

Meeting:
DRC Citizen Advisory Panel

Date:
December 12, 2007

Location:
City of Menlo Park Senior Center
110 Terminal Avenue, Menlo Park, CA

Time:
Meeting Start: 7:00 pm
Meeting Adjourn: 9:25 pm

Minutes Prepared By:
Sudhish Verma

Issue Date:
March 19, 2008

Attendees (sign-in sheet attached)	
<p><u>CAP Members</u> Jim Bigelow, Redwood City Yen Han Chen, Newark Mike Dubinsky, Fremont Barry Ferrier, Union City Margaret Fruth, Menlo Park Eric Hentschke, Newark – Alternate Kevin Mathy, VTA Tim Pitsker, Fremont Arthur Ringham, Atherton Chairperson Susan Robinson, Menlo Park Harry Wong, Union City</p> <p><u>DRC Staff</u> Paul Matsuoka, Joint Powers Board Marie Pang, SMCTA Sylvia Cox, Joint Powers Board</p> <p><u>Consultants</u> Sudhish Verma, Parson Brinckerhoff</p>	<p><u>Members of the Public</u> Jon Hazard, Menlo Park resident</p>

Item No. Discussion

1. Call to Order
2. Approval of October 17, 2007 Minutes
 - o A motion to approve the minutes was made by S. Robinson and seconded by A. Ringham. The minutes were approved.
3. Response to Questions from Educational Package
 - o M. Dubinsky requested the staff to provide a list of participants who were present at Technical Advisory Committee (TAC) meetings in the past. The staff agreed to provide the roster.
 - o M. Dubinsky requested the staff to provide details about elements of each segment of the project. The staff agreed to provide the requested information as available in the existing presentations, and pointed out that the Project Study Report (PSR) is available online and contains the requested information.
 - o M. Dubinsky asked if there exists a list of major grade crossings in the corridor. The staff informed that the information is included in the PSR.
 - o S. Robinson asked if there exists a schedule for the ongoing tasks. The staff responded that the preliminary results of the ongoing tasks and studies will be available in a couple of months, and complete report will be available in spring 2008.

- S. Robinson asked if all the reports will be made available to the panel for review. The staff informed them that the findings of the reports will be summarized in the draft environmental document and they would be able to comment on the draft document.
- H. Wong asked if the staff is analyzing the condition and stability of the tracks over land segments of the project. The staff agreed that it would be looked at.
- M. Dubinsky asked if the Environmental Phase 1 is pertinent to the ongoing studies, and if the alternatives rejected in the past will be considered again. The staff responded that the Environmental Phase I was the pre-cursor to the draft document. It was part of an evaluation process to screen alternatives to a point that a recommendation could be made. The environmental process starts now with these alternatives in the draft document. The studies previously performed will be referenced if pertinent, but new technical studies will be performed.
- H. Wong pointed out that some of the bus routes were not studied comprehensively. The staff responded that previous studies were preliminary and some of the routes have changed significantly since then. Therefore, studies that are more comprehensive will be performed as part of the ongoing studies.

4. Information Items

4.a. Environmental Review Process Presentation

- The staff made a presentation on the Environmental Review Process.
- M. Dubinsky asked the reason for meeting the requirements of the National Environmental Protection Agency (NEPA) when the project is not using any federal funds. The staff responded that federal permits will be required for the construction of the project and NEPA compliance is needed in order to obtain them.
- B. Ferrier pointed out that the City of Union City has already performed an environmental study for the multi-modal station included in Section G of the Dumbarton project, and asked the staff if the analysis will be performed again as part of the Dumbarton project. The staff responded that the environmental study performed by the City of Union City was compliant only with the California Environmental Quality Act (CEQA), whereas the Dumbarton project will have to comply with both CEQA and NEPA. Therefore, the EIS/R for the Dumbarton project will include environmental analysis of Section G and the multi-modal station, and will refer to the study performed by the City of Union City. In addition, the EIS/R must look at the cumulative impacts of the project, which the Union City document did not study.
- T. Pitsker asked if the issues addressed in the past will be re-examined as part of the EIS/R. The staff responded that the EIS/R is required to address all relevant issues, including those addressed in other documents, and that the EIS/R will refer to relevant existing documents.
- T. Pitsker asked if there is a proposed layover yard in Newark, why is one being proposed in Union City. The staff responded that it is operationally preferred to have the layover yard at the end of the line. In the phased alternative, the end of the line is Newark. In the full rail alternative, the end of the line is Union City.
- B. Ferrier asked how agencies are supposed to find out about the project. The staff responded that the NOI and NOP were sent out as certified letters to the agencies.
- S. Robinson asked how long after the Statement of Overriding Consideration does the public get to comment. The staff responded that the public has thirty days after the FEIS is published in the Federal Register.
- T. Pitsker asked where objections should be sent to after the FEIS/R. The staff responded that there is no requirement under CEQA and that they can submit their objection via public comment at the JPB Board meeting when the Board is asked to approve the document. Y. Chen stated that the JPB must file a NOD with a statute of limitations of thirty days. If they do not file one, the statute of limitations is 180 days.
- T. Pitsker asked who the decision makers are- MTC or JPB. The staff responded that it would be up to JPB to adopt the project.

- Y. Chen stated that the environmental process is focused only on certain issues to move the project forward.
 - B. Ferrier asked when the PAC was formed and who are they. The staff responded that the PAC is made of thirteen members that represent the funding agencies: MTC (3), ACTIA (3), SMCTA (3), VTA (3), and CCJPA (1). The PAC was formed to oversee the environmental process once RM2 was passed in 2004.
 - T. Pitsker asked when the JPB Board meets. The staff responded that the board meets the first Thursday of every month at 10 am in the SamTrans office building.
5. Public Comments
- S. Robinson asked for issues, questions, or concerns that she should be brought to the next PAC meeting. There were no comments.
6. Member Highlights
- 6.a. Susan Robinson – City of Menlo Park
- S. Robinson, chairperson of the panel, is a resident of the City of Menlo Park. A part of the Dumbarton corridor is adjacent to her house. A majority of her neighbors and residents of Menlo Park are in favor of the project, as long as the project does not cause unreasonable hardship to the residents. Their concerns are on how the project is done - that windows do not break and horns do not disturb their sleep. They agree that the project has benefits to everyone, but want to understand the impacts and see that the impacts to the communities are minimized.
- 6.b. Margaret Fruth- City of Menlo Park
- M. Fruth is a resident of the City of Menlo Park. The trains run right behind her house and she hears everything and the trains can see into her backyard. She became involved in the project in 1992. Back then, the project said it could not afford sound walls. The issue of freight came up last year and she believes that freight is the hidden agenda because the ridership does not justify the project. Thousands of households in East Palo Alto, Menlo Park, and Redwood City will need mitigation. In addition, impacts to the Wildlife Refuge will be a hot point for litigation.
- 6.c. Harry Wong - City of Union City
- H. Wong is a resident of the City of Union City. H. Wong is supportive of the commuter service to Union City as promised by the project. He attended the scoping meetings and spoke in favor of the project. The Dumbarton service will parallel his work commute to Oracle. He does not like to carpool or drive and wants to be able to WiFi and train to work. He believes that they need to be pro-active to put in transit before it gets congested. H. Wong pointed out that loudness of BART, especially due to the high-frequency of the service and the grade-separated right-of-way, is a concern for the residents of Union City. However, Dumbarton proposes to operate only six trains each in the morning and evening peak hours, and thus is not a matter of concern. H. Wong is concerned about the impact to the traffic on streets near the station stops. He stated that the Willow Glen neighborhood is in favor of the project because it will redirect Capitol Corridor trains from three blocks away to about six blocks away, towards the BART tracks.
- 6.d. Barry Ferrier- City of Union City
- B. Ferrier is a resident of the City of Union City. B. Ferrier conveyed deep understanding of the long history of transportation issues faced by the City of Union City, and expressed concerns about the process for resolving the relevant issues with external agencies. He has an extensive history of participating in community planning and regularly attends Planning Commission and City Council meetings as well as sits on the ACTIA CAC. He stated that he wanted his taxes to be used locally. Outside factors and outsiders who were traveling to the West Bay and San Jose heavily impacted Union City. During the

dot.com era, the roads were shut down and people were not able to get out of town. Outsiders were causing local circulation issues. For example, congestion divides the east and west sides of the city so that emergency services cannot service all areas.

7. Requests/Comments from Members
 - o M. Dubinsky requested that the informational meeting hosted by the City of Fremont held at the Niles Elementary School in November 2006 be held to the same standing as a scoping meeting, in addition to the two scoping meetings held in Newark and Menlo Park. The staff responded that the meeting is already included in the Environmental Scoping Report, and that all the comments received during the scoping period were given the same serious consideration.
 - o Y. Chen requested the staff to provide information on the status of the selection of corridor alternatives (Altamont Pass vs. Pacheco Pass) for the High Speed Rail project. The staff agreed to share the information as and when it becomes available, and informed that MTC's recommendation was for the Pacheco Pass Alternative.
 - o S. Robinson requested the staff to provide the Environmental Review Process presentation presented at the meeting, and to send the presentations on the agenda in advance of the meetings in future.

8. Time and Date of Next Meetings
 - o The next PAC meeting will be held at 7 p.m. on February 20, 2008 at the Silliman Center in Newark.

9. Adjourn
 - o Meeting adjourned at 9:25 pm.

Attachments:

Presentation