

Agricultural Working Group September 7, 2011 Final Meeting Notes

HST Section: Fresno to Bakersfield

Meeting Date: September 7, 2011

Location: [REDACTED] Fresno, CA

Purpose: To assist the CHSRA in addressing the key issues raised by the agricultural community

Participants: John Diener, Chairman; Gerald Higginbotham, Fresno and Madera County UCCE; John De Ruiter, Rabobank

By phone: Steve Vasquez, Fresno County UCCE; Les Wright, Fresno County Assistant Agriculture Commissioner; Louie Guerra, Fresno County Agriculture Commissioner's Office

Jeff Abercrombie, Central Valley Program Manager, California High-Speed Rail Authority

Cheryl Lehn, URS Corp.

Prepared by: Cheryl Lehn

Action Items:

1. Abercrombie will provide more information from DEIR/S (Section 3.5) regarding "electrification" and stray voltage.
2. Abercrombie will discuss with CHSR Right of Way Specialist buffer zones and possible effect on land values.
3. Higginbotham will put together a list of bullet points regarding the dairy industry/impacts to be used as a basis for a white paper.
4. Cheryl will follow up with Shannon Mueller to incorporate her research regarding bees into Meeting Notes (to be used as a basis of a white paper.
5. Diener will draft a list of bullet points regarding insects and their impacts to be used as a basis for a white paper.

Decisions:

1. Next meeting September 30, 2011 at 9:00 to 11:00 a.m.
2. Next meeting October 14, 2011 at 9:00 to 11:00 a.m.

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Discussion of Issues:

Jeff Abercrombie gave a welcome and introductions of the group. He gave a re-cap of what topics and issues have been discussed by the group. The goal of the CHSRA is to go through the Meeting Notes, list in bullet points the most important facts of each topic and turn this into a white paper.

FUMIGANT BUFFER ZONES

The Fresno County Agricultural Commissioner's office provided

1. The "Fresno County Field Fumigant Buffer Zones" protocols which specify the rules that landowners must follow to keep field fumigants on the land in order not to impact people, animals, livestock, etc. These rules are already in existence and would apply if the HST traversed across a landowner's property.
2. John Diener noted that fumigation usually takes place prior to planting of a crop, unless it is a permanent crop, such as trees. There are 100,000 acres of processing tomatoes which use fumigants. Fresno County's rules are stricter than other counties. There is an effort to have all counties have the same rules.
3. Abercrombie asked about the splitting of fields wherein the CHSRA creates an impact to a landowner and has now created a buffer zone. He asked for an example if using methyl iodide, where a landowner has to stay 200 feet from the HST.
4. Growers can apply a different fumigant by using an alternative product. They can spray smaller acreages each time to avoid the 200 foot buffer rules.
5. Abercrombie asked if the fumigant buffer would be a factor that would affect land values.
6. Rabobank representative DeRuiter said that an appraisal could mention this factor. However, it may not affect the sale. Due to lender liability, a bank tries not to get into daily management of a landowner.
7. Abercrombie will contact Patricia Jones, the Deputy Right of Way Specialist with the CHSRA and get her opinion on how this may affect or impact a landowner.

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NOISE AND VIBRATION

1. Gerald Higginbotham distributed and reviewed the "High-Speed Ground Transportation Noise and Vibration Impact Assessment" authored by the U.S. Department of Transportation Federal Railroad Administration, dated October 2005.
2. Higginbotham provided a study in regard to milking barn noise and vibration that the somatic cell count changes have been studied, with some evidence of increase due to vibration only. HST could review the association.
3. Quoted from the draft EIR/S document under Chapter 3-2: "There are no established criteria relating high-speed train noise and animal behavior." Noise depends on how far away the HST will be. If the noise is over the top of a dairy, the noise may cause the dairy to have to move. If the noise is ¼ mile away, the noise would probably have no effect.
4. The vibration and noise frequency and duration are both factors. If noise is unmitigated, it could be 90 to 95 dB, if mitigated it could be 87 dB or under. HSR trains pass a point in about 4-5 seconds.
5. Higginbotham offered to search for other documents relating to noise and animals.
6. A value could be placed on the loss of milk if there is a finding that that occurs. For instance, if there is a loss of milk production for 3 months, that loss would have a value. Abercrombie said there can be a co-existence of HST and agriculture when they can work together. Other countries don't have much research on co-existence, indicating there is most likely not a problem.

OTHER ISSUES

EMF Discussion

The question was asked about if there could be straight voltage. The draft EIR/S document, Section 3.5 Electromagnetic Fields and Electromagnetic Interference provides information about the "electrification" impacts. Discussion was deferred to next meeting

DPR and California EPA

Abercrombie has inquired as to the CHSRA working with DPR and California EPA. He found initially that those agency discussion have dealt more with water ways, not pesticide application. Abercrombie said understood that they are not permitting agencies with the CHSRA. More follow was suggested. DPR promotes "following the label."

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Assistant Fresno County Agricultural Commissioner, Les Wright reported that Hafner is looking for the letter that she received from DPR regarding Buffer Zone restrictions, which are handled by labeling requirements.

Discussion on routes along I5 or Highway 99.

Abercrombie gave the background on the proposed HSR alignment in the 2005 Programmatic EIR/S which was the BNSF corridor between Fresno and Bakersfield. I5 was not selected because of it does not connect the populations centers in the valley. Highway 99 was not selected in the 2005 document but was evaluated as part of the early scoping and Alternatives Analysis process. A Highway 99/UPRR alignment has many constraint was determined to create more impacts than the BNSF alignment. USEPA and USACE concurred with that decision in July 2011, as part of their ongoing review of the project.

BEES

In regard to bees, Abercrombie asked Cheryl to follow up with Shannon Mueller and incorporate her information into the Meeting Notes. (She was unable to attend today.) This will be the basis for the White Paper.

MEETING NOTES

Abercrombie discussed the procedure for Meeting Notes. He would like all members of the Working Group to comment and soon as the notes are sent to them. Return all comments to Cheryl Lehn. He would like to have a 5 to 7 day deadline for corrections, additions, edits to the notes. Out of these notes, he hopes the group will write a summary conclusion or a "white paper."

His recommendation would be to have a format as follows:

1. Problem Statement
2. Salient points
3. Research
4. Recommendations

Please let us know your thoughts on this.

Abercrombie also noted that comments on the Draft EIR/S report are due October 13, 2011. Any member of the group that would be interested in commenting is invited to do so.

Next meeting dates: September 30, 2011 9:00 to 11:00 a.m.
October 14, 2011 9:00 to 11:00 a.m.