



# Town of Atherton

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April 22, 2014

Caltrain  
Attn: Stacy Cocke, Senior Planner  
1250 San Carlos Avenue  
San Carlos, CA 94070

Re: Peninsula Corridor Electrification Project – Comment on Draft Environmental Impact Report

Dear Ms. Cocke:

The Town of Atherton has reviewed the Draft Environmental Impact Report (DEIR) for the Caltrain Electrification Project. Staff, the Rail Committee and the City Council have the following comments:

## Project Description

- The project description makes compatibility with high-speed rail one of the objectives of the electrification project. The electrification project cannot be linked to the high-speed rail project without fully analyzing the environmental impacts of the anticipated high-speed rail project. It is noted on page ES-1 of the Executive Summary that the 2009 EIR was not certified because of the need for resolution of issues regarding joint planning for shared use of the Caltrain corridor for Caltrain service and for future high-speed rail (HSR) service. Although some issues were resolved, the current DEIR does not analyze all of the issues related to anticipated HSR service; the environmental impacts associated with HSR down the peninsula have not been fully analyzed in the DEIR and no EIR for the proposed project can be properly certified, consistent with the requirements of the California Environmental Quality Act (CEQA), unless a full analysis of all impacts anticipated for the entire project has been carried out. That specifically includes an analysis of the impacts that might be associated with the “blended system,” in which the Caltrain right of way is used for HSR.
- It is also stated on page ES-5 that an electrified Caltrain system would set the stage for an expanded modern regional electric train service and a statewide HSR service. The Purpose of the Project on page ES-6 is to “provide electrical infrastructure compatible with high speed rail”. These references reinforce the point just made; the proposed project cannot proceed without a certified EIR that fully analyzes HSR. The current draft must be augmented, and then recirculated for additional review and comment.

- Since the purpose of the electrification project is to support high-speed rail, other alternatives were ruled out. Any alternative that is not compatible with high-speed rail was not considered in the DEIR. This is a major omission. The project objectives: to improve train performance, increase ridership, service and revenue, while reducing environmental impacts, improving regional air quality and reducing green-house gas emissions and noise can be achieved by other means, and a failure to examine and analyze feasible alternatives that might reduce environmental impacts is a fatal deficiency. CEQA Section 21002 states that agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available that would lessen the significant environmental effects of such projects.
- Alternatives that do not involve electrification have not been analyzed, and alternatives exist that would meet the objectives of modernizing rail service without the significant and unavoidable impacts identified with the electrification project. Such alternatives would be considered environmentally superior, and CEQA requires that you provide a complete analysis of such alternatives. The failure to review such alternatives makes the current DEIR inadequate under CEQA; it must be augmented with additional analysis of alternatives and the DEIR must then be recirculated for further public review and comment.

### Aesthetics

- The Town disagrees with the conclusion stated on page 3.1-25 that the catenary wires and the OCS poles proposed as part of the electrification project would be largely obscured by the dense landscaping and vegetation, thereby minimizing visual effects. Each OCS pole is 16-24" wide and approximately 30'-50' tall. The removal of 142 heritage trees along this corridor and the pruning of approximately 206 will reduce the dense landscaping and will increase the visibility of the poles and wires. The poles and wires will be highly visible around the Atherton train station and Town hall as well as at the grade crossings. Many of the trees that will be impacted are outside of the rail corridor and are located on private properties. A more complete and rigorous aesthetic analysis must be included in the EIR.
- The overhead catenary wires and large poles are not compatible with Atherton's residential environment. The Town requires new home construction to underground electrical service. The DEIR should consider alternatives to the overhead wires to reduce the visual impact of the overhead wires and poles. Power supply and dynamic braking using induction coils between the rails has been introduced and will soon be available. The use of such techniques must be analyzed in detail in the EIR. Once such an analysis has been provided; the Draft EIR must then be recirculated for additional review and comment.
- The OCS poles are proposed at a height of 30'-50' with wires above. Structures in Atherton are limited to a maximum height of 34'. The new structures are incompatible in Atherton.
- The OCS poles and catenary wires are not compatible with the residential nature and visual setting in Atherton and should be considered a significant impact. Alternatives to the overhead wires should be considered as the proposed mitigation measures do not reduce the significant

visual impact in Atherton. In addition, the feasibility of a center pole should be analyzed in Atherton, as it would reduce the visual impact.

### **Biological Resources**

- The DEIR states that the project will require the removal of 2,220 trees and specifically in Atherton, the removal of 142 trees.
- The DEIR should analyze the feasibility of Mitigation Measure BIO-5 to implement a tree avoidance, minimization and replacement plan. The mitigation measure requires the planting on a 1:1 basis of 15-gallon trees for each tree removed. This mitigation measure is not feasible in Atherton as there would be inadequate room for replacement planting with the new electrification clearance requirements. Workable mitigation measures must be developed and described.
- The DEIR should analyze an alternative to place one electrification support structure in the middle of the track as opposed to two support structures on the outside of the tracks, as suggested in the Hort Science report in appendix F to the DEIR. This would reduce the significant impact to heritage tree removal in Atherton.
- The DEIR should also analyze the impact of tree removal on the fine particle contaminants that the existing trees are helping to eliminate. Residential properties near the Caltrain right-of-way already experience more dust than properties located further away. The significant tree removal proposed will certainly make this problem worse, and PM-10 and PM-2.5 fine particle pollution is a known health danger. The public health impacts of the tree removal proposed must be analyzed in the Air Quality section of the document. Once the required analysis has been included in the DEIR, the DEIR must be recirculated for additional public review and comment.
- The Town considers the removal of 142 heritage sized trees in Atherton to be a significant and unacceptable impact and in conflict with the Town's General Plan which states that trees shall be preserved to the maximum extent feasible. Please find the attached memo from Town Arborist Kevin Kielty with additional analysis of the tree impact.

### **Greenhouse Gas Emissions and Climate Change**

- The DEIR discusses the benefits to air quality by switching from diesel powered locomotives to an electrified system. The DEIR has not considered the potential air quality benefits from using Tier 4 diesel locomotives. These locomotives discharge 75% to 85% less greenhouse gases than Caltrain's present diesel locomotives. A greenhouse gas comparison should be made between the proposed EMUs plus power generation and the Tier 4 diesel locomotives.
- The DEIR does not address the greenhouse gas impacts associated with the productions of electricity for this new system. California in general and the San Francisco Peninsula in particular is in a drought and experiences shortages in electricity supply. The California building code requires new construction to implement energy conserving methods to conserve resources. While the project will reduce dependency on diesel fuel, it will require a significant amount of electricity to power the current and increased train service. The DEIR should

analyze the impact that the generation of this electricity will have on the environment. The DEIR should also analyze alternatives that would be more consistent with California's policy of sustainability and reduction of energy consumption.

- The DEIR has not considered greenhouse gas produced by construction equipment during the construction of the electrical infrastructure.

### **Noise**

- The DEIR states that the new trains will be quieter, but does not analyze the noise impact associated with the additional 22 trains per day planned for the future. Horn noise associated with the additional trains proposed must be specifically analyzed.
- The DEIR does not consider the added noise of the EMU electric contacts rubbing overhead OCS wires.
- If the project remains linked to the future HSR project and the project is being completed to accommodate HSR, the DEIR must analyze the noise impacts associated with HSR.

### **Traffic**

- The DEIR assumes increased ridership. Despite CBOSS, the additional trains needed to carry the future increased riders, will increase the interference to street automotive traffic, particularly near the 46 existing grade crossing. Page 3.14-40 states that while certain locations near the stations or on the Caltrain corridor may experience increases in traffic due to more automobiles driving to and from stations, numerous roadways along the Caltrain corridor would see reduced traffic volumes as a result of the Proposed Project. And, page 3.14.41 states that the increased train service and added train capacity would change traffic patterns resulting in potential increases in traffic near stations coupled with reduced traffic on parallel roads.
- The Town of Atherton disagrees with the statement on page 3.14.40 that the proposed project would have a beneficial impact on regional and city-level traffic overall by reducing vehicle miles traveled. There may be a beneficial regional impact, but the city-level traffic has not been analyzed and there may be a negative impact with increased traffic to train stations. The increase in local traffic must be fully analyzed in the DEIR, and once such analysis has been included in the DEIR, the DEIR must be recirculated for additional review and comment.

### **Other Questions and Concerns**

- How will Caltrain ensure the overhead electrical lines are protected from vandals and animals (birds and squirrels)?
- Caltrain currently experiences suicides along the tracks, how will the high powered overhead electrical wires be protected from potential suicide attempts?
- Section S.4.2.3 notes energy savings from switching from diesel fuel to electricity but does not document the cost of electricity. Will this project be required to contribute to the construction of additional facilities to support the increased electrical demand? Does Caltrain have a contract in place with PG&E for this additional service or at least a letter from PG&E stating it can serve the new system's electrical needs? The DEIR is deficient in that it does not, actually, justify its conclusion that the proposed project will lead to energy savings.

- What impact will this project have on electrical shortages and rolling blackouts?
- Does Caltrain have an Agreement with Union Pacific for the new electrical system and resolution on the electromagnetic system's interference with the Union Pacific system? Union Pacific Railroad has raised a number of objections to the proposed project. Have these objections been fully resolved, since 2010? The DEIR should reference the Union Pacific Objections, and document any environmental implications of carrying out a project that meets such objections.
- Has Caltrain considered the cost implications of revising these improvements shortly after construction, if the blended high-speed rail project moves forward as the DEIR contemplates?
- As you are aware, there is a significant legal question whether or not Proposition 1A funds could be legally and properly used for the proposed project. This issue, in a different context, is currently in litigation. If Proposition 1A funds are not available for this project, how will the project move forward?

Thank you for your attention to our comments, questions, and concerns. Please consider the above comments in your deliberations on the proper way to move forward with the environmental review required by CEQA. The Town of Atherton strongly believes that Caltrain must further analyze alternatives to electrification, and must rewrite the DEIR to respond to the questions and concerns that we have outlined in this letter. Then, Caltrain must recirculate an augmented and amended DEIR for further review and public comment.

Sincerely,

Cary Wiest  
Mayor, Town of Atherton

Attachment: Memo from Kevin Kielty, Town Arborist

# Memo



**To:** The Atherton Rail Committee  
**From:** Kevin R. Kielty, Town Arborist  
**CC:** Lisa Costa Sanders, Deputy Planner  
**Date:** 4/11/14  
**Re:** Review of EIR for Train Electrification in the Town of Atherton, CA

I have briefly reviewed the report submitted by Hort Science and offer the following observations for your review:

- Plans are being reviewed for the electrification of the railcars using the train tracks that run through the center of the town of Atherton. The latest plan is to use two sets of power poles and overhead electric lines that are located on each side of the tracks near the property lines. A large number of trees will be trimmed or removed to facilitate the construction. A very comprehensive report on the trees both public and private that may be affected by the project was created.
- According to the report provided by Hort Science 348 trees will be impacted by the proposed construction. Of those 348 trees 142 of the tree will be removed and 206 trees will be trimmed. Trees that will require 25 percent of foliage removed for the required 10 foot line clearance will be cut down. Trees that require less than 25 percent of the trees canopy removed will be retained and maintained using standard line clearing practices.
- The diameters were estimated and grouped into trunk diameter groups so an accurate list of heritage trees is not provided. The exact distance of the trees trunk from the center of the tracks was not provided, tree distances were estimated and grouped.

## Recommendations:

- A report should be provided with more accurate trunk diameters to establish an accurate heritage tree list. Each tree should be individually analyzed for required trimming and the species ability to survive the trimming. Redwoods can be trimmed by up to 35-40 percent of foliar canopy removed whereas the Monterey pines can only survive less than 15 percent of foliar canopy removed. Also the sun exposure of the areas to be trimmed should be discussed, oaks are susceptible to sun scald and trees on the west side of the tracks can be trimmed heavier than the oaks on the east side of the tracks. An arborist with vast trimming experience should be consulted on the tree trimming required.
- Having an arborist experienced in trimming of large trees should reduce the number of trees to be removed. Standard utility line clearing practices will allow for the construction to be continued as planned but will also retain some of the valuable screening that has been developed over the years by homeowners who border the train corridor. An example is the large row of redwoods that line the tracks east of the town center. The trees are quite healthy and provide screening for the property owners. The trees have been trimmed to the edge of the corridor and have become hedge like on the tracks side. According to the latest plan the trees could be retained with the limbs on tracks side removed to near the trunks and the property side being retained for screening. Removal of these trees would be a very high

impact to the property owner. Removal of any of the trees on the edge of the corridor should be on a tree by tree basis as is standard practice for heritage tree removal.

**Summary:**

The current plan will require the removal of a large number of heritage trees. Even if a tree by tree review is carried out the number of removed trees will be significant. If this plan is carried out the impacts to the neighbors along the tracks will be very significant. Replacement trees will take several years to screen the properties and may never be able to fully replace the removed tree.

A plan to use a single pole system that runs between the tracks and has power wires cantilevered to each side track would have very minor impacts on the trees with no heritage trees being removed. Trees that line the corridor would be maintained as is normal practice. Construction would have to be carried during non-peak hours and would be a onetime impact on the homeowners.

As the town arborist I have to support an alternative plan using a center line pole system. Impacts to the trees would be minor with no wholesale removals.

The information included in this memo is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty, Town Arborist, Certified Arborist WE#0476A