

City of Palo Alto
Office of the Mayor and City Council

December 15, 2010

The Honorable John Mica
Chair-Elect, Transportation and Infrastructure Committee
House of Representatives
2313 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Mica:

On behalf of the City of Palo Alto, our City Council and myself, I want to congratulate you on your new chairmanship of the House of Representatives Transportation and Infrastructure Committee. This is an important committee and we look forward to working with you and your staff on transportation and infrastructure issues that fall under your oversight.

Background

Palo Alto is located on the San Francisco Peninsula, 32 miles south of San Francisco and 15 miles north of San Jose. The birthplace of Silicon Valley and home to Stanford University, Palo Alto has been the source of many of the innovations which have made the United States the world's leader in technology. Hewlett Packard, Facebook and Tesla are headquartered here. Many other technology companies have facilities here producing jobs that swell Palo Alto's daytime population to nearly twice our night time population of 63,000.

Caltrain has provided fixed rail commuter services on the San Francisco Peninsula for nearly 150 years. Its tracks run through the heart of Palo Alto and residential neighborhoods that have long been established adjacent to these tracks. Palo Alto's Caltrain ridership is second only to San Francisco's.

A key area we understand your committee will be reviewing next year is high speed rail (HSR) and its funding. The City of Palo Alto has been highly engaged in the review and consideration of the California High Speed Rail Authority (CHSRA) proposals for an HSR system in California, particularly its plans for the San Francisco to San Jose corridor.

To assist you and your staff understand the current position of our City on HSR, we have enclosed copies of recent actions taken by the Palo Alto City Council. We respectfully request consideration of this material as your committee deliberates future actions with respect to HSR and specifically HSR in California. Thank you for considering this information and again we look forward to working with you, your staff, and the committee.

Sincerely yours,



Patrick Burt
Mayor

Attachments:

- Palo Alto City Council, November 9, 2010 letter regarding a Palo Alto HSR station
- Palo Alto City Council, September 30, 2010 Letter to Transportation Secretary Ray LaHood and Transportation Administrator Joseph C. Szabo
- Palo Alto City Council, September 20, 2010 No Confidence in the CHSRA Resolution

c: Palo Alto City Council
Palo Alto City Manager

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November 9, 2010

Roelof van Ark, Chief Executive Officer
California High Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814

Subject: **A Palo Alto Mid-Peninsula Station Location**

Dear Mr. van Ark:

This letter is sent to inform the California High Speed Rail Authority (CHSRA) the Palo Alto City Council at its October 25th meeting unanimously decided to oppose CHSRA consideration of a High Speed Rail Station (HSRS) anywhere in Palo Alto. Key issues identified by the City included the following considerations:

Capital priorities

We have consistently said this project must be done right. If the CHSRA spends its limited funds to build a mid-peninsula High Speed Rail Station (HSRS) in Palo Alto or anywhere else on the mid-peninsula this takes scarce funds from selecting and implementing a rail design that meet's our community's needs (i.e., a below grade rail option).

Limited land for development

Palo Alto has a scare supply of available land for future development and/or redevelopment. There are many alternative uses that offer far higher fiscal and economic returns to the City than the construction of a HSRS. The City has over the past several years built its economic development around transit orientated development (i.e. TOD) to emphasize connections to commuter and regional rail such as Caltrain. This was long before the proposed HSR line. The CHSRA proposal which requires the construction of a 3,000 space parking garage induces more automobile trips.

Parking requirements

The CHSRA has indicated the local community would be responsible for allocating 1,000 parking spaces adjacent to a future HSRS and 2,000 more within a three mile radius. Furthermore the CHSRA has indicated the cost to build these spaces would be the responsibility of the local agency or the local agency in partnership with a private enterprise. Rough estimates indicate the cost of said parking in the area of \$150M. The City does not have the financial resources to build such parking and even if it did building parking garages for this type of use are not a priority consideration given other more productive uses of limited city funds and current and future city priorities.

Regional transportation facility impacts

In the existing HSR business plan it is anticipated there will be more traffic to and from San Francisco International Airport (SFO). A mid-peninsula HSRS will induce more traffic trips toward SFO. This action will only have negative impacts on the long-term viability of San Jose International Airport which is already struggling with maintaining existing airport passenger levels given the current economic downturn.

Stanford University

The university owns the land for the proposed Palo Alto mid-peninsula HSRS. Stanford (see attachment) while acknowledging there could be potential benefits to Stanford Area businesses from an HSRS concluded a station should not be a priority given the limited traffic and parking capacity in the area surrounding the potential station location.

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Traffic impacts

The project actually induces more car traffic in the City as people will be traveling from outside the community to come to a mid-peninsula rail station in Palo Alto. The City currently has significant traffic capacity issues which this project would exacerbate. These existing traffic capacity issues will put significant strain on the ability of the City to retain high value businesses which are currently located in the City. Furthermore, the current and long-term vision for the City is to reduce auto-inducing trips. This project is therefore inconsistent with this vision.

Summary

The CHSRA has provided no credible analytical case for a mid-peninsula station in Palo Alto or for nearly all the aforementioned reasons identified in this letter elsewhere on the mid-peninsula. Therefore, we urge the CHSRA to focus its limited resources for an HSRS in those locations and to abandon any further consideration of a mid-peninsula station in Palo Alto.

Sincerely yours,



Mayor Patrick Burt
City of Palo Alto

c: Palo Alto City Council
Palo Alto City Manager

Attachment

- Stanford statement on California High Speed Rail, addendum to June 30, 2010 letter to the California High Speed Rail Authority

September 30, 2010

Mr. Ray LaHood, Secretary
Mr. Joseph C. Szabo, Administrator
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary LaHood and Administrator Szabo:

The City of Palo Alto opposes the recent California High Speed Rail Authority (CHSRA) One Billion Dollar funding application to the Federal Railroad Administration (FRA) for the proposed California High Speed Rail (HSR) project segment from San Francisco to San Jose using the Caltrain right of way. Our reasoning follows:

BACKGROUND

Palo Alto is located on the San Francisco peninsula, 32 miles south of San Francisco and 15 miles north of San Jose. The birthplace of Silicon Valley and home to Stanford University, Palo Alto has been the source of many of the innovations which have made the United States the world's leader in technology. Hewlett Packard, Facebook and Tesla are headquartered here. Many other technology companies have facilities here producing jobs that swell Palo Alto's daytime population to nearly twice our night time population of 63,000.

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ENVIRONMENTAL IMPACT ANALYSIS

A key issue for the City is that the required environmental review process has been severely compressed due to the time pressures associated with securing stimulus funding. There is a fundamental conflict between the CHSRA perceived need to secure stimulus funding and their obligation to complete a thorough environmental analysis. We believe the Authority's studies, to date, have significant data deficiencies, and do not provide the data and analysis required for a project of this magnitude. A shoddy job in our area will have a negative impact on HSR projects elsewhere in California and indeed throughout the country.

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PHASING AND TRAFFIC

The CHSRA application would leave the existing two-track alignment running through Palo Alto unchanged from its present condition but with a significant increase in the number of trains using the tracks with no date certain for future improvements. Our four non-grade separated rail crossings would remain as-is. In addition to being a safety hazard, the CHSRA plan would produce traffic gridlock. It would also result in unacceptable increases in emergency response times. A report from Palo Alto's Chief Transportation Official describing these negative impacts in detail is attached.

TIMING

CHSRA's proposal, with perhaps an expanded, elevated four track system to follow at some future time, would leave Palo Alto with the existing two track, non-grade separated configuration for an indeterminate time period. This would cast a cloud of uncertainty over adjacent residential and commercial properties, depressing their values and providing other cities throughout the country with a negative example of what HSR might be if it were to come to their communities.

CALIFORNIA FINANCING

As we understand it, in order for California to use the funds requested by CHSRA in its recent application it has to provide matching funds. The Authority apparently expects that these matching funds will come from the bonds approved by California voters in 2008 in California's Proposition 1A. The Proposition states that the funds only become useable if the proposed HSR can meet certain timelines for the San Jose to San Francisco trip. Without grade separations, this time test cannot be met. This would seemingly make CHSRA ineligible to use the FRA grant if it was made. The CHSRA may be thinking that it can get either the FRA or California's voters to waive their requirement.

NO PUBLIC REVIEW

Perhaps the most glaring deficiency in the subject CHSRA application is that it has not been publically studied nor has it been subject to any public review. Indeed, the first time the affected cities and the public knew of this proposal was when a copy of the Authority's application to the FRA became public after it was filed with the FRA. The FRA should not be complicit in such an evasion of good government practice.

CONCLUSION

The City Council and the citizens of Palo Alto voted in favor of Proposition 1A. We have attempted to work with the Authority to produce a design for HSR through Palo Alto which would be acceptable to our community. The recent application to the FRA by the Authority is only the latest in a string of frustrations we have had with the Authority which led us to adopt the "No Confidence in the California High Speed Rail Authority Resolution" which is attached. Please help us get HSR back on track by rejecting the Authority's recent request for One Billion Dollars to be used in the San Francisco - San Jose corridor. Thank you for your time and consideration.

Sincerely,



Patrick Burt
Mayor, City of Palo Alto

cc: Palo Alto City Council
Palo Alto City Manager
Mr. Peter M. Rogoff, Administrator, Federal Transit Administration
Mr. Calvin L. Scovel III, Inspector General, US Department of Transportation
Mr. Mark E. Yachmetz, Associate Administrator for Development, Federal Railroad
Administration
HSIPR Program Manager, Federal Railroad Administration

Attachments:

- No Confidence in the California High Speed Rail Authority Resolution
- Palo Alto's Chief Transportation Official's Traffic Impacts Report

Context

The Palo Alto City Council unanimously approved on Monday, September 20, the following resolution titled No Confidence in the California High Speed Rail Authority.

**Resolution
of the Palo Alto City Council
September 20, 2010**

No Confidence in the California High Speed Rail Authority

Action

The City Council of Palo Alto hereby declares that it has No Confidence in the California High Speed Rail Authority (CHSRA) or in the High Speed Rail (HSR) Project as presently planned, and shall therefore take the following actions:

- 1) The City will urge the Governor and the State Legislature to cease HSR funding, remove the present CHSRA Board, and/or create a new governing mechanism for HSR.
- 2) The City will urge the Federal Railroad Administration (FRA) to cease funding California's HSR as presently constituted. The City will also express to the FRA our continuing support of Caltrain and support for Caltrain capital funding by the FRA.
- 3) The City will coordinate and communicate with like-minded California cities in order to make our positions set forth above more effective.
- 4) The City will provide copies of this Resolution and supporting materials to the Governor, our State legislators, United States Senators, Member of Congress, the California High Speed Rail Authority, the FRA, neighboring communities, and other interested parties.
- 5) The City will continue to actively engage in the process of responding to the CHSRA to defend Palo Alto's interests.
- 6) The City will urge the Peninsula Corridor Joint Powers Board (PCJPB) to more aggressively, and publicly, protect the interests of the communities along the Caltrain right-of-way (ROW) and oppose an aerial HSR alignment in any city where such an alignment is opposed.
- 7) The City will consider litigation, if necessary, to protect the interests of Palo Alto with respect to HSR.

The City Council continues to believe that Caltrain is the indispensable backbone of our local and regional transit system and that it must have a permanent, dedicated source of funding and that it should be appropriately upgraded. Palo Alto is fully committed to collaborating with other Peninsula cities and counties to help create a dedicated funding source for Caltrain and its needed improvements. The City will advocate publicly for a Policy Advisory Committee for the PCJPB, appoint a Council Member as a liaison, and contact all Peninsula Cities to do the same including those municipalities without a rail corridor. The City will advocate that the JPB be reconstituted to include permanent representation of northern Santa Clara County cities.

This Resolution is not intended to be exhaustive. The City may take additional actions, as determined by the City Council to protect the interests of the City of Palo Alto.

Background

The City Council has not lightly adopted this Resolution. The City Council and the voters of our City supported the HSR bond measure passed in 2008. We have spent much time and resources since then attempting to work with the CHSRA to produce an HSR project we could support. But since 2008, an overwhelming number of facts have been discovered or developed and events have occurred that lead us to believe that the only reasonable alternative is to halt the HSR project as presently constituted. Some of the most salient of these facts and developments are:

- 1) **Ridership Study**: As one member of the CHSRA Board has noted, without a reliable ridership study the project cannot move forward. However, this is precisely the situation we have. Responding to various criticisms of the CHSRA ridership study, the State Senate asked the prestigious UC Berkeley Institute of Transportation Studies to review that study. Their conclusion released earlier this year was that the Authority's study was deeply flawed and should not be relied on. The new CEO of the CHSRA, in a meeting with Mayor Burt and Council Member Klein earlier this summer, stated that he trusted the Authority's ridership consultant and saw no need to verify their work. This response is unacceptable and defies the direction of the State Senate.
- 2) **Cost**: The Authority, prior to the 2008 election, estimated the cost of the system at \$33.6 billion. Shortly after the election, it increased that cost to \$42.6 billion. Many experts have stated the Authority is significantly underestimating the cost and point to studies that show the cost of large construction projects almost always exceeds initial estimates. In addition, the Authority's cost estimates do not include the cost of necessary land acquisitions. We have repeatedly asked the Authority to tell us what properties would have to be taken in Palo Alto and what would be the estimated cost for such properties. The Authority has stated that it's too early in the process to have such information, but we have been advised to the contrary. The Authority's concern, of course, is that land acquisition will significantly increase the cost of the project and raise the ire of the owners of the properties taken, both problems it would like to delay as long as possible. Low ball cost estimates are unacceptable.
- 3) **Business Plan**: The State Auditor and the Legislative Analyst have both severely criticized the Authority's business plan noting, among other things, that the "plan" calls for \$15 billion of private financing which is nowhere in sight. The "plan," rather amazingly, also calls for \$5 billion from local governments.
- 4) **Relationship with the Authority**: The Peninsula communities were frequently promised even before the election that our voices would be heard in designing HSR in our area. That has proven not to be the case. The Authority held out the possibility of using Context Sensitive Solutions (CSS) but has not followed through. Certain Authority Board members have made it clear that, in effect, the railroad is coming through our community and we need to get out of the way.
- 5) **Impact on the Community and the Environment**: The alternatives the Authority clearly favors will have major negative impacts on our community and on the environment and reduction in residential and commercial real estate values, traffic, noise, vibrations, east/west division, and air quality with little or no benefits to us. As one of our

neighboring communities put it, 'Aerial orientation' and 'viaduct' are [the Authority's] euphemisms for constructing the equivalent of a six-to-eight-lane elevated freeway through the middle of our cities." This is unacceptable.