



*AFFILIATED AGENCIES*

*Orange County  
Transit District*

*Local Transportation  
Authority*

*Service Authority for  
Freeway Emergencies*

*Consolidated Transportation  
Service Agency*

*Congestion Management  
Agency*

April 8, 2024

California High Speed Rail Authority  
Draft 2024 Business Plan  
770 L Street, Suite 1180  
Sacramento, CA 95814

Via Email: [BusinessPlan2024@hsr.ca.gov](mailto:BusinessPlan2024@hsr.ca.gov)

**Subject: California High Speed Rail Authority 2024 Draft Business Plan**

To Whom It May Concern:

The California High Speed Rail Authority (CHSRA) released the Draft 2024 Business Plan which describes the progress of major programs across California, and provides updates on federal funding, ridership, and construction status. The Orange County Transportation Authority (OCTA) has reviewed this document.

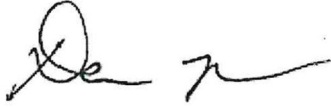
The CHSRA Supplemental Alternatives Analysis (SAA) released in November 2023 which studied the Los Angeles to Anaheim project section is discussed in the Draft Business Plan. The Draft Business Plan confirms that the environmental clearance for this project section is expected to be complete by the end of 2025. Please see Attachment A for comments on the Draft Business Plan. OCTA sent comments to the Southern California Regional Director regarding the SAA on January 22, 2024 (Attachment B) which followed a letter sent to CHSRA on September 24, 2020 (Attachment C).

To reiterate one salient comment made in the January 2024 letter: Due to the high volume of rail traffic that occurs on the segment from Los Angeles Union Station to Fullerton, the Shared Passenger Track Alternative would not offer high-speed service, thereby conflicting with legislative requirements. Compared to other alternatives, relying on reduced speeds and service levels would not be consistent with the purpose of high-speed rail connectivity.

As the railroad owner and County Transportation Commission, we appreciate CHSRA's willingness to coordinate with OCTA in developing alternatives for the Los Angeles to Anaheim project section. In addition, as one of five joint powers authority members that provide funding to the Southern California Railroad Authority for regional passenger rail service, OCTA needs to be assured that CHSRA service will complement both existing and future rail service in Orange County. This will ensure that impacts to Orange County are analyzed and

addressed. We look forward to working with you. Please contact me at (714) 560-5907 or [dphu@octa.net](mailto:dphu@octa.net).

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Phu', with a stylized flourish extending to the right.

Dan Phu  
Sustainability Manager, Planning

Attachments

## Attachment A

- On page 5 of the 2024 Draft Business Plan, the capital estimate for the Los Angeles to Anaheim project section does not match the 2018 estimate of \$9.17 Billion or their proposed new alternative of \$6.65 to \$6.91 Billion.
- On page 12 of the 2024 Draft Business Plan, the ridership projections from Los Angeles to San Francisco estimates 32.5 million riders annually by 2050. In 2020 there were 2.2 million passengers who traveled from Los Angeles International Airport to San Francisco International Airport. Even accounting for passenger car trips between Los Angeles to San Francisco, the projected numbers are high.



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January 22, 2024

Ms. LaDonna DiCamillo  
Southern California Regional Director  
California High Speed Rail Authority  
Attn: Los Angeles-Anaheim  
770 L Street, Suite 620, MS-2  
Sacramento, CA 95814

Subject: **Los Angeles to Anaheim Project Section Supplemental Alternatives Analysis Report**

Dear Ms. DiCamillo:

The California High Speed Rail Authority (CHSRA) recently released the Los Angeles to Anaheim Project Section Supplemental Alternatives Analysis (SAA) Report proposing the Shared Passenger Track Alternative without sufficient consultation with the Orange County Transportation Authority (OCTA). OCTA, as the railroad owner and County Transportation Commission, has several concerns with the lack of coordination, the adequacy of the analysis, and inconsistent justifications used to support this alternative as described below.

- OCTA was not adequately consulted on the development of the Shared Passenger Track Alternative despite being Orange County's transportation planning agency and railroad owner.
- The Shared Passenger Track Alternative does not offer high-speed service, conflicting with legislative requirements. Compared to other alternatives, relying on reduced speeds and service levels contradicts the purpose of high-speed rail connectivity.
- Given the proximity of the Shared Passenger Track Alternative to disadvantaged communities, potential community and environmental impacts require more analysis. Changes in freight operations to accommodate the proposed alternative suggest consideration of cumulative impacts with emphasis on sensitive communities.
- Implications of the proposal on existing shared track agreements and current and planned passenger rails services must be more clearly analyzed and described.
- More detail is needed on the Buena Park station relocation, track reconfiguration, staging tracks, shared maintenance costs, and modeling assumptions.
- CHSRA appears to have delegated the Fullerton station improvements to the Southern California Regional Rail Authority (SCRRA) as part of the

Ms. LaDonna DiCamillo  
January 22, 2024  
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Fullerton Interlocker Project that is currently led by SCRRA. The proposed changes require more discussion so impacts to current passenger rail services due to relocation of the platform can be better understood by OCTA and the City of Fullerton.

Please refer to the attachments for more details on OCTA's primary concerns. OCTA requests involvement as an active participant in developing alternatives. This will ensure that impacts to Orange County are fully analyzed and addressed. We look forward to meeting with you to discuss the rationale for the Shared Passenger Track Alternative and rejection of the other alternatives. Please contact me at (714) 560-5741 or [kmortazavi@octa.net](mailto:kmortazavi@octa.net) for follow-up. Thank you.

Sincerely,



Kia Mortazavi  
Executive Director, Planning

KM:dp  
Attachments

- The Orange County Transportation Authority (OCTA) was not adequately consulted on the development of the Shared Passenger Track Alternative. As the railroad owner and designated County Transportation Commission, OCTA is a key stakeholder who has sponsored commuter rail service in the corridor for more than three decades as well as the railroad owner for the Orange County portion of the Fullerton to Anaheim segment. We understand the California High Speed Rail Authority (CHSRA) and the Southern California Regional Rail Authority (SCRRA) have been in discussion regarding the project elements. OCTA must be directly involved in discussions of project alternatives that impact the Fullerton to Anaheim segment owned by OCTA.
- The proposed Shared Passenger Track Alternative does not offer high-speed service to Los Angeles. CHSRA staff has suggested a one-seat ride to the Bay Area as a substitute and indicated that CHSRA is not obligated to provide high-speed service to Anaheim. However, the enabling CHSRA statutes call for “constructing a high-speed train system that connects the San Francisco Transbay Terminal to Los Angeles Union Station and Anaheim.” Therefore, the proposed alternative does not meet the legislative requirements.

The stated reasons for eliminating the Freeway Tunnel and the Union Pacific Railroad alternatives include cost, construction challenges, and short-term construction impacts related to tunneling. Cost should not be a factor to eliminate an alternative under the California Environmental Quality Act (CEQA) process. The purpose of CEQA analysis is to assess the potential environmental impacts. In this respect, the short-term and long-term environmental impacts of the Shared Passenger Track Alternative should be given equal consideration prior to any decision on a preferred alternative.

- Given the proximity of the Shared Passenger Track Alternative to disadvantaged communities, potential community and environmental impacts require more analysis. Without the proper community impacts assessment and environmental justice, and related Title VI analyses, the introduction and elimination of alternatives would not meet the spirit and intent of the CEQA public disclosure process. Furthermore, implementing the Shared Passenger Track Alternative has the potential to induce additional rail freight traffic as stated in the Supplemental Alternatives Analysis (SAA). This raises important questions about potential cumulative environmental, health, and community impacts, particularly to disadvantaged communities. Consequently, it is crucial to examine how these communities have been engaged in the public participation process to ensure their voices are heard and their concerns are adequately addressed. Please provide more information on how the Shared Passenger Track Alternative would mitigate the cumulative impacts of the induced rail freight traffic impacts in north Orange County.
- The analysis in the SAA fails to demonstrate how it would mitigate potential impacts to the shared use agreement between BNSF, OCTA, and the Riverside County Transportation Commission, which are part of the San Bernardino Subdivision Shared Use Agreement.

- The SAA document relies on the reduction of HSR passenger service levels and speeds as a mitigation strategy. This appears to conflict with the primary purpose of the project to connect the megaregions of the state through a high-speed rail system.
- The report states that track reconfiguration may be considered at the Fullerton station (to ensure BNSF access and/or to reduce project footprint or costs). The SAA needs to provide more information and details about the impacts of the track reconfiguration to Fullerton Station and the assumed plans for using the existing tracks at that location.
- The SAA relies on additional staging tracks outside the project corridor (considered freight rail mitigation). CHSRA must better analyze the viability and impacts of the staging tracks before selecting the Shared Passenger Track Alternative as the preferred alternative.
- CHSRA reports identify the potential for shared maintenance costs with other passenger rail services as a feature of the Shared Passenger Track Alternative. OCTA must review the information that supports this statement and is concerned with the implications of this concept on the maintenance cost shares of the other rail operators.
- CHSRA has not provided the modeling assumptions for the Shared Passenger Track Alternative. This information will assist OCTA to better assess:
  - Assumed operating speeds in relation to the project's legislative intent;
  - Freight utilization and maintaining capacity for future increases in Metrolink and Surfliner passenger service levels;
  - Impacts to Metrolink's Southern California Optimized Rail Expansion (SCORE) Program implementation; and
  - The effects of electrification on OCTA-owned tracks and the impact on intracounty commuter rail service between Fullerton and south Orange County.



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September 24, 2020

Mr. Mark McLoughlin  
Attn: Los Angeles-Anaheim  
California High-Speed Rail Authority  
770 L Street, Suite 620, MS-2  
Sacramento, CA 95814

**Subject: Revised Notice of Preparation and Notice of Intent for the Environmental Impact Report/Statement for the Los Angeles to Anaheim Project Section of the California High-Speed Rail Authority Project**

Dear Mr. McLoughlin:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Revised Notice of Preparation (NOP) under the California Environmental Quality Act (CEQA) and Notice of Intent (NOI) under the National Environmental Policy Act (NEPA) for the Environmental Impact Report/Statement (EIR/EIS) for the Los Angeles (Union Station) to Anaheim (Anaheim Regional Transportation Intermodal Center) Project Section (Project) of the California High-Speed Rail Authority (CHSRA) Project. OCTA is a joint powers authority (JPA) member of the Southern California Regional Rail Authority (SCRRA), operated by Metrolink. The Project's intent to provide high-speed intrastate ground transportation should not negatively affect local and intercounty rail services such as Metrolink that serve approximately 2.9 million (fiscal year 2019) trips annually. The following comments are provided for your consideration:

- Current passenger rail services - OCTA retains certain rights over the Burlington Northern Santa Fe (BNSF) corridor in the Fullerton to Los Angeles section. These rights enable OCTA to sponsor critical commuter rail service between Orange County and Los Angeles. The ability to fully retain and realize these rights is crucial as any impairment could result in reduced commuter rail service, diverting trips to highways, and result in increases in highway traffic and vehicle miles traveled with associated negative environmental impacts. Furthermore, the rights and related commuter rail services are critical elements of a multimodal expenditure plan funded by the local sales tax measure. Regionally, the ability to continue to offer balanced multimodal solutions is a critical element of the OCTA Long-Range Transportation Plan. The EIR/EIS should thoroughly evaluate and address these issues and acknowledge OCTA's ownership of the railroad right-of-way between Fullerton and Anaheim, which was acquired for the purposes of providing expanded Metrolink service. These property rights and our objectives should not be undermined as a result of the Project.



Mr. Mark McLoughlin

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- OCTA previously provided comments on the preliminary engineering for project definition for the CHSRA Los Angeles to Anaheim segment. Although CHSRA provided responses to OCTA's comments, we look forward to a mutually satisfactory resolution to the concerns previously raised by OCTA.
- In addition, BNSF, OCTA, and the Riverside County Transportation Commission (RCTC) are part of the San Bernardino Subdivision Shared-Use Agreement (SUA), which generally grants OCTA and RCTC exclusive rights for "passenger transportation uses." Any third party wishing to utilize the segment between Redondo Junction and Fullerton must obtain approval from OCTA and RCTC in addition to BNSF. A memorandum of understanding between CHSRA and BNSF does not supersede the terms of the SUA. Any impacts to the SUA must be thoroughly analyzed in the EIR/EIS.
- OCTA is a "responsible agency" under CEQA and a "cooperating agency" under NEPA for the Project. OCTA owns the railroad right-of-way between south of Fullerton to the Orange/San Diego county line, is a JPA member of SCRRA, as well as a party to the SUA. Accordingly, OCTA must be designated as a responsible agency and cooperating agency under CEQA and NEPA, respectively.
- OCTA is formally requesting to be added to the notification and distribution lists for all CEQA notices, public meeting notices, and public meeting/hearing notices relating to the Los Angeles to Anaheim segment of the Project under CEQA and local and state law, including the Ralph M. Brown Act and the Bagley-Keene Act.
- As a JPA member, OCTA is also partnering with Metrolink to implement the Southern California Optimized Rail Expansion Program. The CHSRA EIR/EIS must assess any potential impacts to these planned improvements.
- Future passenger rail capacity - OCTA has made significant investments including the purchase of right-of-way for capacity, track and rail communication enhancements, turnaround facilities, stations, and rolling stock to allow OCTA to offer up to 76 daily Metrolink trains in Orange County. OCTA and Metrolink have invested heavily on a future Metrolink Placentia Station that has been environmentally cleared and ready to be constructed.
- In addition, OCTA has supported publicly-funded triple track improvements and grade separations beyond the Orange/Los Angeles county line that enable the future expansion capacity to be realized. The EIR/EIS should assess the environmental impacts of any compromises to OCTA's ability to offer this level of service. Lastly, the EIR/EIS should clarify that the reliability of Metrolink operations in the Fullerton to Los Angeles segment will not be negatively affected by any added burdens on the constrained shared passenger and freight corridor.
- Incremental freight rail impacts - The proposed Colton Facility is anticipated to accommodate added freight trains from the Los Angeles/Long Beach ports

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to Colton, which could increase over time. The added BNSF freight traffic would likely be travelling through the communities of Buena Park, Fullerton, Anaheim, Placentia, and Yorba Linda. OCTA recently completed a \$650 million program consisting of seven grade separation projects that was partially necessitated to address the increase in freight movement related to the expansion of the Los Angeles/Long Beach ports. The EIR/EIS should thoroughly disclose, assess, and address any of the environmental impacts related to operation/queuing of additional freight trains through Orange County.

- Truck traffic – as noted by CHSRA, the purpose of the revised NOP/NOI was to solicit input on additional project components that would be required in Colton and Lenwood, which were not included when the project was initially scoped in 2007. The EIR/EIS should address the environmental effects of any potential for the shift from freight to truck traffic in Orange County that may be necessary to support the Project. It is not clear how existing truck freight traffic in Orange County would be affected as a result of the proposed changes to freight rail operations. Environmental impacts of any associated truck traffic movements shift should be studied and addressed.
- Throughout the construction of the Project, Metrolink will be expected to continue to provide uninterrupted service. Any impacts to Metrolink service during the construction or operation of the Project must be assessed and mitigated in the EIR/EIS.

OCTA appreciates the opportunity to provide meaningful input on the revised NOP/NOI scoping process, and we look forward to working with the CHSRA to integrate the aforementioned comments into the EIR/EIS analysis. Furthermore, OCTA looks forward to becoming a more active participant in the development of the EIR/EIS so that any impacts to Orange County will be adequately analyzed addressed and mitigated. OCTA understands our partner agencies, RCTC and the San Bernardino County Transportation Authority, have raised similar concerns regarding the Project. If you have any questions or comments, please contact Kia Mortazavi at (714) 560-5741 or at [kmortazavi@octa.net](mailto:kmortazavi@octa.net).

Sincerely,



Darrell E. Johnson  
Chief Executive Officer

DEJ:dp