effect on the commenters' views from their property.

**BO015-107**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-108**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AVR-01.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-108**

consider acquiring an access easement on a neighboring parcel under eminent domain.

The commenter's property is over 8 miles west of the proposed alignment. Therefore, there would be no effect on their views from their property due to the proposed HST project.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-109**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

**BO015-110**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as

**BO015-110**

bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

**BO015-111**

Refer to Standard Response FB-Response-AG-07, FB-Response-SO-01, FB-Response-AG-02.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, this issue will be addressed in the appraisal using the before and after method described above.

**BO015-112**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems,

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-112**

replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and after-method described above.

**BO015-113**

Refer to Standard Response FB-Response-AQ-01.

The Authority and FRA recognize that there is a legitimate concern regarding the health effects of agricultural pesticides. However, the existing regulatory framework significantly reduces the potential that agricultural properties would be contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides prior to approval for sale. Additionally, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use; and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of the HST analysis, it is assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8 of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less-than-significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed; however, due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-114**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

**BO015-115**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

**BO015-116**

Refer to Standard Response FB-Response-AG-02 and , FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-116**

in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before and after method described above.

**BO015-117**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-118**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

**BO015-118**

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right of way contract.

**BO015-119**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-120**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost effectiveness to reconfigure and restore the

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-120**

remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-121**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-122**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in

**BO015-122**

the right of way contract.

**BO015-123**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-124**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed "severance damages" and will reflect any loss in value of the remainder due to construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or for an agricultural use in the interim), then curative work to the remainder will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as for removal and grading costs.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-125**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-126**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will appraise the subject parcels as fee-simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This "offset statement" is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease and this could ultimately be a legal matter between the property owner and lessee.

**BO015-127**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will appraise the subject parcels as fee simple, attributing a single value to just compensation. If possible, the appraiser will note tenant-owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation. This offset statement is only an aid to assist the property owner and tenant. The Authority cannot determine or enforce the terms of the lease, and these terms could ultimately be a legal matter between the property owner and the lessee.

**BO015-128**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and a "certificate of compliance" may be issued at the landowner's request affirming the parcel's legality under the Subdivision Map Act. If this is not the case and allowable uses are altered, it will be addressed in the appraisal, using the before-and-after method described above.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-129**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-130**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-03, FB-Response-AG-04.

The Authority will consider access issues on a case by case basis. If it is cost effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

Land owners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder will be analyzed for cost effectiveness to reconfigure and restore the remainder property to its most productive use. For example: the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well

**BO015-130**

as removal and grading costs.

**BO015-131**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

Landowners will be compensated with just compensation as determined in the appraisal process. If the highest and best use of the subject larger parcel is for continued agricultural use (or an agricultural use in the interim), then curative work to the remainder property will be analyzed for cost-effectiveness to reconfigure and restore the remainder property to its most productive use. For example, the property owner could be compensated for productive trees that need to be removed to allow for a turn row as well as removal and grading costs.

**BO015-132**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-133**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-133**

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-134**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts on irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-135**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the fields of hydraulic engineering and agricultural management. The timing of any restorative work or reconfigurations will be addressed at the acquisition stage and documented in the right-of-way contract.

**BO015-136**

Material and manpower will be moved along the right-of-way, and the right-of-way will be accessed from public roads and leased temporary easements. If Authority agents are not within land leased or owned by the Authority, public land, or land that they have received permission from the landowner to access, they would be trespassing.

**BO015-137**

Material and manpower will be moved along the right-of-way, and the right-of-way will be accessed from public roads and leased temporary easements. If Authority agents are not on land leased or owned by the Authority, public land, or land that they have received permission from the landowner to access, they would be trespassing.

**BO015-138**

The Authority would generally follow the procedures established in Chapter C2 of the Caltrans *Maintenance Manual Volume 1* (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control noting planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snail, rodent, etc.)

Only Caltrans approved herbicides would be used in the vegetation control program (see Caltrans *Maintenance Manual Volume 1*, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in an area-wide control of noxious/invasive weeds if such weed control is established by local agencies. Farmers/landowners who request weed control on State right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control, identifying the weeds and control method desired.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-139**

The Authority would generally follow the procedures established in Chapter C2, "Vegetation Control," of the Caltrans Maintenance Manual (Caltrans 2010) to manage vegetation on Authority property. Vegetation would be controlled by chemical, thermal, biological, cultural, mechanical, structural, and manual methods. An annual vegetation control plan would be developed each winter for implementation no later than April 1 of each year. That plan would consist of site-specific vegetation control methods, as outlined below:

- Chemical vegetation control, with notes on planned usage
- Mowing program
- Other non-chemical vegetation control plans (manual, biological, cultural, thermal, and structural)
- List of sensitive areas
- Other chemical pest control plans (insects, snails, rodents, etc.)

Only Caltrans-approved herbicides would be used in the vegetation control program (see Caltrans Maintenance Manual, Appendix C2-A at [http://www.dot.ca.gov/hq/maint/manual/-17\\_Chpt-C2\\_01-26-11.pdf](http://www.dot.ca.gov/hq/maint/manual/-17_Chpt-C2_01-26-11.pdf)). Pesticide application would be done in accordance with all requirements of the California Department of Pesticide Regulation and County Agricultural Commissioners by certified pesticide applicators. Noxious/invasive weeds would be treated where requested by County Agricultural Commissioners. The Authority would cooperate in area-wide control of noxious/invasive weeds if established by local agencies. Farmers/landowners who request weed control on State of California right-of-way that is not identified in the annual vegetation control plan would be encouraged to submit a permit request application for weed control that identifies the weeds and control method desired.

**BO015-140**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues on a case-by-case basis. If it is cost-effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost-effective, the landlocked portion will be

**BO015-140**

addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-141**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues case by case. If access is cost-effective and does not threaten the integrity of the HST project, the Authority may provide grade-separated access across the train route. If access is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on a neighboring parcel under eminent domain.

**BO015-142**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

**BO015-143**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-143**

property as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

**BO015-144**

Refer to Standard Response FB-Response-AG-07, FB-Response-SO-01, FB-Response-AG-02.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, and then appraising the remainder in the "after" condition as a separate parcel as though the project was constructed (i.e., as bisected by the HST), and including any estimated "cost to cure" damages to the remainder (e.g., the cost of re-establishing irrigation systems, replacing wells, etc.). The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value of the remainder due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this is not the case and allowable uses are altered, it will be addressed in the appraisal using the before-and-after method described above.

**BO015-145**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-07.

The appraiser will estimate any diminution in value to a property owner's remaining parcel(s) through the appraisal process. This process involves appraising the remainder property as it contributes to the whole property value before acquisition, then appraising

**BO015-145**

the remainder in the after condition as a separate parcel, as though the project were constructed (i.e., as bisected by the HST project), and including any estimated "cost to cure" damages to the remainder property (e.g., cost of re-establishing irrigation systems, replacing wells). The difference between these "before" and "after" values is termed the severance damages and will reflect any loss in value to the remainder property due to the construction in the manner proposed.

Non-conforming remainder parcels are typically accepted by governing agencies, and in some cases a certificate of compliance is issued. If this acceptance is not the case and allowable uses are altered, this situation will be addressed in the appraisal using the before-and-after method described above.

**BO015-146**

Refer to Standard Response FB-Response-AQ-01.

The Authority and FRA recognize that there is a legitimate concern regarding the health effects of agricultural pesticides. However, the existing regulatory framework significantly reduces the potential that agricultural properties would be contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides prior to approval for sale. Additionally, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use, and inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of analysis, it is assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8 of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less-than-significant impact. Valley Fever and anthrax spores would be released when the soil is

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-146**

disturbed; however, due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-147**

Refer to Standard Response FB-Response-AQ-01.

The existing regulatory framework significantly reduces the potential for agricultural properties to be contaminated with pesticide residues. The U.S. Environmental Protection Agency conducts extensive testing of all commercially sold organic and non-organic herbicides before approval for sale. Also, the State of California heavily regulates the purchase and use of agricultural pesticides. Farmers who apply pesticides must report their use; inspections, investigations, and audits are conducted by state and county officials. In addition, most modern pesticides reside in the environment for a limited time before breaking down. For the purpose of our analysis, we have assumed, based on available data about compliance and the existing regulatory framework, that application of agricultural chemicals in the project area has been conducted according to manufacturer recommendations and in compliance with applicable regulations. Given these parameters, the potential for significant accumulation of chemicals in areas that have been subject to routine application of pesticides is low.

The dust minimization measures listed in Section 3.3.8, Project Design Features, of the Revised DEIR/Supplemental DEIS would further reduce fugitive dust emissions to a less than significant impact. Valley Fever and anthrax spores would be released when the soil is disturbed, but due to the minimization measures, fugitive dust disturbance will be minimal. Therefore, impacts from Valley Fever and anthrax spores will be less than significant.

**BO015-148**

As discussed in Section 3.3, Air Quality and Global Climate Change, of the EIR/EIS, HST operations would help improve long-term air quality in the San Joaquin Valley Air Basin by reducing vehicle miles traveled (VMT), a major source of air pollution. Because automobiles produce a major portion of the air pollutants generated within the basin, reducing VMT would reduce these emissions and result in lower emissions than would

**BO015-148**

occur under the No Project Alternative. Removal of trees would not affect criteria pollutant emissions.

The Agricultural Sustainability Institute at the University of California, Davis, calculated the greenhouse gas and energy footprint of almond and pistachio production (Marvinney et al. 2011 [<http://lcacenter.org/lcaxi/final/299.pdf>]). Although almond and pistachio production is not identical to cherry production, the work by the Agricultural Sustainability Institute is likely to provide a reasonable estimate of the carbon footprint from cherry production. That study found that almond and pistachio production resulted in a reduction in greenhouse gas (GHG) emissions of 0.034 metric ton of CO<sub>2</sub>/acre/year. This reduction is considered to be a high estimate because the calculations assumed that 95% of the biomass from orchard clearing and 50% of biomass from orchard pruning would be burned in Central Valley cogeneration plants. This is a substantial overestimate of the amount of orchard fuel used for cogeneration today and is likely to be even smaller in the future because of nitrogen oxide (NO<sub>x</sub>) reduction efforts by the San Joaquin Valley Air Pollution Control District.

However, if it is assumed that a cherry orchard reduces GHG emissions by 0.034 metric ton of CO<sub>2</sub>/acre/year and the Fresno to Bakersfield Section removed 2,000 acres of all kinds of orchards, this would total 68 metric tons of CO<sub>2</sub>/year. As shown in Section 3.3 of the EIR/EIS, operation of the HST System in the Fresno to Bakersfield Section is estimated to reduce GHG emissions by 850,000 to 1,300,000 metric tons of CO<sub>2</sub>/year.

**BO015-149**

Refer to Standard Response FB-Response-CUL-01.

The subject property at 3504 8th Avenue (APN 002150027000) was evaluated for eligibility for both the National Register of Historic Places and the California Register of Historical Resources. The property was found to not meet the significance criteria for listing in either register, it is not listed in any local historical register, and it is not a historical resource for the purposes of CEQA.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-150**

Refer to Standard Response FB-Response-CUL-01.

The subject property at 3504 8th Avenue (APN 002150027000) was evaluated for eligibility for both the National Register of Historic Places and the California Register of Historical Resources. It was found to not meet the significance criteria for listing in either register; it is not listed in any local historical register, and it is not a historical resource for the purposes of CEQA.

**BO015-151**

Refer to Standard Response FB-Response-SO-01, FB-Response-AG-02, FB-Response-AG-04.

The Authority will consider access issues on a case-by-case basis. If it is cost-effective and does not threaten the integrity of the HST, the Authority may provide access under the train route. If it is not determined to be cost-effective, the landlocked portion will be addressed in the appraisal process. The Authority may consider acquiring an access easement on the neighboring parcel under eminent domain.

**BO015-152**

Refer to Standard Response FB-Response-AG-02, FB-Response-SO-01, FB-Response-AG-04.

Any diminution in value to a property owner's remaining parcel(s) will be estimated by the appraiser through the appraisal process. This involves appraising the remainder as it contributes to the whole property value before acquisition, then appraising the remainder in the after condition as a separate parcel as though the project was constructed (i.e. as bisected by the HST), and including any estimated "cost to cure" damages to remainder, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value the remainder due to the construction in the manner proposed.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields. The timing of any restorative

**BO015-152**

work or reconfigurations will be addressed at the acquisition stage and documented in the right of way contract.

While the right-of-way acquisition process may provide connectivity between your property and the ditch right-of-way described in this comment, if the right-of-way is crossed by the HST, the ditch would be replaced by a culvert where it crossed the HST right-of-way. Therefore, direct access along the ditch right-of-way to the Kings River would be eliminated.

**BO015-153**

Section 3.7.5.3 of the Revised DEIR/Supplemental DEIS describes the potential impacts of the project on special-status birds, and includes discussions of potential construction and project impacts on all migratory bird (including game birds) species covered under the Migratory Bird Treaty Act, as well as the potential impacts on native fauna. The mitigation measures listed in Section 3.7.7 of the Revised DEIR/Supplemental DEIS will be implemented to avoid, minimize, and compensate for potential impacts on special-status bird species.

**BO015-154**

Refer to Standard Response FB-Response-AG-05.

The Authority formed an agricultural working group to assist the Authority on agricultural issues. The working group is composed of university, government agencies, and agri-business representatives. The group completed a white paper on pesticide use impacts in 2012 (this paper is on the Authority website). That white paper reports the following:

At the present time there are numerous railways that traverse the San Joaquin Valley. Additionally, the Valley has established interstate and state freeways, highways, and local roadways, which include their respective right-of-ways and which are all considered "transportation corridors." Transportation corridors are recognized as a part of the overall environment of the Valley. Regulations already exist relating to pesticide use in or near transportation corridors.

A new railway represents either a new impediment (where none previously existed) to

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-154**

customary agricultural practices or is an augmentation to an already existing transportation corridor footprint. Parcels where the new railway is proposed to be constructed adjacent and parallel to an established transportation corridor create a wider footprint to an existing corridor that is already subject to the protections prescribed in current pesticide use regulations. Growers adjacent to a widened transportation corridor will be managing their pesticide applications with the same use restrictions that were previously implemented due to their proximity to an existing corridor.

Growers in the path of the railway where the route leaves an established transportation corridor and creates a new corridor across their farmland will be subject to the implementation of existing regulatory restrictions, depending on the conditions and circumstances of the type of pesticide being used. All that would be new to the grower would be the enforcement of existing regulations for conditions that did not exist prior to the construction of the route through their property.

Choices of crops or livestock to produce would be influenced more by forces outside of a high-speed train than the train itself. Similarly, the choice of what pesticide to use for any particular need should not be influenced by a high-speed train any more than already exists for any other transportation corridor in the locality. The expectation of pesticide regulators would be that any pesticide application be made in compliance with all applicable laws, regulations, and conditions.

As to the question about buffer zones, their utilization will only be required where such safety protocol is called for when making an application adjacent to a transportation corridor. There are no buffer zones specifically addressing passenger trains; therefore, a passenger train traveling at a high rate of speed does not create a need for a buffer zone different from those already established.

As is the case with removing land planted in crops to use it for equipment turning lanes, the need to provide a buffer for crop spraying will be analyzed and addressed at the appraisal stage with input from the property owners and managers, and experts in the field.

**BO015-155**

The Revised DEIR/Supplemental DEIS, Volume I, Section 3.14.5.3, contains information about construction period impacts on agricultural lands.

**BO015-156**

Refer to Standard Response FB-Response-AQ-02.

Potential noise impact has been assessed at sensitive receivers, and these areas are identified in Section 3.4.5, Environmental Consequences, of the Revised DEIR/Supplemental DEIS, and are shown on Figures 3.4-9 through 3.4-13. The locations of potential barriers are illustrated on Figures 3.4-15 through 3.4-19. (Refer to Section 3.4.7 for a complete listing of noise impact mitigation measures that would reduce noise impacts below a "severe" level.) The Proposed California High-Speed Train Project Noise and Vibration Mitigation Guidelines developed by the Authority (see Appendix 3.4-A of the Revised DEIR/Supplemental DEIS) were used to determine whether mitigation would be proposed for these areas of potential impact. The guidelines require consideration of feasible and effective mitigation for severe noise impacts (impacts where a significant percentage of people would be highly annoyed by the HST project's noise).

The Authority will refine mitigation for homes with residual severe noise impacts (i.e., severe impacts that remain notwithstanding noise barriers) and address them on a case-by-case basis during final design of the Preferred Alternative. In addition to the potential use of noise barriers, other forms of noise mitigation may include improvements to the home itself, such as adding acoustically treated windows, extra insulation, and mechanical ventilation, which will reduce the levels by at least 5 dBA (as detailed in Section 3.4.7, Mitigation Measures).

The Revised DEIR/Supplemental DEIS proposes noise barriers in areas of severe noise impacts resulting from the project, where the barriers meet the cost-effectiveness criteria. To meet the cost-effectiveness criteria, the barriers must mitigate noise for more than 10 sensitive receivers, be not less than 800 feet in length, be less than 14 feet in height, and cost below \$45,000 per benefitted receiver. A receiver that receives at least a 5-dBA noise reduction as a result of the barrier is considered a benefitted receiver.

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Response to Submission BO015 (Frank Oliveira, MEL's Farms, et al., October 13, 2011) - Continued

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**BO015-156**

Mitigation Measure N&V-3 provides that sound barriers may be installed to reduce noise to acceptable levels at adjoining properties. These may include walls, berms, or a combination of walls and berms. The specific type of barrier will be selected during final design and before operations begin. In addition, Mitigation Measure N&V-3 provides that prior to operation, the Authority will work with communities regarding the height and design of sound barriers, using jointly developed performance criteria after the vertical and horizontal locations have been finalized as part of the final design of the project. Mitigation Measure VQ-6 requires the provision of a range of options to reduce the visual impact of the sound barriers.

Qualitative and quantitative discussions of health impacts during project alignment construction were provided in Section 3.3.6.3 of the Revised DEIR/Supplemental DEIS. The HST would be electrically powered. Therefore, there will not be any direct combustion emissions from the HST during operation to cause health concerns, such as asthma or other respiratory diseases. Fugitive dust emissions from HST travel are not expected to be a significant source of pollutants either (see Appendix 3.3-A of the Final EIR/EIS for details).

For localized health impacts of the heavy maintenance facility (HMF), the cancer and non-cancer chronic and acute hazard risk analyses conducted for the Revised DEIR/Supplemental DEIS were for a prototypical facility with conservative estimates of equipment operations and of the locations of nearby sensitive land uses. A decision on the location of the HMF will be made following certification of the San Jose to Merced Section Final EIR/EIS. A site-specific Health Risk Assessment for the HMF operation will be conducted after a final HMF site is selected and detailed design information becomes available. Quantitative cancer risks and non-cancer hazard indexes from HMF operation will be evaluated in the final Health Risk Assessment. Mitigation measures, if necessary, will be included to ensure that health-risk significance thresholds are not exceeded at the sensitive land uses.

**BO015-157**

Refer to Standard Response FB-Response-S&S-02.

The Revised DEIR/Supplemental DEIS, Volume I, Section 3.14.5.3, contains information

**BO015-157**

about the construction period impacts on agricultural lands.

Please refer to Table 2-17 Approximate Construction Schedule in Chapter 2 of the EIR/EIS for the construction duration of each project element. Project construction is expected to be completed within 7 years. This period extends from the beginning of the first phase of construction and continues through operational testing of the HST System. It is expected that heavy-construction activities, such as grading, excavating, and laying the HST railbed and trackway, would be accomplished within a 5-year period. The specific construction impacts to this property would not occur throughout the entire duration of the project construction period.

**BO015-158**

Refer to Standard Response FB-Response-GENERAL-04 and FB-Response-GENERAL-01.

This comment implies that the HST project would place a restriction on land uses within 0.25 to 0.5 mile of the HST right-of-way. That is not the case. Environmental studies were conducted out to 0.5 mile from the HST right-of-way for some resource areas, such as biology, to evaluate impacts of the HST project.

**BO015-159**

The study area for each resource—the area within which the project may contribute to impacts—varies by resource topic as noted in each section of Chapter 3, including Section 3.19, Cumulative Impacts. For some resources, such as biological resources, the study area extended to 1/2 mile from the HST right-of-way for evaluation of indirect impacts such as noise impacts on nesting birds. The Authority can not by law restrict land uses outside of its right-of-way and has no plans to do so.

**BO015-160**

Refer to Standard Response FB-Response-GENERAL-07.

If the commenter provides their address, their contact information will be updated to include Shelli Andranigian instead of Owner/Occupant.

Submission BO016 (Russell V. Judd, Mercy Hospitals of Bakersfield, October 13, 2011)



RECEIVED  
10-17-11P04:44 RCVD

October 11, 2011

California High Speed Rail Authority  
770 L Street, Suite 800  
Sacramento, CA 95814

Dear Authority:

BO016-1

On behalf of Mercy Hospital of Bakersfield (Mercy), located at 2215 Truxtun Ave., a 194 bed facility, I am writing to express our concern that the comment period for the Fresno-Bakersfield Draft Environmental Impact Report/Statement (EIR/EIS) is not long enough for Mercy to fully review the document and provide detailed comments to you. Although it was not wholly clear from your statement, we hope that the California High Speed Rail Authority's announced decision to issue a Revised Draft EIR/Supplemental Draft EIS for the Fresno-to-Bakersfield section of the high-speed train project next spring, will give Mercy the opportunity to submit our detailed concerns at that time, during the formal public comment period.

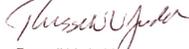
Sponsored by the Sisters of Mercy, Mercy Hospitals of Bakersfield has cared for the residents of Kern County for over 100 years. Mercy, a member of Catholic Healthcare West, is committed to the mission of delivering compassionate, high-quality, affordable health care with special attention to the poor and underserved in the communities we serve. As a health care provider to the greater community of Bakersfield, we take this project and the proposed high speed rail route very seriously. We have a responsibility to thoroughly vet the Authority's reports and statements.

Based on our preliminary review of the Draft EIR/EIS, we are very concerned that our hospital will be severely impacted by the suggested route, as the train would run directly south and across the street from our facility. We are still in the process of reviewing the 17,000 page document and analyzing in detail what the structural business and operational impacts will be to our hospital. Recognizing the potential for significant noise, discomfort, and other disruptions experienced by our patients, medical staff and providers, we are particularly focused on impacts to Mercy's ability to carry out its healing mission.

Again, as there has simply not been enough time, we regret we cannot provide by the October 13 deadline our detailed comments, but will continue to review and assess the Draft EIR with the expectation that we will provide extensive comments during the spring comment period. We are grateful for the opportunity.

Please do not hesitate to call me at 661-632-5537 with any questions. Thank you for your consideration of Mercy.

Sincerely,



Russell V. Judd  
President/CEO

Truxtun Campus  
2215 Truxtun Avenue  
Bakersfield, CA 93301  
661.632.5000

Southwest Campus  
400 Old River Road  
Bakersfield, CA 93311  
661.663.6000

mercybakersfield.org

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Response to Submission BO016 (Russell V. Judd, Mercy Hospitals of Bakersfield, October 13, 2011)

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**BO016-1**

Refer to Standard Response FB-Response-GENERAL-07.

Submission BO017 (Yessenia Muratalla, Re-Think High Speed Rail, October 13, 2011)

**Re-Think High Speed Rail**

BO017-1

We need more time to review the proposed High Speed Rail plan, which will displace hundreds of homeowners, hundreds of businesses and thousands of acres of farmland. Please extend the comment period by 60 days to allow us to fully review the 17,000 page document.

*Yessenia Muratalla*  
Signature: Yessenia Muratalla  
Full Name (Please Print Clearly): Yessenia Muratalla  
Address: 2900 El Botrero #15  
City: Bakersfield CA 93304  
State: CA 93304  
Email: yesseniamuratalla@yahoo.com

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Response to Submission BO017 (Yessenia Muratalla, Re-Think High Speed Rail, October 13, 2011)

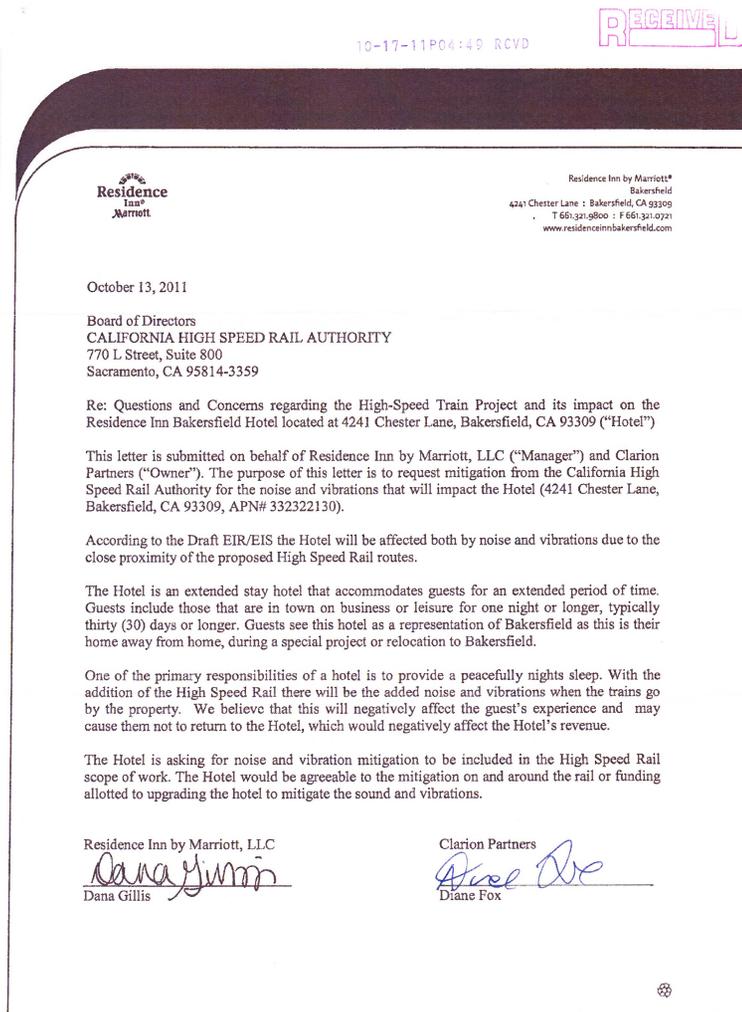
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**BO017-1**

Refer to Standard Response FB-Response-GENERAL-07.

Submission BO018 (Dana (1), Diane (2) Gillis (1), Fox (2), Residence Inn by Marriott, LLC (1) & Clarion Partners (2), October 13, 2011)

BO018-1



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Response to Submission BO018 (Dana (1), Diane (2) Gillis (1), Fox (2), Residence Inn by Marriott, LLC (1) & Clarion Partners (2), October 13, 2011)

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**BO018-1**

Refer to Standard Response FB-Response-N&V-05.

The potential noise impact has been assessed at sensitive receivers, and these areas are identified in Section 3.4.5, Environmental Consequences, of the Revised DEIR/Supplemental DEIS and shown in Figures 3.4-9 through 3.4-13. The locations of potential barriers are illustrated on Figures 3.4-15 through 3.4-19. Refer to Section 3.4.6 for a complete listing of noise impact mitigation measures that would reduce noise impacts below a "severe" level. The Proposed California High-Speed Train Project Noise and Vibration Mitigation Guidelines developed by the Authority (see Appendix 3.4-A of the Revised DEIR/Supplemental DEIS) were used to determine whether mitigation would be proposed for these areas of potential impact. The Guidelines require consideration of feasible and effective mitigation for severe noise impacts (impacts where a significant percentage of people would be highly annoyed by the HST project's noise).

The Authority will refine mitigation for homes with residual severe noise impacts (i.e., severe impacts that remain notwithstanding noise barriers) and address them on a case-by-case basis during final design of the Preferred Alternative. In addition to the potential use of noise barriers, other forms of noise mitigation may include improvements to the home itself that will reduce the levels by at least 5 A-weighted decibels (dBA), such as adding acoustically treated windows, extra insulation, and mechanical ventilation as detailed in Section 3.4.6, Project.

The Revised DEIR/Supplemental DEIS proposes noise barriers in areas of severe noise impacts resulting from the project, where the barriers meet the cost-effectiveness criteria. To meet the cost-effectiveness criteria, barriers must mitigate noise for more than 10 sensitive receivers, be not less than 800 feet in length, be less than 14 feet in height, and cost below \$45,000 per benefited receiver. A receiver that receives at least 5-dBA noise reduction due to the barrier is considered a benefited receiver.

Mitigation Measure N&V-MM#3 provides that sound barriers may be installed to reduce noise to acceptable levels at adjoining properties. These may include walls, berms, or a combination of walls and berms. The specific type of barrier will be selected during final design, and before operations begin. In addition, Mitigation Measure N&V-MM#3

**BO018-1**

provides that prior to operation, the Authority will work with communities regarding the height and design of sound barriers using jointly developed performance criteria, when the vertical and horizontal location have been finalized as part of the final design of the project. Mitigation Measure VQ-MM#6 requires the provision of a range of options to reduce the visual impact of the sound barriers. Noise and vibration generated by project operations have been analyzed at the hotel. There will be no severe impacts at the hotel, and no additional mitigation is necessary.

Submission BO019 (Helen Sullivan, Sullivan Farming, LLC, October 13, 2011)

SULLIVAN FARMING, LLC  
P.O. BOX 171  
HANFORD, CA 93232

RECEIVED

10-17-11P02:42 RCVD

October 13, 2011

California High Speed Rail Authority  
Fresno to Bakersfield DEIR/EIS Comment  
770 L Street, Suite 800  
Sacramento, CA 95814

To Whom It May Concern:

I am one of the owners of APN number 002-190-001-000, located at 7911 Dover Avenue in Hanford, CA. The east Hanford route chosen by the Rail Authority cuts through this piece of property on the diagonal from north to south. Nowhere in the draft EIR did I see the problems that are related to this particular alignment and the specific damages that it causes to my property addressed.

I would like you to respond to me in writing with a clear and precise plan to mitigate the damages, listed below, that this alignment will cause my family and me as the owners of this specific piece of property.

- 1.) This property was recently planted to almonds. At that time a drip irrigation system was installed at the cost of \$2,000/acre. This gives the land a current estimated land value of \$40,000/acre. The estimated life of an almond orchard is 30 years with an earning potential of at least \$8,000/acre per year. Land value (\$1,600,000.00) plus earning potential (\$9,600,000.00) add up to \$11,200,000.00. How does the High Speed Rail intend to compensate my family and I for the loss of our property (and yes the entire 40 acre block will be essentially useless if the train goes through it) and its earnings for the next 30 years?
- 2.) We are currently entered into a legally binding long term lease with a land management company to farm this ground. Will you pay the legal costs involved in relieving us from the responsibilities and requirements of this lease?
- 3.) If the rail goes through and renders only a swath of this land un-farmable how will we get water from one side of the track to the other? The water well that supplies the drip system is located on the east side of the property. If the drip system is for all intents and purposes cut in half by your rail line who will pay the price to place a new well on the west side of the property? I might tell you that from what I read in your EIR you

BO019-1

have no idea what a well and pumping installation cost. I have put 5 wells in on other properties in the last 9 years. None of them were less than \$350,000.00 to put in with the most expensive being \$675,000.00. How do you plan to reimburse us for the loss of this well and if you find the money to do so how will you be able to get PG&E to get a new service installed in less than a year (which is the current wait time for electrical service installations for agricultural wells). AND if PG&E cannot get this service installed in a timely manner there is a good chance that the trees planted on the west side of the property that will be lacking proper irrigation will die. You will have to replace the trees. Please tell me where in your EIR/EIS do you deal with this set of circumstances in a detailed and specific way?

BO019-2

4.) Several times in recent years we have found species of protected animals living on the property. Bobcats, Kit Foxes and several species of owls are commonly found on the land. What will you do to prevent these animals from being disrupted by the building and operation of the rail?

BO019-3

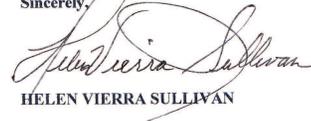
5.) How do you justify running this route through the fields and homes of the people of Kings County when our elected officials have put you on notice that your rail line will do immense social and economic damage to our entire county not just to me and my family? Where is this addressed in your EIR? Where do you address taking our heritage away from us? How do you compensate a person for robbing them of their heritage and history?

Gentlemen I ask, no I demand, that you address these concerns in detail and respond to me not in the superficially hap-hazard way that you have skimmed over the topics listed in this laughable draft EIR that you are trying to foist upon the people of the San Joaquin Valley as a serious, sincere document.

You may reach me at the address listed above, by phone: 559-584-8040 or by email: [sullyvnh@wildblue.net](mailto:sullyvnh@wildblue.net).

I eagerly await your response.

Sincerely,



HELEN VIERRA SULLIVAN

BO019-1

Submission BO019 (Helen Sullivan, Sullivan Farming, LLC, October 13, 2011) - Continued



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## Response to Submission BO019 (Helen Sullivan, Sullivan Farming, LLC, October 13, 2011)

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### **BO019-1**

Refer to Standard Response FB-Response-AG-02, FB-Response-AG-04, FB-Response-SO-01.

Please refer to the Executive Summary S.11, Next Steps in the Environmental Process, for information on the schedule for the selection of the preferred alternative, publication of the Fresno to Bakersfield Section Final EIR/EIS, issuance of the FRA's Record of Decision and the Authority's Notice of Determination, property acquisition, and the start of construction. The property acquisition and compensation process will only begin once all necessary legal processes have been completed, funding has been secured, and construction is ready to begin. This is scheduled to begin in 2013 and last through 2015. Funding secured for the HST project includes the amount required for all of the land acquisition and compensation.

Land owners will be compensated with just compensation as determined in the appraisal process, including the value of any estimated "cost to cure" damages, e.g., cost of re-establishing irrigation systems, replacing wells, etc. The difference between these "before" and "after" values is termed as severance damages and will reflect any loss in value to the remaining land.

Impacts to irrigation systems, resulting curative work, and/or potential ramifications will be addressed during the appraisal process with consultation from experts in the hydraulic engineering and agriculture management fields.

The appraiser will note tenant owned improvements based on input from the property owner and tenants. The acquisition agent will then provide a list of improvements owned by the tenant in an "offset statement" to aid in determining the lessee's portion of just compensation.

### **BO019-2**

Measures designed to mitigate potential impacts on wildlife species are described in Biological Resources and Wetlands (Section 3.3.6 and 3.7.7) of the Revised DEIR/Supplemental DEIS.

### **BO019-3**

Refer to Standard Response FB-Response-GENERAL-05, FB-Response-GENERAL-10, FB-Response-GENERAL-14, FB-Response-SO-04, FB-Response-SO-05, FB-Response-GENERAL-04.

The number of potential residential and business displacements is provided in the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12, Impact SO #10 and Impact SO #11. See Volume I, Section 3.12, Impact SO #3, Impact SO #4, and Impact SO #13 for effects on property and sales tax revenues. For information on the economic effects on agriculture, see Volume I, Section 3.12, Impact SO #16.

Submission BO020 (Trinidad Torres, Trini's Oil Inc., October 13, 2011)



**TRINI'S OIL INC.** 603 G. Street  
 Fresno, CA 93706  
 T 559-268-4852  
 trinisoinc@sbcglobal.net

October 12, 2011  
 California High-Speed Rail Authority  
 Fresno to Bakersfield High-Speed Train Section  
 "Fresno To Bakersfield Draft EIR/EIS Comment"  
 770 L Street, Suite 800  
 Sacramento, CA 95814

Re: "Fresno to Bakersfield Draft EIR/EIS Comment"

Dear California High-Speed Rail Authority,

BO020-1

I have been a businessman in Fresno for over 50 years. My family and I have owned and operated Trini's Beacon Gas Station/Mini Mart on the corner of Ventura and G Street for the past 53 years. Our business has continued to thrive these 53 years because my family and I have continued to work long and hard at this same location and have become a staple of the West Side of Fresno. My family and I have continued to see our clientele grow with fourth and fifth generations of family members continuing to come through our doors. We are the only Beacon Gas Station in this area of town and Beacon/Valero credit card holders count on us to fill up their cars, trucks, motorcycles and even boats! We also have our own commercial and non-profit accounts we work with on a daily basis.

Being an owner/operator of my family business for 53 years has also allowed me a bird's eye view of the changes that have hit the West Side of Fresno, be it good or not-so-good. I believe the High Speed Rail is a great opportunity to bring economic growth to Fresno and especially to the West Side of Fresno. My family and I would have liked to had been included in this opportunity and continue to serve all of our faithful customers for more years to come. However, the plans for the High Speed Rail will have an adverse effect on my business because of the proposed construction that will be placed on Ventura Avenue.

We understand that there will be an overpass starting at F Street and ending at H Street which will cause all traffic on Ventura and traffic coming off of the 99 Highway to completely bypass our business on G Street. There is also a plan to construct a 16-foot high retaining wall and/or pillars right in front of my business. Since most of my business comes from all traffic traveling east and west on Ventura and traffic going on/coming off the 99 Highway, I will lose 95% of my business traffic with this planned overpass. There will not be any way for my family owned and operated business to survive with only 5% of the traffic that will be left. That 5% will be limited even further because the plan also calls for G Street to be closed at Church Avenue.

This is the only livelihood that my family and I depend on each and every day. We will all be adversely effected by the plans to bypass my business on the corner of Ventura and G Street. We are all looking forward to discussing with you possible remedies that would allow us to continue serving our customers on Ventura and G Street or the possible purchase/relocation of our business.

Sincerely yours,

*Trinidad G. Torres*  
 Trinidad G. Torres  
 President



Comment Card  
 Tarjeta de Comentarios

**Fresno to Bakersfield High-Speed Train Section**  
 Draft Environmental Impact Report/  
 Environmental Impact Statement (EIR/EIS)  
**Public Hearings**  
**September 2011**

**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad**  
 Proyecto de Informe de Impacto Ambiental/  
 Declaración de Impacto Ambiental (EIR/EIS)  
**Audiencias Públicas**  
**Septiembre del 2011**

Please submit your completed comment card at the end of the meeting, or mail to:  
**Fresno to Bakersfield DEIR/EIS Comment, 770 L Street, Suite 800, Sacramento, CA 95814**

Por favor entregue su tarjeta completada al final de la reunión, o envíela por correo a la siguiente dirección:

The 28, 20	Extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: <b>August 15-October 13</b>	September 15, or 2011.	El periodo de comentario es del 15 de Agosto al 28 de Septiembre del 2011. Los comentarios tienen que ser recibidos electrónicamente, o matasellados, el o antes del 28 de Septiembre del 2011.
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Name/Nombre: Trinidad G. Torres  
 Organization/Organización: Trini's Oil Inc.  
 Address/Domicilio: 603 G Street  
 Phone Number/Número de Teléfono: 559-268-4852  
 City, State, Zip Code/Ciudad, Estado, Código Postal: Fresno, CA 93706  
 E-mail Address/Correo Electrónico: trinisoinc@sbcglobal.net  
 (Use additional pages if needed/Usar paginas adicionales si es necesario)  
⊗ See attached signed letter ⊗

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Response to Submission BO020 (Trinidad Torres, Trini's Oil Inc., October 13, 2011)

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**BO020-1**

Refer to Standard Response FB-Response-SO-03.