Summary Title: Eshoo, Simitian, Gordon letter

Title: Approval of Letter to Congresswoman Anna G. Eshoo, Senator Joe Simitian and Assembly Member Rich Gordon

From: City Manager

Recommendation
Staff recommends the City Council authorize the Rail Committee to communicate with the Peninsula Cities Consortium (PCC) cities, the California High Speed Rail Authority (CHSRA) and related interests as necessary, regarding the City’s support of Congresswoman Anna G. Eshoo/Senator Joe Simitian/Assembly Member Rich Gordon’s April 18th, 2011 joint statement on high speed rail (HSR).

Executive Summary
Congresswoman Eshoo, State Senator Simitian and State Assembly Member Gordon issued a joint press release in April concerning high speed rail. This press release identified key policy positions on high speed rail (HSR), (see chart summary included below).

The policies include: abandoning project environmental impact report (EIR) planning for the larger high speed rail project planned for build-out by 2035, being responsive to local concerns, eliminating the 4-track HSR option, rejecting the aerial viaduct option entirely and asserting that the HSR system should remain on the existing Caltrain right-of-way. A summary of the Eshoo/Simitian/Gordon recommendations and the City of Palo Alto City Council recommended policy position.
Background and Discussion
The California High Speed Rail Authority (CHSRA) heard testimony at their meeting May 5th based in part on the Eshoo/Simitian/Gordon joint press release and additional testimony from Peninsula cities. The Authority then took action directing their staff to postpone further planning work for the San Francisco to San Jose corridor. The Authority took this action to gather more information on the position of Peninsula area cities concerning HSR. The City Council Rail Committee met May 26th and voted to endorse the policy positions in the Eshoo/Simitian/Gordon press release and asked staff to bring this item to the City Council for consideration and review. The City Council Rail Committee support reflects the alignment of the policy positions of the Eshoo/Simitian/Gordon press release with the City Council May 17, 2010 adopted Role and Guiding Principles of the High Speed Rail Committee (see attached principles).

Attachments:
- Attachment A: Letter June 7, 2011 Eshoo, Simitian, Gordon (DOC)
- Attachment B: Eshoo Simitian Gordon Statement (PDF)
- Attachment C: Guiding principles (PDF)

Prepared By: Katie Whitley, Administrative Assistant
June 7, 2011

The Honorable Anna G. Eshoo, 14th Congressional District
698 Emerson Street
Palo Alto, California 94301

The Honorable Joe Simitian, 11th Senate District
160 Town & Country Village
Palo Alto, CA 94301

The Honorable Rich Gordon, 21st Assembly District
5050 El Camino Real, Suite 117
Los Altos, CA 94022

Subject: Congresswoman Anna G. Eshoo/Senator Joe Simitian/Assembly Member Rich Gordon April 18th 2011 Statement of High-Speed Rail and City of Palo Alto letter of support

Dear Congresswoman Eshoo, Senator Simitian and Assembly Member Gordon:

This letter is being sent to you to express Palo Alto's support for your joint statement made on High Speed Rail (HSR). The issuance of this press release and the policy positions, taken in the release, are supported by the City. A summary of your recommendations and our support is provided below:

<table>
<thead>
<tr>
<th>Policy Position</th>
<th>Eshoo</th>
<th>Simitian</th>
<th>Gordon</th>
<th>Palo Alto</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abandon EIR planning for larger project over 25-year time horizon to 2035</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Be responsive to local concerns</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Eliminate 4-track option</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Reject Aerial Viaduct option entirely</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>System should remain on Caltrain ROW</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Your joint statement and policy positions identified are in alignment with Palo Alto’s Role and Guiding Principles (attached for reference) of the High Speed Rail Committee adopted May 17, 2010. We sincerely appreciate your leadership on this very important issue.

We look forward to continuing to work with you and your staff, other peninsula area cities and agencies, federal and state agencies and related parties for a project that is consistent with our adopted Guiding Principles. If this project is to be built it must be done right. Your joint statement is another step in helping to support this key principle.

Sincerely yours,

Sid Espinosa
Mayor

C: Palo Alto City Council
   Palo Alto City Manager
   Senator Dianne Feinstein
   Senator Barbara Boxer
   Secretary of Transportation Ray LaHood
   Federal Railroad Administration Administrator Joe Szabo
   Governor Jerry Brown
   Senator Alan Lowenthal, Chair Senate Transportation Committee
   Assembly Member Bonnie Lowenthal, Chair Assembly Transportation Committee
   Supervisor Liz Kniss
   Curt Pringle, Chairperson, California High Speed Rail Authority
   Chief Executive Officer Roelof van Ark, California High Speed Rail Authority
   Peninsula Cities Consortium (PCC)

Attachment
   • Role and Guiding Principles of the High Speed Rail Committee of the Palo Alto City Council adopted May 17, 2010
ESHOO, SIMITIAN, GORDON STATEMENT ON HIGH-SPEED RAIL

Since the passage of Proposition 1A in 2008, each of us has expressed our support for “high-speed rail done right,” by which we mean a genuinely statewide system that makes prudent use of limited public funds and which is responsive to legitimate concerns about the impact of high-speed rail on our cities, towns, neighborhoods and homes.

To date, however, the California High Speed Rail Authority has failed to develop and describe such a system for the Peninsula and South Bay. For that reason, we have taken it upon ourselves today to set forth some basic parameters for what “high-speed rail done right” looks like in our region.

We start with the premise that for the Authority to succeed in its statewide mission it must be sensitive and responsive to local concerns about local impacts. Moreover, it is undeniable that funding will be severely limited at both the state and national levels for the foreseeable future.

Much of the projected cost for the San Jose to San Francisco leg of the project is driven by the fact that the Authority has, to date, proposed what is essentially a second rail system for the Peninsula and South Bay, unnecessarily duplicating existing usable infrastructure. Even if such a duplicative system could be constructed without adverse impact along the CalTrain corridor, and we do not believe it can, the cost of such duplication simply cannot be justified.

If we can barely find the funds to do high speed rail right, we most certainly cannot find the funds to do high speed rail wrong.

Accordingly, we call upon the High-Speed Rail Authority and our local CalTrain Joint Powers Board to develop plans for a blended system that integrates high-speed rail with a 21st Century CalTrain.

To that end:

- We explicitly reject the notion of high-speed rail running from San Jose to San Francisco on an elevated structure or “viaduct”; and we call on the High-Speed Rail Authority to eliminate further consideration of an aerial option;

- We fully expect that high-speed rail running from San Jose to San Francisco can and should remain within the existing CalTrain right of way; and,

- Third and finally, consistent with a project of this more limited scope, the Authority should abandon its preparation of an EIR (Environmental Impact Report) for a phased project of larger dimensions over a 25 year timeframe. Continuing to plan for a project of this scope in the face of limited funding and growing community resistance is a fool’s errand; and is particularly ill-advised when predicated on ridership projections that are less than credible.

Within the existing right-of-way, at or below grade, a single blended system could allow high-speed rail arriving in San Jose to continue north in a seamless fashion as part of a 21st Century CalTrain (using some combination of electrification, positive train control, new rolling stock and/or other appropriate upgrades) while maintaining the currently projected speeds and travel time for high-speed rail.

The net result of such a system would be a substantially upgraded commuter service for Peninsula and South Bay residents capable of accommodating high-speed rail from San Jose to San Francisco.

All of this is possible, but only if the High-Speed Rail Authority takes this opportunity to rethink its direction.

Over the course of the past 18 months the Authority has come under considerable criticism from the California

http://www.senatorsimitian.com/entry/eshoo_simitian_gordon_statement_on_high-speed_r... 5/12/2011
Legislative Analyst’s Office, the Bureau of State Audits, the California Office of the Inspector General, the Authority’s own Peer Review Group and the Institute of Transportation Studies at the University of California at Berkeley. The Authority would do well to take these critiques to heart, and to make them the basis for a renewed and improved effort.

Frankly, a great many of our constituents are convinced that the High-Speed Rail Authority has already wandered so far afield that it is too late for a successful course correction. We hope the Authority can prove otherwise.

An essential first step is a rethinking of the Authority’s plans for the Peninsula and South Bay. A commitment to a project which eschews an aerial viaduct, stays within the existing right-of-way, sets aside any notion of a phased project expansion at a later date, and incorporates the necessary upgrades for CalTrain - which would produce a truly blended system along the CalTrain corridor - is the essential next step.
ROLE AND GUIDING PRINCIPLES OF THE HIGH SPEED RAIL COMMITTEE
OF THE PALO ALTO CITY COUNCIL

Adopted
May 17, 2010

Background

In November 2008 California voters approved a nearly ten billion dollar bond measure, the primary purpose of which is to develop high speed rail (HSR) service from Los Angeles to San Francisco. The High Speed Rail Authority has decided that the route HSR will take from San Jose to San Francisco is along the Caltrain right of way (ROW), including the portion of the ROW that runs through Palo Alto. However, the Environmental Impact Report used by the Authority in making this decision has been de-certified per court order. Many issues, such as the vertical alignment of the HSR, remain undecided. Recognizing that HSR could have many impacts on Palo Alto, some quite negative, and that swift City action might be needed in many circumstances the City Council on May 18, 2009 created an ad hoc High Speed Rail Subcommittee of four Council Members, (since changed to a standing committee and renamed the High Speed Rail Committee). The Council also adopted a set of Guiding Principles which allowed the Committee to take a variety of actions in the name of the City without action of the full Council.

During the past year the Committee--- indeed the entire community--- have learned a great deal about HSR and many HSR related actions have taken place. The City Council therefore, adopts the following Principles to guide its decision making framework and actions of the Committee:

Role and Authority of the High Speed Rail Committee

The Committee shall advise the City Council on HSR and related rail transit matters and provide the community with appropriate forums for the discussion of such issues.

The Committee shall keep the full Council informed on a regular basis.

The Committee shall have the authority to act on behalf of the City on HSR and related rail transit matters when there is not sufficient time to refer a particular issue to the full City Council before action is needed; however, the Committee shall forward their decision to the Council for final action if the Committee determines that it is feasible to do within the time available. Such actions by the Committee shall include, but not be limited to, testimony
before the state legislature, the HSR Authority, Congress and other pertinent governmental agencies and advocacy (oral or written) pertaining to pending or desired legislation. Such actions by the Committee shall be consistent with the following policies of the City:

**Guiding Principles**

1. The City is opposed to an elevated alignment of HSR/Caltrain in Palo Alto.

2. The City’s preferred vertical alignment of HSR in Palo Alto is below grade.

3. All neighborhoods in Palo Alto affected by HSR should be treated on the same basis with respect to vertical alignment impacts.

4. The City believes that the pending program EIR for the Central Valley to San Francisco portion of HSR is fatally flawed and that the HSR Authority should reopen and reconsider its decision to use the Pacheco Pass route.

5. The City further believes that the ridership study used by the Authority contains dubious and erroneous assumptions and that the Legislature should order an independent ridership study under its direction and control.

6. The City supports the findings of the Legislative Analyst’s Office and State Auditor which question the viability and accuracy of the Authority’s Business Plan on such matters as the identification of sufficient, reliable funding sources, project management and operations of HSR.

7. The City favors legislation which would enable effective implementation of the Peer Review committee authorized by AB 3034 with respect to HSR.

8. Palo Alto supports transit and urban design solutions that will be compatible with our economic development strategies, transportation goals, and vision of the transit corridor within our boundaries; HSR/Caltrain needs to complement the goals and strategies of our Comprehensive Plan.

9. Palo Alto supports the use of the Context Sensitive Solutions related to HSR and Caltrain that is effectively funded and implemented by the Peninsula Rail Program and the High Speed Rail Authority.

10. The High Speed Rail Authority should provide sufficient funding to affected Cities to allow them to hire experts to study reports requiring feedback and sufficient outreach to the community to capture their concerns and suggestions.
11. The High Speed Rail Authority should provide realistic renderings of the various alternatives and also provide simulations that would help to provide an understanding of the sound and vibrations.

12. Palo Alto strongly supports Caltrain and the commuter rail service at the present or improved levels of service.

13. Palo Alto also supports the electrification of Caltrain pursuant to its present plans but independent of HSR.

14. Palo Alto will work cooperatively with neighboring communities with respect to HSR issues of mutual concern through vehicles such as the Peninsula Cities Consortium.

15. The Guiding Principles of the Committee incorporates Council-adopted written comments to the Authority and its Representatives.