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September 7, 2010

Honorable Cathy Baylock
Mayor, City of Burlingame
501 Primrose Road
Burlingame, CA 94010-3997

Dear Mayor Baylock,

Thank you for your letter dated August 26, 2010. Your continued participation in the high speed train project is appreciated. Your community's dedication to the project through participation in the Technical Working Group, Policymaker Working Group, and your thorough comments on the environmental process thus far will undoubtedly help us to craft a more successful transportation alternative that best responds to both the needs of your community and your vision for its future. I appreciate your time and commitment to this complex and important project, but am obviously disturbed by your comment that "The residents, commercial businesses and our citizens have lost confidence in the High Speed Rail Authority's (CHSRA) willingness to work cooperatively towards a mutually acceptable solution for the alignment of the high-speed rail in the City of Burlingame".

The list of previous correspondence, which you enumerated in your letter, prompted us to review your comments and requests related to the project level environmental analysis currently underway, and take a thoughtful look at the progress that we have made together over the past year and a half. Certainly, there are many issues that have yet to be resolved, as is appropriate at this early stage, but after this careful review, I thought you would appreciate the following summary of issues and the status of their resolution.

LETTER	COMMENT	STATUS OF RESOLUTION
April 3, 2009 NOP Letter	Do not physically divide the community, nor create a barrier	Retaining walls and berms were removed from consideration as requested.
	Study all options with a preference for an underground (tunnel) and/or trench (open cut), including overhead, combination (partially underground or overhead)	All of these alternatives were studied in the Preliminary AA and Supplemental AA. Open trench and aerial options are being carried forward for further review.
	Restore Caltrain service at the Broadway Station	This is being considered.
	Study the rail line in a tunnel or a trench to reduce impacts to the community, this option should be studied in the EIR/S	The open trench solution is being studied in detail in the EIR/S, together with an aerial option.
	Protect and preserve all historic resources, including but not limited to Burlingame Avenue and Broadway train stations and eucalyptus grove	The horizontal alignment is not impacting either train station, and minimizing the impact on the eucalyptus grove is under study.
	Avoid impacts on downtown business districts	There are no direct property impacts along Burlingame Avenue, and we are continuing work to avoid or minimize any direct property impacts along the ROW for businesses.
	Maintain existing utilities, including the storm drainage capacity	This is incorporated into project design.
	Provide well publicized community meetings	The PRP presented to the City Council in a study session and conducted a well-attended public workshop with over 100 participants as part of the Preliminary Alternatives Analysis. We continue to engage with staff and council members through the Technical and Policymaker Working Groups, which are open to the public and are advertised on the CHSRA website Calendar.

November 13, 2009 Concept Alternatives Analysis Letter	Existing at grade alternative will severely impact circulation throughout the city and further divide the town with lowering or raising all at grade crossings	The at-grade alternative is not carried forward. Your city will benefit from Caltrain also being grade separated when HSR is installed.
	Study tunnel alternative as preferred option, it will avoid underground utility impacts; avoid any visual or physical barrier, and not adversely impact residents or property values. The city requests exploring a cut and cover option, which could potentially save costs	The open trench alternative (in addition to an aerial structure) is under study and will be designed to avoid utility impacts and meet these objectives. Deep tunnels will not meet the project objective to integrate Caltrain and HSR and cannot be used for Freight trains.
April 8, 2010 Preliminary Alternatives Analysis Letter	A comprehensive study is needed to evaluate noise, vibration, visual, cost, construction, historic resource, Caltrain service, freight and other impacts	The EIR/S will address all these environmental issues, and is presently "Work-in-Progress".
	With restricted 75 foot right of way between North Lane and Peninsula Avenue, a covered trench and associated construction easements would require property takings and have long term economic impacts on local business	Caltrain decided to eliminate center boarding platforms and instead utilize outboard platforms to reduce potential ROW impacts. This change reduces the ROW need from approximately 120 feet (due to the closely spaced Burlingame and Broadway stations) to 80 feet. The alternative which would have the least ROW impact would be the aerial structure as the area under the structure is minimal.
June 25, 2010 Letter to Mr. van Ark	The city opposes any form of elevated alignment	This comment is understood. Trench is also being investigated.
	The city strongly supports an underground alternative for both Caltrain and HSR	The trench alternative meets this need. Tunnel solutions do not meet the project criteria.
	The city prefers a deep tunnel alternative, which was not carried forward for unsubstantiated reasons, and the city's second choice is the cut and cover alternative	The deep tunnel alternative was not carried forward because it does not meet the CHSRA and JPB criteria, namely that the alternatives need to improve Caltrain facilities and operations, and support HST and Caltrain interoperability. The cut and cover alternative was not

		carried forward in the Supplemental AA (complexity to build, costs, no benefits over trench). Recent communications by Mr. van Ark state that the Authority is interested in jointly exploring creative land use opportunities and enhancing value creation. This can be achieved by the use of partially covered trenches in specific locations.
June 25, 2010 Letter to Mr. Van Ark	Only two options are shown for further study in the Supplemental AA Report.	As often communicated in the Technical and Policymaker Working Groups (TWG & PWG)the only feasible solutions are the aerial and trench solutions, to offer huge benefits to Caltrain while building HSR, and resulting in an integrated transportation system.
	…the CHSRA announced that only the aerial structure will be cost effective in its FRA federal funding application"	We trust that letter of Aug 24, 2010 clarifies that both options are still being investigated, and that funding application is not a pre-determination of the final alignment selection.
	CHSRA eliminated the most preferred option (underground tunnel/covered trench) in the Supplemental AA report which demonstrates the serious disregard in working with the local communities.	The Authority has over months /years explained to stakeholders that underground tunnel is technically not feasible (freight and transit integration). Trench remains one of the options being investigated and if partial covering of trenches brings sufficient value creation, this could benefit this option.
	Burlingame recommended an alternative alignment along the 101 or the 280.	Alignments along the 101 and 280 have previously been investigated and eliminated due to environmental and impracticality reasons. Will also not result in an integrated rail corridor and bring no benefits to Caltrain.
	Burlingame is in favor of high speed rail line running beneath our cities, which would facilitate transit-orientated development	An integrated transit-orientated systems cannot run deep below the cities of the peninsula, but aerial and trench (partially covered?) could offer integrated transportation corridor (including the necessity of freight for the Peninsula).

Your consistent advocacy for below ground alignment alternatives has been clear, and I'm pleased that below grade alternatives are included in the environmental process at this time. Consistent with the rigorous federal and state environmental law, we will be evaluating these among other alternatives in the Draft EIR/S, which is anticipated in December. Working together, I believe that we may be able to find creative ways to utilize planning and land development ideas to ensure that the high-speed train and improved Caltrain systems can maintain and even improve upon the quality of life in Burlingame. Obviously the very important freight operation, which so many forget about, also needs the use of the corridor at night, and needs to be considered by us during the evaluation of our options.

I appreciate your commitment in your letter to work cooperatively toward a mutually beneficial solution for both the CHSRA and the community. I look forward to our continued partnership both at the staff and political level as we work toward the best solutions for your community and the state as a whole. Although we have much work left to do, I am confident that we can build on the progress that has been made to date.

Sincerely,

Roelof van Ark
Chief Executive Officer

CC: Board of Directors, California High Speed Rail Authority
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Honorable Dianne Feinstein, U. S. Senate
Honorable Barbara Boxer, U. S. Senate
Honorable Jackie Speier, U.S. Congress, California 12th District
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Honorable Leland Yee, California State Senate
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