

Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011) - Continued

FFWBC/Bethel Christian School | 5  
 EIR OBJECTION

FFWBC/Bethel Christian School |  
 EIR OBJECTION

BO010-7

Fourth, we believe the Authority will not undertake the necessary procedures to mitigate adverse impacts on the community. In fact, we understand that mitigation efforts, such as construction of sound walls, are typically discretionary and, in some cases, can be reduced or even avoided altogether by the Authority. Thus, considering the budgetary constraints addressed above, we believe the community will not receive the necessary protections from the anticipated adverse environmental impact.

BO010-8

Fifth, we recommend that the HSR Authority re-evaluate the proposed site E. California Ave./Red Line and consider the Grapevine option as a better alternative, as this route could save 4 billion, according to the July press release dated 9-28-11.

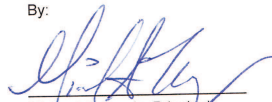
Thank you for your time and consideration.

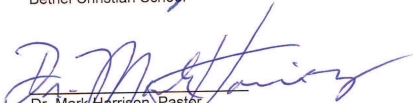
Yours very truly,

First Free Will Baptist Church, Bakersfield


Bethel Christian School, Bakersfield

By:


  
 Michael Kennedy, Principal  
 Bethel Christian School

  
 Dr. Mark Harrison, Pastor  
 First Free Will Baptist Church

BETHEL CHRISTIAN SCHOOL BOARD OF EDUCATION

  
 Harland Fox

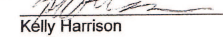
  
 Don Foster, Chairman

  
 Allen Kennedy

X   
 Skip Thompson

FIRST FREE WILL BAPTIST CHURCH TRUSTEE BOARD

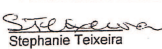
  
 Gil Garcia

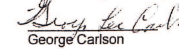
  
 Kelly Harrison

  
 Don Foster, Chairman

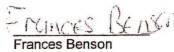
X   
 Jose/Recio

VOTING/ASSOCIATION MEMBERSHIP (Monthly Meetings)

  
 Stephanie Teixeira

  
 George Carlson

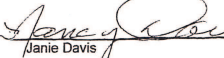
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 Skip Thompson

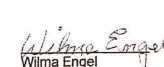
  
 Frances Benson

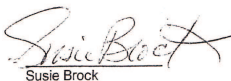
  
 Shelly Carlson

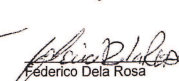
  
 Marlin Engel

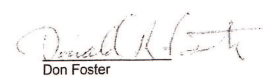
  
 Terri Thompson

  
 Janie Davis

  
 Wilma Engel

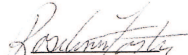
  
 Susie Brock

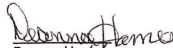
  
 Federico Dela Rosa

  
 Don Foster

Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011) - Continued

FFWBC/Bethel Christian School  
EIR OBJECTION

  
Rose Foster

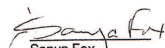
  
Deanna Harris


  
David Morrow

  
Mike Fox

  
Kelly Harrison

  
Sabrina Morrow

  
Sonya Fox

  
Victoria Harrison

  
Yonder Posada

  
Gili Garcia

  
Mark Harrison

  
Jennifer Posada

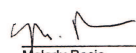
  
Sally Garcia

  
Cheryl Harrison

  
Jose Recio

  
Tereasa Barrett

  
Ruth Hinzo


  
Melody Recio

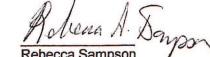
  
John Goodall

  
Allen Kenredy

  
Joe Sampson

  
Norma Goodall

  
Margie Kenredy

  
Rebecca Sampson

  
Ken Griffith

  
Lynda Scott

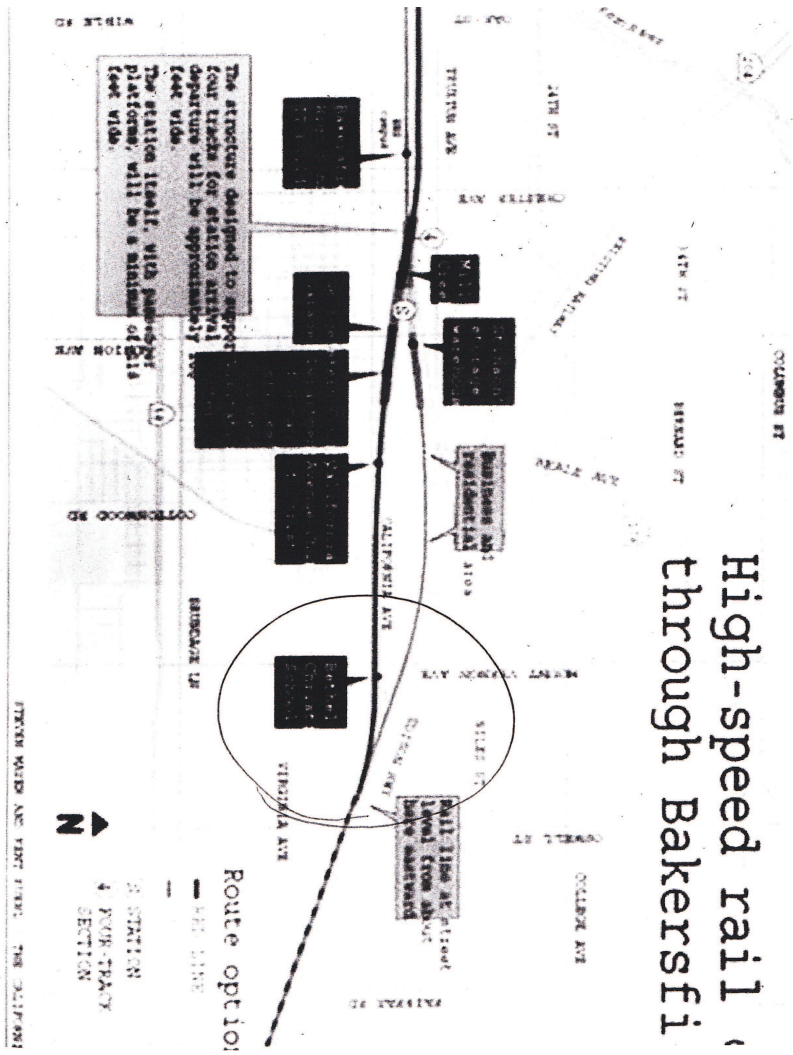
  
Melanie Griffith

  
Kathy Simpson

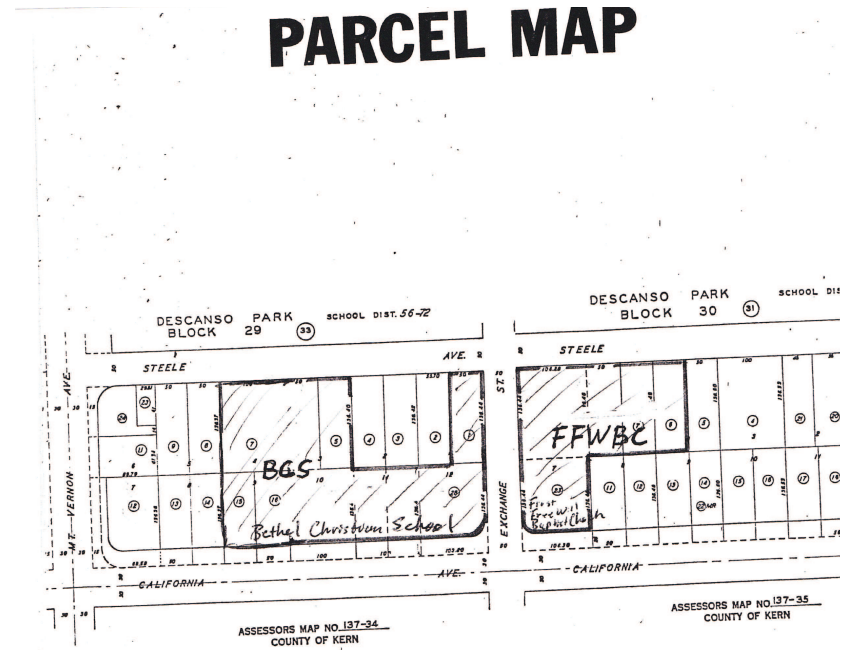
## APPENDIX

- HSR MAP
- PARCEL MAP

Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011) - Continued



High-speed rail  
 through Bakersfield



**PARCEL MAP**

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## Response to Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011)

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### **BO010-1**

Refer to Standard Response FB-Response-SO-06, FB-Response-N&V-02, FB-Response-SO-04.

Alignment plans and maps of parcels directly affected by the project where the whole parcel or a portion thereof would be acquired by the project are provided in Volume III.

### **BO010-2**

As recommended in Section 15222 of the CEQA Guidelines, the environmental document for the Fresno to Bakersfield Section is a joint EIR/EIS that follows the requirements of both CEQA and NEPA.

### **BO010-3**

Refer to Standard Response FB-Response-AQ-05, FB-Response-N&V-03, FB-Response-SO-01.

Potential noise impact has been assessed at sensitive receptors 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 3.4.7 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 that will reduce the levels by at least 5 dBA, such as adding acoustically treated windows, extra insulation, and mechanical ventilation as detailed in Section

### **BO010-3**

3.4.7, 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 receptors, 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 5-dBA noise reduction due to the barrier is considered a benefitted 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 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. At this time, there are no planned sound barriers throughout the Fresno area for the Fresno to Bakersfield segment due to the lack of severe impacts.

### **BO010-4**

Refer to Standard Response FB-Response-GENERAL-17.

### **BO010-5**

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10, FB-Response-GENERAL-25.

### **BO010-6**

Information on the details of the noise study is contained in the *Fresno to Bakersfield Section: Noise and Vibration Technical Report* (Authority and FRA 2012i), which is available electronically on the Authority's website.

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## Response to Submission BO010 (Michael Kennedy, et al., The First Free Will Baptist Church and Bethel Christian School, October 13, 2011) - Continued

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### **BO010-6**

The Revised DEIR/Supplemental DEIS includes an analysis of the impacts of project alternatives through Bakersfield east to Oswell Street where these alternatives merge.

A station site near 7th Standard Road and SR 99 was evaluated in the Statewide Program EIR/EIS for the California HST System (Authority and FRA 2005). The Record of Decision (ROD) for the Statewide Program EIR/EIS selected the BNSF Railway corridor with a station near the existing Amtrak station as the preferred alternative for the Fresno to Bakersfield Section. In accordance with CEQA and NEPA, the project-level EIR/EIS for the Fresno to Bakersfield Section focuses on alternatives in the BNSF Railway corridor.

The Authority apologizes for any errors in the lists of street names and addresses.

### **BO010-7**

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 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 3.4.6 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

### **BO010-7**

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 receptors, 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 a 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 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.

### **BO010-8**

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10, FB-Response-GENERAL-25.

Submission BO011 (Dennis Parnagian, Fowler Packing Company, October 13, 2011)

# FOWLER PACKING COMPANY



October 12, 2011

California High-Speed Rail Authority  
Fresno to Bakersfield Draft EIR/EIS Comments  
770 L Street, Suite 800  
Sacramento, CA 95814

RE: **Right of Way/Permanent Impact to Fresno County Parcels# 335-170-19, 335-170-32, 335-140-30, 335-140-31**

Dear Members of the Authority,

Please accept this letter as our formal comment to the Draft Environmental Impact Report/Environmental Impact Statement for the Fresno to Bakersfield section of the California High-Speed Rail. Based on the Alignment Plans included in this document it is apparent that the proposed alignment establishes a right of way that encroaches into an area of our facilities at Fowler Packing Company that will result in the demolition of several buildings which we collectively refer to as Plant 1. We hope that this letter will give the rail authority a better understanding of our business and facilities so that they may make an informed decision when evaluating an alternative to move the alignment. We also expressed similar concerns to Mr. Jeff Abercrombie, the Central Valley Area Program Manager for the California High Speed Rail Authority. We were appreciative that he, along with other Rail Authority consultants from URS, were able to meet with us at our facilities and see firsthand the complex nature of our business, buildings and equipment. We hope this letter conveys this message and we remain hopeful that given the burden and cost associated with the current alignment that a method to divert the rail away from our facilities will be found.

### About Fowler Packing Company

Fowler Packing Company was founded in 1950 by my father Sam and today is managed and owned by my three brothers and myself along with our children and other family members. We are one of the largest shippers in the fresh produce business handling over 17 million boxes of stone fruit, table grapes and citrus.



GROWER • PACKER • SHIPPER

8570 S. CEDAR AVE., FRESNO, CA 93725 • (559) 834-5911, FAX (559) 834-5272

2 | Page

I have included with this letter an aerial overview of our facilities which operate in a campus environment. The first building on the property was constructed in 1976 and since then, a year has rarely gone by that an expansion project has not occurred. We put a great deal of time and consideration into each project, as they are all done to better help us achieve operational efficiencies and growth plans. In addition to building expansions, we continue to invest on a yearly basis to ensure that our buildings and equipment are operating in excellent working condition and are technologically at the forefront of the industry. Our operations are extremely integrated between the three packing facilities, cold storage rooms, offices and other departments with a continual sharing of product, personnel, materials, information and management. No one building or process operates on a standalone basis though each one serves a critical role to accomplishing the company's goals.

### Acquisition of Right of Way

As shown in the included enclosure, the needed right of way for the proposed alignment effectively takes, through the entire length of the building, the eastern load bearing wall for Plant 1. It is highly unlikely that any portions of Plant 1 will be salvaged given the current indicated alignment and the structural/mechanical design of that Plant. In addition to the effect on Plant 1, the current alignment also encroaches into the staging area for Plant 2 and 3. These areas serve a critical function of accommodating truck traffic and providing storage of materials. The materials are needed in close proximity to the Plants as they are used in the daily operations and also serve to load trucks with empty bins and boxes.

Plant 1 is primarily utilized for the receiving, packing, storing and shipping of fresh produce. On average the facility handles annual throughput capacity of 7 million boxes, of which 60% of the product is sourced from company owned ranches and the remaining 40% is grower product. This plant is approximately 124,120 square feet, consisting of 42,798 square feet of cold storage area, a 14,952 square foot box production building, and 66,370 square feet of general area. The general area includes packing areas, offices, a hydro-cooler, equipment rooms, and fumigation chambers. Plant 1 is constructed on a heavy concrete foundation, with internal steel framing, concrete tilt-up walls and a clear span laminated wood beam roofing structure. The plant was built in various stages between 1976 and 1988.

The refrigeration system at Plant 1 has had numerous upgrades over the years including and most recently the replacement of 6 compressor units and an updated control system which manages cooling of the cold storage rooms. The system consists of (3) evaporative condenser units which have a rated capacity of 1,200 tons of refrigeration, (2) 1,600 gallon ammonia receiver tanks, accumulator, transfer vessel, thermosyphm receiver, Cutler Hammer Unitor electrical center for the compressors, condensers, and water pumps, (2) Sierra Switchboards for the condenser fans, water jackets, (4) Safetronics FP5 fan and pump AC driver controllers, computer controlled discharge panel, and Honeywell temperature control panels.

BO011-1

### Effect on Operations

In the event the HSR alignment is not altered requiring Plant 1 to be demolished and the staging area for Plant 2 and 3 to be taken, the effect on our operations would be very substantial. The

Submission BO011 (Dennis Parnagian, Fowler Packing Company, October 13, 2011) - Continued

3 | Page

BO011-1

unique nature of Plant 1 along with the integration with our other facilities will require a new building to be constructed somewhere within our existing campus. It is not immediately clear where this new facility could be built as it would be dependent on a number of factors including what right of way is actually acquired and what would be permitted by the County's Planning Department. The cost to complete an undertaking of this magnitude would be significant and we would expect to be fully compensated in an amount that would allow us to build a facility of a similar size and function to what is existing and for our loss of any crops, growers or retail accounts due to downtime.

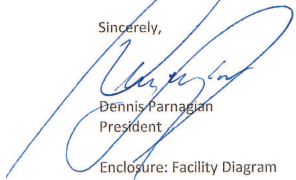
Having completed our share of new facility construction and expansions in the past, we know firsthand the effort and time that is involved in the planning, design and construction of these very specialized facilities. Because these facilities are in use 52 weeks of the year any disruption, much less destruction has major consequences to our perishable products. Therefore, we need adequate lead-time and, the funds to construct a new facility before the existing plant is impacted or demolished, otherwise the economic loss to our growers and us will be far greater.

BO011-2

It is with a great deal of anxiety that we consider an option that would require Plant 1 to be taken. The time and effort with this undertaking is substantial and the end result will most likely never be as well utilized or designed as what we currently have, otherwise we would have done it already. Our business relies on being able to serve our customers year round. And, our economic survival is dependent on harvesting, packing and selling our very perishable products 52 weeks a year. I don't know how we do this if you continue this alignment as currently planned through our facility.

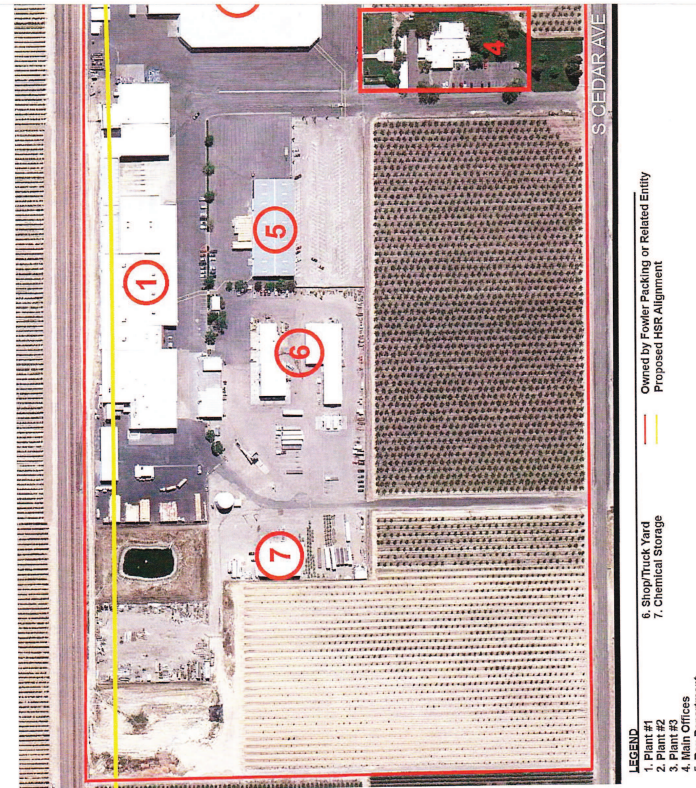
Please give our concerns and fears the attention they deserve, otherwise, the cost in dollars, the loss of jobs, the ill will, and the fate of our company will be far greater than the realignment of the track.

Sincerely,



Dennis Parnagian  
 President

Enclosure: Facility Diagram



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Response to Submission BO011 (Dennis Parnagian, Fowler Packing Company, October 13, 2011)

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**BO011-1**

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

A decision regarding a specific business would occur only after it is determined that the preferred alternative would affect that business, and at that time the property acquisition phase would begin.

**BO011-2**

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

The HST Project is required to adhere to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which includes the provision to provide adequate lead time for displaced businesses to relocate.



Submission BO012 (Jim Crisp, Kings County Farm Bureau, October 13, 2011)



**Kings County Farm Bureau**

870 Greenfield Avenue • Hanford, California 93230  
 Telephone (559) 584-3557 • FAX (559) 584-1614 • www.kcfb.org

October 12, 2011

California High Speed Rail Authority  
 Fresno to Bakersfield DEIR/DEIS Comments  
 770 L Street, Suite 800  
 Sacramento, CA 95814



*Officers*

Jim Crisp  
*President*

Michael Miya  
*Vice President*

Dino Giacomazzi  
*Secretary/Treasurer*

*Board of Directors*

Joseph Alcalá

Stan Azevedo

Tyler Bennett

Joshua Bertencourt

Mary Cameron

Theo de Haan

Ryan Dooley

Chuck Draxler

**Re: California High-Speed Train Project: Fresno to Bakersfield Section  
 Draft Environmental Impact Report/Statement Comments**

Kings County Farm Bureau ("KCFB") submits the following initial comments on the *Draft Environmental Impact Report/Draft Environmental Impact Statement* ("DEIR/DEIS") for the Fresno to Bakersfield Section of the California High Speed Train System (the "Project"). KCFB is a non-governmental, non-profit organization whose membership consists of nearly 800 farm, ranch and agribusiness families. As currently planned by the California High Speed Rail Authority ("Authority"), the Project will have destructive impacts on, among other things, Kings County's diverse agricultural landscape and agricultural economy.

As a preliminary matter, KCFB continues to maintain, as pointed out in its September 27, 2011 letter to the Authority, that the 60-day comment period was grossly inadequate to provide meaningful public comment on the Project. Additionally, it must be noted that the Authority has recently announced that a revised DEIR/DEIS will be issued for the Fresno to Bakersfield Section of the Project, and an additional official comment period will be provided in Spring 2012. The Authority has stated that the revised documents will "afford additional time to review the information contained in the current DEIR/DEIS." In light of this recent announcement by the Authority, KCFB is at this time submitting comments describing fundamental flaws and defects in the current document. KCFB, however, reserves the right to make additional and supplemental comments during the next comment period in Spring 2012.

KCFB provides the following comments for the Authority's consideration:

- BO012-1 John Ellis
- Pete Hanse
- BO012-2 Gary Lindley
- BO012-3 Michael Maciel
- BO012-4 John Rodrigues
- Steve Walker
- BO012-5 Bob Wilson
- Frank Zonneveld

- The DEIR/DEIS fails to include an alignment that follows an existing transportation corridor.
- The DEIR/DEIS fails to accurately cite the intent of the Farmland Protection Policy Act (7 U.S.C. 4201-4209 and 7 C.F.R. Part 658).
- The DEIR/DEIS fails to meet the criteria set forth in the Farmland Protection Policy Act, to minimize the extent to which the Federal programs (the Project) contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses.
- The DEIR/DEIS fails to provide a comparative analysis on an alternative alignment that would avoid the unnecessary conversion of protected agricultural land.
- The DEIR/DEIS fails to appropriately address the requirements for public acquisition of Williamson Act (California Government Code §§51290 - 51295, 51296.6) contracted lands; and fails to describe how the Project with comply with stated requirements. Further, Williamson Act parcels are not appropriately identified.

- BO012-6
- BO012-7
- BO012-8
- BO012-9
- BO012-10
- BO012-11
- BO012-12
- BO012-13
- BO012-14
- BO012-15
- BO012-16
- BO012-17

- The DEIR/DEIS fails to adequately and accurately identify and analyze the policies of the Kings County General Plan 2035 related to land use, planning, zoning and ag preservation.
- The DEIR/DEIS fails to demonstrate appropriate consultation/coordination with local government regarding the above-referenced policies.
- The DEIR/DEIS fails to adequately and accurately identify and analyze inconsistencies and conflicts between the Project and local government policies and plans. Such conflicts were predetermined and communicated to the Authority and FRA prior to the release of DEIR/DEIS.
- Where inconsistencies or conflicts exist, the DEIR/DEIS fails to describe the extent of reconciliation as legally required. (FRA Docket No. EP-1, Notice 5; U.S. Department of Transportation, Federal Railroad Administration, Procedures for Considering Environmental Impacts).
- The DEIR/DEIS fails to provide technical evidence, appropriate studies and support on statements related to specific concerns provided by the agricultural community in past correspondence and public information hearings, such as: that wind effects on bees and adjacent cropland would be negligible and not affect agricultural productivity, including pollination by bees, that noise from HST operation would be unlikely to affect confined animals, that the HST would not cause wind effects that would interfere with pesticide drift and application restrictions.
- The DEIR/DEIS fails to include technical evidence and studies on the effect of wind vortex and pesticide drift as requested by the agricultural community and local ag commissioner.
- The DEIR/DEIS fails to provide adequate, detailed and technical assessment of the HST impacts (physical, operational and economical) to agricultural cropland and facilities (dairies, processors, feedlots, etc.), including loss of productivity (present and future), loss of structures, loss of utilities and services, diminished property valuation, etc.
- The DEIR/DEIS fails to appropriately address specific economic impacts related to parcel severance, which render smaller parcels "too small to maintain economic activity."
- The DEIR/DEIS fails to appropriately address environmental impacts related to increased emissions from farming equipment as a result of farming inefficiencies created by access severance.
- The DEIR/DEIS fails to assess safety concerns related to transport of farm equipment on proposed overpasses.
- The DEIR/DEIS fails to adequately identify, analyze and mitigate the Project's adverse impacts to agriculture, both stated and omitted.
- The Project Description contained in the DEIR/DEIS is uncertain, incomplete and inadequate. As a result, the true impact and scope of the Project cannot be ascertained.

KCFB urges the Authority to not only fully consider and meaningfully respond to the initial comments set forth above, but to also re-open environmental review of the Draft EIR/EIS for the Merced to Fresno section and Fresno to Bakersfield section of the proposed rail line. As a multi-billion dollar piece of public infrastructure that would have a long and broad footprint upon California's agricultural landscape, it should not be said the Authority rushed to final design and construction.

Sincerely,  
 Jim Crisp  
 President

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## Response to Submission BO012 (Jim Crisp, Kings County Farm Bureau, October 13, 2011)

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**BO012-1**

Refer to Standard Response FB-Response-GENERAL-10.

**BO012-2**

Refer to Standard Response FB-Response-AG-07.

The Draft Relocation Impacts Report (Authority and FRA 2012b) provides complete information on the project impacts on important farmlands defined by the Farmland Protection Policy Act (FPPA).

**BO012-3**

Refer to Standard Response FB-Response-AG-07.

The Draft Relocation Impacts Report (Authority and FRA 2012b) provides complete information on the project impacts on important farmlands, defined by the Farmland Protection Policy Act (FPPA).

**BO012-4**

Refer to Standard Response FB-Response-AG-07.

The Draft Relocation Impacts Report (Authority and FRA 2012b) provides complete information on the project impacts on important farmlands defined by the Farmland Protection Policy Act (FPPA). See Volume I, Section 3.14, Impact AG#4 for information on the permanent conversion of agricultural land, and see Mitigation Measure AG-1 in Volume I, Section 3.14 for measures to preserve the total amount of prime farmland.

**BO012-5**

Refer to Standard Response FB-Response-AG-07.

A letter of notification to acquire Williamson Act land has been sent to the Department of Conservation and each of the affected counties.

**BO012-6**

Refer to Standard Response FB-Response-LU-02, FB-Response-LU-03, FB-Response-

**BO012-6**

GENERAL-04 and FB-Response-AG-01.

The Authority and FRA have consulted with public agencies during the process of planning and designing the HST project, including during preparation of the Preliminary and Supplemental AA Reports.

**BO012-7**

Refer to Standard Response FB-Response-GENERAL-08.

**BO012-8**

Refer to Standard Response FB-Response-GENERAL-08 and FB-Response-LU-02.

**BO012-9**

As stated in FRA Docket No. EP-1, Procedures for Considering Environmental Impacts, the EIS should assess the impacts of each alternative on local land use controls and comprehensive regional planning as well as on development within the affected environment, including, where applicable, other proposed Federal actions in the area. Where inconsistencies or conflicts exist, this section should describe the extent of reconciliation and the reason for proceeding notwithstanding the absence of full reconciliation.

The HST project is being undertaken by a state agency (the Authority) and a federal agency (the FRA). The HST project is not subject to the general plan policies or zoning regulations adopted by local governments. The Authority and FRA have consulted with public agencies during the process of planning and designing the HST project, including during preparation of the Preliminary and Supplemental AA Reports. In addition, the project must conform to the policies and objectives of the statutes and regulations under which the Authority and FRA operate. For example, the Authority must balance the objectives stated in Proposition 1A in pursuing development of an HST system for California.

Land use policy inconsistency is discussed in Section 3.13.2.4 of the Revised DEIS/Supplemental DEIS. Land use impacts are discussed in Section 3.13.5.3.

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Response to Submission BO012 (Jim Crisp, Kings County Farm Bureau, October 13, 2011) - Continued

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**BO012-10**

Refer to Standard Response FB-Response-AG-03, FB-Response-AG-05, FB-Response-N&V-01 and FB-Response-AG-06.

For information on uneconomic parcels, see Volume I, Section 3.14, Impact AG#5. See Volume I, Section 3.14, Impact AG#10 for information on the wind-induced effects. See Volume I, Section 3.14, Impact AG#11 for information on the impacts on aerial pesticide spraying, dust, and pollination. See Volume I, Section 3.14, Impact AG#9 for information on noise effects on grazing animals. See Volume II, Technical Appendix 3.14-B for impacts on confined animal agriculture.

**BO012-11**

Refer to Standard Response FB-Response-N&V-01 and FB-Response-AG-05.

Wind effects on bees are discussed in Section 3.14.5, Agricultural Lands, of the Revised DEIR/Supplemental DEIS.

**BO012-12**

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 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

**BO012-12**

been subject to routine application of pesticides is low.

The Authority established an Agricultural Working Group to assist the Authority on issues related to the agricultural industry and the High-Speed Train. University, government agencies, and agri-business representatives belong to this group. The Agricultural Working Group prepared a white paper entitled "Pesticide Use Impacts" in 2012. That paper is available on the Authority's website.

The Agricultural Working Group concluded that the existence of the HST and its right-of-way will not in-and-of itself cause promulgation of new regulations to restrict the use of pesticides in close proximity (adjacent) to a new railway. The only impact will be consequent to the railway footprint causing a "set-back" from its right-of-way due to the need for farm equipment turn-around space.

The White Paper "Induced Wind Impacts" examined the potential for airflow from the train to create wind. It found that the induced wind speed would be 2.4 miles per hour at 30 feet from the train. This distance is well within the right-of-way of the system, so induced wind at the edge of the right of way would be very small. Note that HST trainsets are very streamlined and applicable are not directly comparable to the wind effects of a typical freight train, even at higher speed. "Induced Wind Impacts" concluded regarding the potential for pesticide drift prevention space:

"There is the general practice that the application of pesticides is not performed in winds that exceed 5-10mph. The actual limiting of application is determined by factors such as pesticide label instructions, the experience of the applicator, the perceived risk of drift involved and specific application conditions and regulations."

"The situation of the HST moving pesticides from an adjacent field into the HST Right of Way or into an adjoining field is not reasonably foreseeable as a result of the wind speeds noted above."

If pesticide applicators apply pesticides adjacent to the HST in accordance with the existing regulations there should be no liability. If they fail to meet those regulations, the applicator would be liable for damages.

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Response to Submission BO012 (Jim Crisp, Kings County Farm Bureau, October 13, 2011) - Continued

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**BO012-13**

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

See Volume I, Section 3.12, Impact SO#16 for impacts on agricultural businesses. Also see Volume I, Section 3.14, Impact AG#5 for more information on effects on agricultural land from parcel severance. For information on the property acquisition and compensation process, see Volume II, Technical Appendix 3.12-A.

**BO012-14**

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

**BO012-15**

Refer to Standard Response FB-Response-AQ-03.

**BO012-16**

Refer to Standard Response FB-Response-S&S-01.

**BO012-17**

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

Submission BO013 (Alexander Brown, Presbytery of San Joaquin (on behalf of Korean Presbyterian Church of Bakersfield et al.), October 13, 2011)

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4040 San Dimas #B  
Bakersfield Ca 93301

RECEIVED  
10-17-11P04:45 RCVD

October 13, 2011

California High Speed Rail Authority  
770 L Street Suite 800  
Sacramento, Ca. 95814

Dear Sir

The following letter is a comment on Fresno-Bakersfield EIR/EIS, which was sent to Kern County Planning and Community Development Department on behalf of Korean Presbyterian Church, 1601 Art Street Bakersfield California 93312. from Rev. Alexander Brown, General Presbyter and Stated Clerk Presbytery of San Joaquin

I think this letter should be filed in your Draft EIR/EIS  
As a comment for  
FRESNO-BAKERSFIELD EIR/EIS  
For Korean Presbyterian Church of Bakersfield  
1601 Art Street Bakersfield, Ca 93312.

Thank you

Sincerely

Sung Jung, MD

Kern County Planning and Community Development Department  
2700 "M" Street, Suite 100  
Bakersfield, CA 93301

September 21, 2011

Reference: GPA #8, Map #102-29; ZCC #38, Map #102-29  
PD Plan #27, Map #102-29

To Whom It May Concern,

I write on behalf of the Bakersfield Korean Presbyterian Church located at 1601 Art Street in Bakersfield, and on behalf of the Presbytery of San Joaquin. The Presbytery is the supervising body for the Bakersfield Korean Presbyterian Church and is ultimately responsible for all real property controlled by our member congregations.

BO013-1

It has come to our attention that the rail line for the California High Speed Rail Project will cut directly through the location of the building of the Korean Church. Losing this facility will harm this congregation in many ways. The process of locating new property and building or renovating a new worship facility is a tremendous hardship for a congregation. They have only recently finished their work in their current facility. While we know that the church will be paid for the property we are not at all sure that the payment will be enough to relocate.

BO013-2

In addition to the difficulty of relocating their facility such a forced move would be extremely disruptive to their church community. Most of the members of the church live close by the current location. For the church meeting place to be moved to another place in Bakersfield would result in the loss of members who would not want to drive a distance to worship and meetings.

BO013-3

I am aware that there are other routes being considered by the High Speed Rail Commission. I urge you to look upon the existing businesses and churches, such as Bakersfield Korean Presbyterian Church, and see the extreme difficulty that would be forced upon them by this route for the High Speed Rail line. Please choose another route.

Blessings,

Rev. Alexander Brown, General Presbyter and Stated Clerk  
Presbytery of San Joaquin  
executive@sjpresbytery.org

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**Response to Submission BO013 (Alexander Brown, Presbytery of San Joaquin (on behalf of Korean Presbyterian Church of Bakersfield et al.), October 13, 2011)**

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**BO013-1**

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

Please see Section 5.2.5, Community Impact Assessment Technical Report, for an explanation of the impacts on the Korean Presbyterian Church (Authority and FRA 2012g). Refer to the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12.7, Mitigation Measure SO-4, for information related to the relocation of important community facilities.

**BO013-2**

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

Please see Section 5.2.5, Community Impact Assessment Technical Report, for an explanation of the impacts on the Korean Presbyterian Church (Authority and FRA 2012g). Refer to the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12.7, Mitigation Measure SO-4, for information related to the relocation of important community facilities.

**BO013-3**

Refer to Standard Response FB-Response-GENERAL-02, FB-Response-GENERAL-10.

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011)

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October 12, 2011

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10-17-11P02:31 RCVD

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California High Speed Rail Authority  
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BO014-1

There is the potential that some of your **mitigation measures** that you perform today, **may not be adequate** for our needs in the future, thereby restricting future opportunity, efficiency, and income.

How do you plan on mitigating the mitigation measures that are not adequate for future growth or expansion opportunities?

How do you plan to mitigate the loss of income due to lost opportunity, growth, and efficiency due to your inadequate mitigation measures?

BO014-2

My home is located near the proposed path of your HSR. I picked the location because it was a quiet area in the country.

How are you going to mitigate the noise pollution from your HSR?

How are you going to mitigate the loss in property value due to your HSR ruining the country setting of my home?

BO014-3

How are you going to compensate me for ruining my quality of life at my country home?

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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Sacramento, CA 95814

BO014-4

My home is located near the proposed path of your HSR. I picked the location because of the unobstructed views from the south to the west. Your HSR proposed route runs right thru my formerly unobstructed view.

How will you mitigate the skyline pollution when you put your HSR thru my property?

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BO014-5

For obvious reasons, property **resale value and borrowing capacity will be greatly reduced** by your HSR coming through our property, splitting our dairy from our farm causing great inefficiencies daily, increasing our fuel cost, increasing greenhouse gas emissions, causing loss of wells, taking out Lansing Ave access., causing risk of stray voltage causing loss of milk income, stripping productive farm ground away (more acres than you are willing to admit) causing loss of farm income, and ruining quality of life for the homes located near your path, to name a few.

How are you going to mitigate the loss in property value due to your HSR coming through our property?



Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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BO014-6

There is the potential that **vibrations** from your HSR will shorten the useful life of existing wells located along the proposed route. Vibrations from your HSR can cause the sand formations around the well to crumble and collapse, causing the well to be abandoned.

How will you mitigate the vibrations that will affect nearby wells?

Will you replace the wells that collapse due to the vibrations from your HSR?

BO014-7

How do you plan on mitigating **the lost acres of farm ground** due to your HSR? You claim 12 acres/linear mile but the real number will be between 36 and 120 acres per linear mile depending on equipment turnarounds, travel lanes, and actual drift conditions due to your 220 mph HSR.

How do you plan on mitigating our **farm's annual lost crop income** for perpetuity due to your HSR?

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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BO014-8

How do you plan on mitigating our dairy's annual loss of income due to the loss of dairy-permitted farm ground for perpetuity? Your HSR will cause a herd reduction of 180-600 cows, depending on actual loss of farm ground.

How will you mitigate this annual loss of dairy income for perpetuity?

BO014-9

There is no crossing at Lansing Ave on your proposed HSR route. This will mean several thousand trips around to the nearest crossing per year by way of Kansas Ave and Hwy 43 (an additional 7 miles approximately) for large, slow moving equipment due to your HSR.

How are you going to mitigate the extra fuel expense incurred by the farm and dairy annually due to the thousands of extra gallons of diesel consumed annually by these trucks and tractors per year for perpetuity?

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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BO014-10

There is no crossing at Lansing Ave on your proposed HSR route. This will mean several thousand trips around to the nearest crossing per year by way of Kansas Ave and Hwy 43 (an additional 7 miles approximately) for large, slow moving equipment due to your HSR.

How are you going to mitigate the **increased greenhouse gas emissions** annually due to the thousands of gallons extra diesel to be consumed annually by these trucks and tractors due to your HSR?

BO014-11

There is no crossing at Lansing Ave on your proposed HSR route. This will mean several thousand trips around to the nearest crossing per year by way of Kansas Ave and Hwy 43 (an additional 7 miles approximately) for large, slow moving equipment due to your HSR.

How are you going to mitigate the **safety hazards** you are causing by forcing large, slow moving equipment to take thousands of extra trips annually down Kansas Ave and Hwy 43?

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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BO014-12

There is no crossing at Lansing Ave on your proposed HSR route. This will mean several thousand trips around to the nearest crossing per year by way of Kansas Ave and Hwy 43 (an additional 7 miles approximately) for large, slow moving equipment due to your HSR.

How are you going to mitigate the **higher cost of purchased silage** and possibly other commodities of western origin due to the extra mileage charge on all loads from the other side of proposed route?

BO014-13

The potential for **stray voltage** is a huge concern for dairies along the proposed route.

How will you mitigate the potential for stray voltage?

How will you compensate the dairies along the route affected by stray voltage due to your HSR for loss of annual milk production income for perpetuity?

How will you make our cows feel better after they have been exposed to your stray voltage?

Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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BO014-14

There is a potential for **noise pollution** from your HSR to affect dairies along the route. There is a potential for loss of milk production and loss of milk income due to the noise from your HSR.

How will you mitigate the noise pollution from your HSR so it does not adversely affect the dairies along the route?

How will you compensate the affected dairies along the route for annual loss of milk income for perpetuity due to your noise pollution?

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Response to Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011)

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**BO014-1**

Mitigation measures have been designed to eliminate or reduce the magnitude of impacts on the existing environment, and where it is reasonable to project, on conditions at the time the project is complete. It is not possible to develop mitigation measures for an unknown action that may or may not occur in the future.

Section 15145 of the CEQA Guidelines states: "If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." This may also apply to the development of mitigation measures for speculative impacts. This comment asks for the development of mitigation measures for impacts that have not been articulated.

**BO014-2**

Refer to Standard Response FB-Response-N&V-05, FB-Response-SO-02.

For information on mitigation measures related to noise, see the Revised DEIR/Supplemental DEIS, Volume I, Section 3.4.7. For information on potential HST project impacts on property values, see Section 5.4.4.3 in the Community Impact Assessment Technical Report (Authority and FRA 2012g).

**BO014-3**

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

For more information on the property acquisition and compensation process, see the Revised DEIR/Supplemental DEIS, Volume II, Appendix 3.12-A.

**BO014-4**

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

**BO014-5**

Refer to Standard Response FB-Response-AG-02, FB-Response-AG-04, FB-Response-AG-06, FB-Response-SO-02.

Also see the Revised DEIR/Supplemental DEIS, Volume I, Section 3.12, Impact SO

**BO014-5**

#16, and Volume II, Appendix 3.14-B, for impacts on animal operations.

**BO014-6**

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.

**BO014-7**

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

**BO014-8**

Refer to Standard Response FB-Response-GENERAL-04, FB-Response-AG-06.

**BO014-9**

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

Alignment plans and maps of parcels directly affected by the project, where the whole parcel or a portion thereof would be acquired by the project, are provided in the Revised DEIR/Supplemental DEIS, Volume III.

**BO014-10**

Refer to Standard Response FB-Response-AQ-03.

On average, roadway overpasses would be provided approximately every 2 miles along the track. It is estimated that the proposed project would result in no more than 1 mile of out-of-direction travel for vehicles to cross the HST tracks. The width of the roadway

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Response to Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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**BO014-10**

overpasses would accommodate both farm equipment and school buses traveling in opposite lanes. Because of the frequency of roadway overpasses, additional distances traveled by vehicles to cross the HST tracks are expected to be negligible relative to reductions in the regional vehicle miles traveled, and therefore would not cause additional greenhouse gas impacts. (For more details on roadway overcrossings, see Sections 2.2.4 and 2.2.5 of the Revised DEIR/Supplemental DEIS.)

**BO014-11**

Lansing Avenue would be closed between SR 43 and Avenue 9. Traffic would be required to use Kansas Avenue, approximately 1 mile to the north. Large, slow-moving farm equipment travels on the public roads of the Central Valley every day without creating a significant traffic hazard. It would be expected that this would continue with the closure of Lansing Avenue.

**BO014-12**

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

Alignment plans and maps of parcels directly affected by the project, where the whole parcel or a portion thereof would be acquired by the project, are provided in the Revised DEIR/Supplemental DEIS, Volume III.

**BO014-13**

People and businesses in California use electric power and radio frequency (RF) communications for many purposes and services, in homes, businesses, farms, and factories. The intensive use of electric power and RF communications in California and in all developed countries has ensured that the potential health effects of electromagnetic fields, and of the resulting currents and voltages on people and animals, have been thoroughly studied. As a result, the levels at which electromagnetic fields (EMF) and RF fields can cause health or behavioral effects are well established. Broadly used international standards were created based on intensive investigation to ensure that:

\* EMF and RF fields and resulting stray currents and voltages are measured and

**BO014-13**

controlled.

\* Fields do not disturb or injure people or animals.

In regard to dairy production, McGill University conducted a study with cows in pens exposed to controlled EMF levels of 330 milligauss (mG) and 10 kilovolt per meter (kV/m), which are the projected magnetic and electric fields that occur at ground level under a 735-kV line at full load. The researchers measured the following: melatonin levels, prolactin levels, milk production, milk-fat content, dry-matter intake by cows, and reproductive outcomes. While a few statistically significant changes in these factors were found, none of the changes were outside the normal range for cows (McGill University 2008). The study concluded that the EMF exposure did not harm the cows or reduce milk productivity. Various studies cited by other researchers regarding EMF and wildlife suggest a range of effects similar to livestock from nonexistent to relatively small to positive. One study suggests a beneficial application for ELF-EMF in broiler chickens to fight a common parasitic infection called Coccidiosis (Golder Associates, Inc. 2009).

Since 735-kV utility power transmission lines run up and down the state, cattle and people near those lines are exposed to these levels on a continuing basis. Consistent with the McGill study, epidemiological evidence does not indicate that cattle or people near existing 735-kV utility power transmission lines are generally or broadly affected by the fields.

HST traction power 60-Hz current will flow in the overhead contact system (OCS) and in running rails to provide power to trains. The traction power system is called a 2x25 kV system because it uses 25-kV voltage for the trains, and uses two nearby cables with opposite phase to distribute the power down the tracks.

Currents in this HST 2x25 kV system create EMFs and static electric fields near the HST tracks. However, the HST levels will be lower than the fields typical of a 735-kV utility power transmission line. This is because the separation between HST OCS cables is less, cable-to-cable voltage levels and cable current levels are less, and the HST cables are closer to the ground, which makes the cables closer to the reducing effect of the fields in the ground, all in comparison to the 735-kV utility power cables.

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Response to Submission BO014 (E.J. de Jong, Lansing LLC, October 13, 2011) - Continued

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**BO014-13**

TM 300.07, EIR/EIS Assessment of CHST Alignment EMF Footprint, shows that at the closest fence line to the HST tracks, the expected magnetic field is 60 mG, less than one-fifth of the level from a transmission line (Authority 2012c). Since cattle cannot be inside the fence line and people can be inside the fence line only at passenger stations, the possible HST EMF exposure is:

- \* Low compared to the 735-kV utility power transmission line.
- \* Below the level at which the McGill study showed no effect on cows and milk production.

Similarly, the electric field from the HST 25-kV, 60-Hz OCS would be low compared with the exposure from a 735-kV utility power transmission line.

For these reasons, EMF effects on livestock and poultry are expected to have negligible intensity under NEPA, and the impact would be less than significant under CEQA.

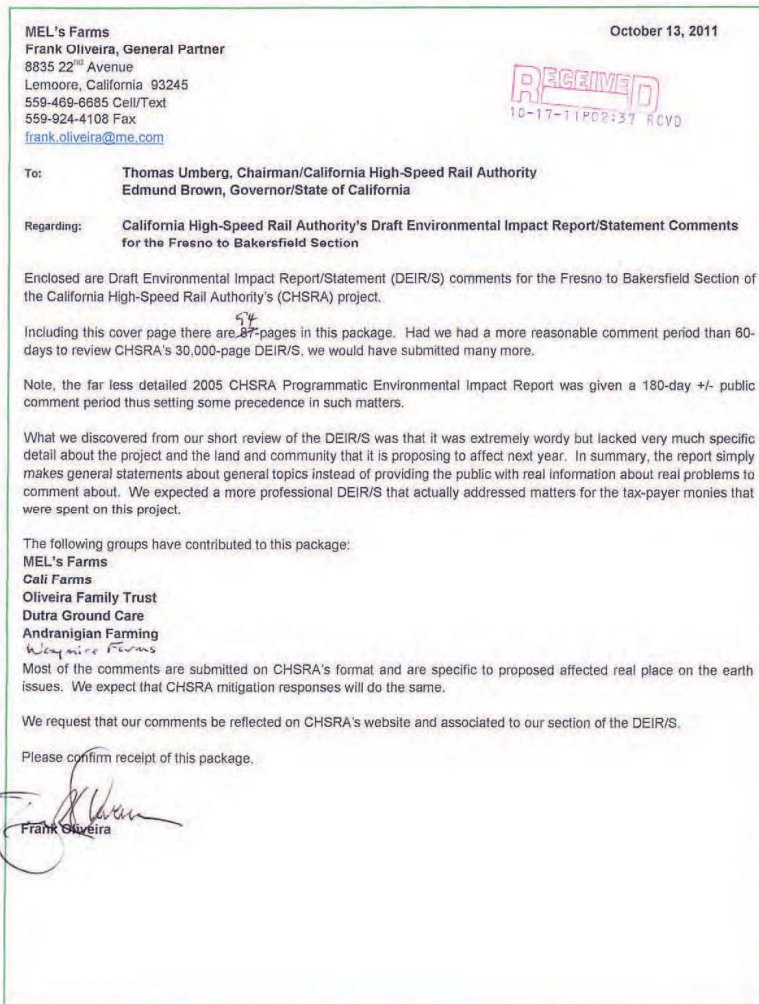
**BO014-14**

Refer to Standard Response FB-Response-AG-06, FB-Response-N&V-01 and FB-Response-SO-01.

See Volume II, Technical Appendix 3.14-B for impacts on confined animal agriculture. See Volume I, Section 3.14, Impact AG#9 for information on noise effects on grazing animals. For information on the property acquisition and compensation process, see Volume II, Technical Appendix 3.12-A.



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



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



Comment Card  
Tarjeta de Comentarios

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

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**La Sección de Fresno a Bakersfield del Tren de Alta Velocidad** Proyecto de Informe de Impacto Ambiental/  
Declaración de Impacto Ambiental (EIR/EIS)  
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**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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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: Heather Oliveira  
Organization/Organización: \_\_\_\_\_  
Address/Domicilio: 8835 22nd Avenue Lemoore, Ca 93245  
Phone Number/Número de Teléfono: (559) 924-2881  
City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore Ca, 93245  
E-mail Address/Correo Electrónico: heathero1@hotmail.com

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

BO015-1

I am concerned that the DEIR/s has inadequately explained and studied the economic and social impacts associated with local access and transfers to the HSR and Amtrak. I expect a complete and detailed explanation of how I can access a local HSR station or transfer from HSR to Amtrak. Please detail the followings:

BO015-2

① Where exactly will the nearest <sup>HSR</sup> station to Hanford, California be located?

BO015-3

② What would the ticket price per person from Hanford to Los Angeles be?

BO015-4

③ Will HSR eliminate Amtrak service and station in Hanford?

BO015-5

④ What will the air quality effects be when Kings County citizens have to drive out of the county to access HSR?

Failure to address these items constitutes a violation of CEQA/NEQA



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Name/Nombre: Heather Oliveira  
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Address/Domicilio: 8835 22nd Ave  
Phone Number/Número de Teléfono: 559 924 2881  
City, State, Zip Code/Ciudad, Estado, Código Postal: Lemoore California, 93245  
E-mail Address/Correo Electrónico: heathero1@hotmail.com

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

BO015-6

I am concerned that the DEIR/s has inadequately studied land use policies in Kings County. My family owns and operates farm ground currently zoned 20 acre minimum. The proposed rail route has cut acreage to less than 20 acres for numerous parcels. I demand that the EIR be revisited and a complete and thorough explanation be sent to me in regard to urban sprawl and encroachment of new single family homes. There are no details in regard to our right to farm without interruption. The EIR must be sent back for revision if the undersized parcels are not addressed. This constitutes a violation of land use goals as outlined in the Environmental Impacts in CEQA and NEPA.

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



Comment Card  
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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 002-150-050 or DEIR/S Section: -----

**BO015-7** 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. 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.

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?

**BO015-8** 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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 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: -----

**BO015-9** 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.


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?

**BO015-10** 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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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.

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 seperated 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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BO015-11

BO015-12



Comment Card  
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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 002-150-050 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.

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?

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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BO015-13

BO015-14

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



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

**BO015-15** | 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.


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 we be compensated for the loss of walnut trees?

**BO015-16** | 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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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 002-150-027 or DEIR/S Section: -----

**BO015-17** | 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. We have a long term lease on the farm ground with John Warmerdam.


How will we be compensated for the loss of future lease income on the ground taken for the right of way and lost to the newly created vehicle turn arounds and possible access right of ways?

**BO015-18** | 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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 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 002-190-007 or DEIR/S Section: -----

**BO015-23** 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.

Access to this property is from both 8th and Excelsior Avenues, once the proposed track alignment is in place, the eastside 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 eastside 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 eastern 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 Tos.

Will our Mr. Tos 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. Tos' trees for the access right of way?

**BO015-24** 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 004-200-032 or DEIR/S Section: -----


**BO015-25** This property is a 56-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.

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

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

**BO015-26** 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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The cc: Extended comment period for Fresno to Bakersfield High-Speed Train Draft EIR/EIS: **August 15-October 13**

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: .....

**BO015-27** 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 seperated 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 eastside of the track?

**BO015-28** 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.



Comment Card  
 Tarjeta de Comentarios

---

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 Draft Environmental Impact Report/  
 Environmental Impact Statement (EIR/EIS)  
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**September 2011**

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

**BO015-29** 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?

**BO015-30** 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 factory will. How will CHSRA mitigate this problem?



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 002-190-009 or DEIR/S Section: \_\_\_\_\_


**BO015-31** 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.

Our neighbors to the north and south are growing non-organic crops that require the application of crop protection and growth enhancing products.

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?

**BO015-32** 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.



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

**BO015-33** 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



Comment Card  
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---

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

**BO015-34** | 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.


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?

**BO015-35** | 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 002-190-009 or DEIR/S Section:         

**BO015-36** | 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. We will lose between 2 to 5-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. 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 still be considered as viable agricultural use properties after the split?

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

**BO015-37** | 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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Name/Nombre: Franklin Oliveira for Louis Oliveira

Organization/Organización: Cali Farms

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

BO015-38 | 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).

BO015-39 | 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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This comment card relates specifically to Kings County Assessor's Parcel Number 002-150-050 or DEIR/S Section: -----

BO015-40 | 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.

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?

BO015-41 | 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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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. 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?

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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BO015-42

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BO015-43

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Comment Card  
 Tarjeta de Comentarios

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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.

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?

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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BO015-44

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BO015-45

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)  
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**September 2011**

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 Proyecto de Informe de Impacto Ambiental/  
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**Septiembre del 2011**

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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 002-150-050 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.

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 leasee Mr. John Warmerdam be compensated for the loss of his addition trees to create the new turnarounds caused by the rail 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?

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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BO015-46

BO015-47



Comment Card  
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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.

We currently are leasing the cherry part of 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?


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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BO015-48

BO015-49

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



Comment Card  
Tarjeta de Comentarios

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 F Train Draft EIR/EIS: 011. ly, or

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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: -----**

**BO015-50** | 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.

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.

How will we be compensated for the land and trees lost to the new vehicle turnarounds.

**BO015-51** | 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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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 002-190-007 or DEIR/S Section: -----**

**BO015-52** | 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.

How will we be compensated for the loss of future lease income on the ground taken for the right of way and lost to the newly created vehicle turn arounds and possible access right of ways?

**BO015-53** | 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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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.

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 these two new smaller parcels 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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BO015-54

BO015-55



Comment Card  
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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 002-190-009 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. Access to this property is from 8th Avenue, once the proposed track alignment is in place, the eastside 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 eastside 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 eastern 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?

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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BO015-56

BO015-57

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



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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. 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.

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?

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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BO015-58

BO015-59



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

If CHSRA only buys the 100 foot right of way strip how will CHSRA move material and manpower to build the track onto the 100 foot right of way?

If CHSRA agents move onto private property outside of the purchased right of way, will they be considered to be trespassing if they do not have the permission of the land owner to be present on the private property?

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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BO015-60

BO015-61