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September 9, 2015
By E-Mail to:
info@sactoroseville
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Gail Murray, Chair
Capitol Corridor Joint Powers Authority
300 Lakeside Drive, 14th Floor, East
Oakland, CA 94612

Re: Sacramento to Roseville Third Main Track DEIR

Dear Chair Murray:

The Train Riders Association of California, the California Rail Foundation, and the Transportation Solutions Defense and Education Fund offer these joint comments on the Sacramento to Roseville Third Main Track DEIR ("DEIR"). Each of our organizations is a strong supporter of public transit.

The Train Riders Association of California, TRAC, is dedicated to a vision of fast, frequent, convenient and clean passenger rail service for California. We promote European-style transportation options through increased public awareness and legislative action. The California Rail Foundation works to educate the public on rail and bus technology and promote cost-effective expansion of the state's public transportation services. The Transportation Solutions Defense and Education Fund, TRANSDEF, is a Bay Area-based environmental non-profit working to reduce the impacts of transportation on climate change.

We find it striking that the beneficial impacts in terms of VMT reduction and GHG emissions reductions of the \$226 million Build Alternative are so small as to be unnoticeable at the regional scale. Yet, this project was identified as the environmentally superior alternative. (DEIR, p. 4-8.)

We believe these findings to be the result of the poor correspondence between the ostensible Project Objectives and the project description. Given the significant growth projected for the region (DEIR, p. S-2), a comprehensive, integrated solution is needed to accomplish the following objectives (from p. 1-4):

TRAC, active since 1984, is dedicated to a vision of fast, frequent, convenient and clean passenger rail service for California. We promote these European-style transportation options through increased public awareness and legislative action.

- Accommodate anticipated increases in travel demand.
- Improve regional air quality by reducing auto emissions.
- Relieve traffic congestion on I-80 and on local streets.
- Support regional and local land use plans, including transit-oriented development, to help meet greenhouse gas (GHG) emission reduction goals.

The absence of DEIR findings of any meaningful success towards any of these objectives makes it obvious that this project's addition of one station to the region's transit network is woefully inadequate to the task. It appears that these objectives were mere window dressing.

Alternatives

The DEIR fails to study an acceptable range of alternatives--it has none, other than the mandated No Project Alternative. The rejection of intermediate stations (p. 2-14) is based only on the illogical assertion that this project, allegedly designed to relieve congestion, cannot work with more stops: "introducing additional stops in the IPR service would cause delays in the overall service in the corridor and would not be consistent with the CCJPA Vision Plan to develop integrated service plans compatible with the planned California High Speed Rail, enhance freight and IPR operational efficiency, and reduce delays to existing passenger and freight systems."

The DEIR conflates the need for Intercity and commuter rail service starting on page 1-2, and continuing throughout the document: "IPR services would be clustered at the a.m./p.m. commute hours, with additional services provided during the day." (p. 2-7.) A region's need for congestion relief at peak hours is the hallmark of a commuter service. This is a commuter rail project masquerading as an intercity rail project. A proper conceptual frame would be to consider the extension to be a commuter feeder for the intercity service that starts at Sacramento Valley Station.

The Capitol Corridor may need to limit stops between Sacramento and the Bay Area to avoid loss of traffic between these two points, but additional access points east of Sacramento would be clearly beneficial to corridor traffic. Sacramento County residents north of the American River would be impacted by the construction activity and emissions of the project, but receive no transportation benefit, if they are given no direct access to the corridor.

While we are very supportive of commuter rail projects, this service mischaracterization gravely distorts the alternatives analysis. The EIR needs a detailed analysis of the regulatory and funding differences between the two different kinds of service. We suspect that the refusal to study additional stations is an attempt to avoid less-favorable treatment as a commuter rail project.

The Project as currently constituted is inadequate to achieve the four Project Objectives cited above. The EIR needs a thorough analysis--perhaps at the programmatic level--of what an adequate response to the first 4 project objectives would

look like. We suspect that it would include a number of additional stations and perhaps added light rail. The scoping comments from the California Rail Foundation contain several excellent suggestions for alternatives. They are restated in the next section. The EIR needs to determine the optimal mix of intercity rail and commuter rail for this corridor, whether or not both are eventually operated by CCJPA.

We cannot understand how CCJPA managed to negotiate the responsibility to pay for the construction of a third main track without receiving the unlimited use of that track, preferably on an exclusive basis. The deal would arguably constitute a gift of public funds. As the California Rail Foundation scoping letter said, the CCJPA needs the right for all its trains to use the track it is paying for.

We are concerned that adding service to Roseville without adding equipment will result in short-changing existing service. A proposed schedule, with adequate schedule padding and layovers is needed to demonstrate a non-impact on existing service.

We request the study of a phased alternative, in which the bridges are built only as actually needed, as demonstrated by a stated, objective measurement of rail traffic congestion. Turnouts would be built near each bridge approach in the first phase, to enable maximum throughput over the bridges. A detailed cost breakdown of trackwork and bridgework is needed, to make it possible to determine actual annual capital needs.

The capital needs of future road widening are not the responsibility of a public transit agency. It is entirely inappropriate for CCJPA to expend transit funding to provide adequate vertical clearances for an existing UPRR bridge over Watt Avenue. This portion of the Project Description must be deleted. The responsible public agency should be required to pay the additional cost it will take to build the future bridge high enough to accommodate a future road widening, as that is not properly a transit cost.

California Rail Foundation's Proposed Alternatives

Integrate intermediate stops between Roseville and Sacramento with Regional Transit service in the same corridor to provide service for hundreds of thousands of residents of Sacramento County. Regional Transit has three major park-and-ride stations adjacent to Union Pacific tracks with excess capacity, which could become Capitol Corridor stations with only very small expenditures, because they already have thousands of parking spaces, many of which are available for Capitol Corridor passengers. Unlike the proposed new Roseville station, simple provision of a platform is the only capital expense.

A stop at the existing Swanston Regional Transit rail station would provide direct access to the large Arden-Arcade employment base and resident population. A stop west of Watt Avenue near North Highlands would combine park-and-ride access with a population of over 500,000 within 15 minutes of travel time. Each of these stops appears to have market conditions superior to a new Roseville station. Regional Transit

has reportedly expressed interest in a Swanston stop, which could become a convenient connection to the Capitol Corridor.

Consider an exclusive Capitol Corridor track from north of the river crossing to North Highlands, which could provide superior reliability, superior safety, and lower capital cost than the Union Pacific proposal. Union Pacific has actually proposed such facilities in other regions that have demanded them. For example, the Utah Transit Authority obtained an easement for exclusive tracks for its FrontRunner regional rail service on Union Pacific rights of way, and implemented an entire service for substantially less per mile than the Capitol Corridor would pay for access by 10 trains.

We propose that the following two alternatives receive full study, because they appear to be more cost-effective than the current proposal:

1. Extension only to Marconi Way, using Regional Transit rights-of-way from approximately Arden Way northward. Under this alternative, CCJPA would participate in improvements with Union Pacific from Sacramento Amtrak station to the north side of the American River, then have a controlled turnout leading to an exclusive track on Regional Transit rights-of-way. Likely cost would be only about \$100 million, and would include at least two stations with ample parking shared with Regional Transit light rail.

2. Exclusive passenger track the full distance between Sacramento and Roseville. This does not appear to have a higher cost than the proposed track shared with freight, but gives superior benefits to the public, including a superior level of passenger safety and the possibility of much more frequent headways and a regional service. Having an exclusive passenger track would also make intermediate stations more feasible.

Transportation Impacts

The creation of unmet parking demands is no longer considered an impact under CEQA. Public subsidies of parking ("free parking") are now recognized as counter to the policies of VMT reduction. Market rate charges for parking and neighborhood shuttles to the station are now considered best practices.

For a DEIR that spends multiple pages discussing IPR as a solution for regional traffic congestion, it is surprising that the Transportation section does not address congestion at all, and makes no findings of beneficial impacts on congestion. It must be noted that the Project would result in a VMT reduction of 0.04%, which is insignificant, and well below the noise level of the modeling. The Project justification cannot legitimately rest on any beneficial transportation impacts.

The DEIR offered no documentation of the freight congestion that is the reason a third main track is allegedly needed. We have reports of one main track being used primarily as a storage track for trains entering the Roseville Yard. This needs to be investigated. If UP actually needs a siding and not a main track, that would eliminate the basis for this project. The EIR must document actual track utilization.

Air Quality Mitigation

The Analysis of Cumulative Impacts failed to analyze the diesel PM impacts resulting from the increased UPRR freight traffic made possible by using state funds to pay for building a third track. Commenters assert that the cumulative PM impact must be calculated, including the emissions from the UP Roseville yard and ongoing freight operations. If UP is to receive a free main track, the state should extract a public benefit in mitigation of the PM impacts of the UP's expanded freight rail operations. A UP commitment to purchase only Tier 4 locomotives, for example, negotiated voluntarily as part of a project agreement, would not be preempted by federal law.

In addition, expanded freight operations will enable a higher rail share of total freight tonnage, thereby avoiding the GHG emissions of truck-hauled freight and contributing in the net to the State's GHG emissions reductions plans.

While federal law preempts CEQA analysis of a UPRR project, the matter of federal preemption of CEQA review of projects on state-owned railroads is now before the California Supreme Court, in *Friends of the Eel River v. North Coast Railroad Authority*. TRANSDEF is a party to the 9th Circuit appeal in *Kings County, et al v. Surface Transportation Board*, 15-71780.

We are quite familiar with the *Smart Rail* decision, and find the DEIR's use of design year conditions to be appropriate and quite informative. Table 3.2-12 discloses the Project's 460 tons/year GHG emissions reduction net benefit, which is insignificant. It cannot justify the project's expense.

We would like to use the opportunity of commenting on Impact AQ-8, "subjecting property and persons to avoidable harm in light of inevitable climate change" to refer to an area outside the Project scope. We are concerned about the UPRR's San Pablo Bay tracks from Martinez to Richmond. Sea level rise will inundate these tracks. CCJPA needs to have a planning process in place to determine a replacement.

Text Corrections

Although parts of the DEIR were written years ago, they should relate to the present time. Please strike "currently being updated" on page 1-2.

Please resolve these conflicting statements that the Capitol Corridor is the "third busiest IPR corridor in the western United States" (p. 1-1) and the "third busiest intercity rail service in the nation" (p. 2-1) Our understanding has been that the *Surfliner* is the second busiest in the nation and that the *San Joaquin* is the third busiest in the nation. We suggest this comparison be made using the metric of passenger-miles carried.

It is methodologically improper to calculate annual VMT by multiplying weekday VMT by 365. (p. 3.1-8.) More appropriate multipliers are in the 270-300 range.

We are unable to imagine a scenario under which a No Build Alternative would not result in increased GHG emissions. Please strike "likely" on page 3.2-23.

We request that documents be made available in their complete form, for broadband download. It is inconvenient and technically challenging for citizens to have to rebuild a complete document from the dozen individual files, so as to have all the chapters together in one file.

We appreciate this opportunity to comment on the Sacramento to Roseville Third Main Track DEIR. If contacted, we would be pleased to assist in the design of appropriate alternatives to study in a recirculated DEIR, which we believe would benefit the present and future passengers of the Capitol Corridor, as well as the customers of freight rail.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
Vice-President for Policy, TRAC
President, TRANSDEF