

Joan Malloy, Planning Manager

Economic and Community Development

City of Unity City

I am writing to you to express my concerns and **objection** to the Union City's proposed Railroad Expansion Project (aka The Union City Intermodal Station Passenger Rail Project). If this project were to proceed, the Riverwalk Community as well as Benchmark, Niles and other neighborhood will have the following **DIRE CONSEQUENCES**:

- 1. Cancer causing emissions released during and after construction
- 2. Nighttime construction noise and light glare
- 3. Major environmental consequences, ie: loss of natural habitat for many animals
- 4. Severe noise impact and vibrations
- 5. Decrease in property value
- 6. Decline in the overall quality of life for residents

We have two young children. We would like for our children to grow up in the Riverwalk neighborhood without the fear of dangerous emissions from **layover stations**. In fact, layover stations should not be built near any residential areas. We would like for our children to be *safe* in the neighborhood without the fear of train derailment with the **Shinn Connection**.

We understand that this project, however, have a large scale benefits to the community for passenger rail service. Should this project *must* move forward, we would like for you to comply to the following suggestions for mitigation:

- 1. Remove proposed layover yard option A and B. These two options are too close to the Riverwalk and Benchmark residence as well as the recreational and wildlife in Alameda Creek and Quarry Lakes region. **Locate the layover yard in an industrial location outside of Fremont.** Even Jones & Stokes, the consultants for the Rail Project (December 2002 study) recommended that the layover yard be AWAY from residential areas. | 1
- 2. Move the **turnout to a position near the Paseo Padre overpass**, such that turnout related noise and vibration occurs primarily in the non-populated area of the Riverwalk, near the development's entrance. | 2
- 3. Move the **Shinn Connection further East**. This would preserve the natural embankment over which the BART trains pass in front of the most affected homes in Riverwalk, thereby providing natural sound, vibration and visual protection to all homes in Riverwalk. | 3
- 4. Erect a **full enclosure, dual soundwall** such that residents on both sides of the Centerville line would benefit. | 4

5. Provide, calibrate and monitor particulate air quality stations in those affected residential neighborhoods of the Rail Project during construction and post-construction (like those equipment used by the Port of Oakland in their Vision 2000 - Air Quality Mitigation Program).

5

6. Discuss in your final EIR the CUMULATIVE impact on our health of the increased cancer risk of additional PM10 and PM2.5 particulate matter emissions when all the trains and their frequencies are considered: ACE, Capitol Corridor, UPRR, Starlight Express, Dumbarton Rail and the future California High Speed Rail. If the impacts could be portrayed by images, then they need to be superimposed onto each other so we could see the TOTAL and CUMULATIVE impact.

6

Sincerely,

Mr. Eric F. Mercado

Dr. Teresa T. Mercado

37805 Peachtree Court

Fremont, CA 94536

Joan Malloy

From: Kathleen Livermore [klivermore@ci.fremont.ca.us]
Sent: Friday, June 10, 2005 3:20 PM
To: RailEIR
Subject: Fwd: Union City's proposed Railroad Expansion Project

Attachments: Union City's proposed Railroad Expansion Project



Union City's
proposed Railroad...
Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34007 Alvarado-Niles Road
Union City, CA 94587-4497

Dear Ms. Malloy:

Please find attached below an e-mail that was sent to the Fremont City Council. I am forwarding this correspondence to you so that you may prepare the appropriate response in the Final EIR.

Sincerely,

Kathleen Livermore

Kathleen Livermore
Senior Planner
City of Fremont Planning Division
39550 Liberty St, Fremont, CA 94537
510-494-4438

RECEIVED #77
 JUN 10 2005

Joan Malloy

From: Teresa Mercado [tmercado@sbcglobal.net]
Sent: Friday, June 10, 2005 10:34 AM
To: bwasserman@ci.fremont.ca.us; bwieckowski@ci.fremont.ca.us; ddutra@ci.fremont.ca.us;
 anatarajan@ci.fremont.ca.us; scho@ci.fremont.ca.us; klivermore@ci.fremont.ca.us;
 jpeirson@ci.fremont.ca.us; nhughes@ci.fremont.ca.us
Subject: Union City's proposed Railroad Expansion Project

**UNION CITY ECONOMIC
 & COMMUNITY DEVELOPMENT**

Dear Mayor Wasserman, Vice Mayor Dutra, Council member Wieckowski, Natarajan, and Cho, Ms. Livermore, Mr. Pierson, Mr. Hughes and Union City's Planning Manager Ms. Joan Malloy:

I am writing to you to express my concern and objection regarding the Union City's proposed Railroad Expansion Project (aka The Union City Intermodal Station Passenger Rail Project). If this project were to proceed, the Riverwalk Community as well as Benchmark, Niles and other neighborhood will have the following **dire consequences**:

1. Cancer causing emissions released during and after construction
2. Nighttime construction noise and light glare
3. Major environmental consequences, ie: loss of natural habitat for many animals
4. Severe noise impact and vibrations
5. Decrease in property value
6. Decline in the overall quality of life for residents

It would be a tragedy to the local community if any of the above mentioned dire consequences were to materialize. The mission statement for the City of Fremont's Economic Development Department states:

"The Office of Economic Development's mission is to improve the community's economic base and quality of life for businesses and residents by working collaboratively wit community members and other City staff to attract and retain businesses, promote diversity of new job opportunities, and strengthen tax revenues."

Please live up to the city's mission statement by helping us maintain the community's quality of life and economic base by stopping the proposed railroad expansion project.

We have two young children. We would like for our children to grow up in my neighborhood without the fear of dangerous emissions from **layover stations**. We would like for our children to be *safe* in my neighborhood without the fear of train derailment with the **Shinn Connection**. We moved to Fremont, and particularly the Riverwalk community, to have the quality of life the City of Fremont promises its residents.

For the greater community's quality of life, the City of Fremont should, on behalf of Riverwalk residents as well as residents in nearby neighborhoods, make the following demands should the Union City's Railroad proceed:

1. Move the Shinn Connection away from Riverwalk and other neighborhoods.
2. No Layover Yards near Riverwalk and other residential areas.
3. Move the turnout at the Shinn Connection away from Riverwalk, such as towards Paseo Padre, to prevent potential derailment at a residential area.

6/13/2005

4. Eliminate a third rail connection that will run parallel to Riverwalk Drive.
5. Erect a full closure, dual wall for noise barrier on either side of Centerville.
6. Erect large trees such as Sequoia to visually cover the railroads.
7. Compensate each Riverwalk owners for a decrease in property value.
8. A detail study and report of the environmental effect, such as cancer causing agents like asbestos (if demolition of existing old industrial buildings are require), toxic emissions from the increase in traffic (30 trains / day) during construction and post-constructions for at least 10 years. Asbestos effect on respiratory system does not show symptoms for 30-50 years later.
9. Upgrade all tracks and any other necessary equipment to minimize the noise, vibration, and toxic emissions that will affect Riverwalk residents and their family.

1 (Cont.)

We sincerely hope that our city's mayor, vice mayor and councilmen will represent us, as well as other Riverwalk owners and near-by neighborhoods, to not be subjected to these dire consequences, and to at least meet our request should the project moves forward.

Sincerely,

Mr. Eric F. Mercado
Dr. Teresa T. Mercado
37805 Peachtree Court
Fremont, CA 94536

76 and 77 Teresa Mercado

76.01 The comment suggests that the layover options A and B be relocated outside Fremont.

Response – Please see Master Response PD-1, Layover Yard.

76.02 The comment suggests that the turnout be moved near the Paseo Padre overpass to minimize noise and vibration impacts on occupied areas.

Response – Please see Master Response PD-2, Turnouts.

76.03 The comment suggests moving the Shinn connection further east to minimize sound and visual impacts to Riverwalk residents.

Response – Please see Master Response PD-3, Redesigned Shinn Connection.

76.04 The comment suggests the construction of a dual sound wall for residents along the Centerville Line.

Response – Please see PRDEIR.

76.05 The comment requests that air quality monitoring stations be provided in neighborhoods most affected during and after construction.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

76.06 The comment requests that the FEIR discuss the cumulative impacts of all trains and their frequencies on air quality associated cancer risks.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

77.01 The comment expresses objection to the Proposed Project and asks the Fremont City council to make a list of demands should the project proceed.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see PRDEIR.

MAYOR
PLANNING MANAGER.

4/5/05

RECEIVED

JUN 08 2005

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

OUR NAMES ARE DON + JONN MICHEL
WE LIVE A 30767 MONTECITO DR
FREMONT CA. IN THE RANCHO ARROYO
SUBDIVISION. I'M 70 YEARS OLD MY WIFE
IS 65. WE PURCHASED OUR HOME IN
1972. AT THAT TIME THEY WERE JUST BRING-
ING BART TO FREMONT. WE HAD SOME
RESERVATIONS THAT THE NOISE FROM
TRAINS + BART WOULD MAKE SLEEPING
IMPOSSIBLE. BART SEEMED TO BE TOLER-
ABLE AND THE TRAINS WERE SO FEW AND
FAR BETWEEN THAT WE DECIDED TO
MAKE THIS OUR HOME. AND NOW THAT WE
HAVE RAISED OUR FAMILY HERE, PAID
OUR MORTGAGE OFF AND WERE LOOKING
FORWARD TO SPENDING OUR SENIOR
YEARS IN SOME RELATIVE PEACE AND
QUIET, ALONG COMES UNION CITY WITH
THEIR INTERMODEL STATION PROJECT.
WE REALIZE THAT THEY SEEM TO HAVE THE
BACKING OF VARIOUS AGENCIES ALL
WITH THE PUBLIC TRANSPORTATION
IMPROVEMENT IN MIND. BUT FROM OUR
POINT OF VIEW IT SEEMS UNION CITY
IS TAKING THE EASY WAY. AT THE EXPEN-
SE OF THE RESIDENTS OF FREMONT.

THEY COULD HAVE DESIGNED THE SYST. USING THE EXISTING MORE EASTERN TRACK (NOW IN USE BY AMTRAK) AND ADDED A SPUR TO THERE EAST STATION ON UNION CITY PROPERTY, NOT AFFECTING FREMONT RESIDENTS A GREAT DEAL.

IT SEEMS THAT THE MAIN MOTIVATION FOR FOR UNION CITY IS MONITARILY BY BECOMING THE TRANSPORTATION HUB OF THE REGION, ADDING 4,000 RESIDENTS TO THERE TX ROLLS PLUS VARIOUS BUISNESSES, JOBS, ETC.

IF THE SYSTEM WAS IN OPERATION BEFORE THESE HOMES WERE BUILT IM SURE THAT THE CITY WOULD HAVE REQUIRED THE CONTRACTOR TO ERECT SOME TYPE OF SOUND BARRIER.

BUT AT THE MEETING IN NILES THEY SAID THEY WERENT CONSIDERING ANY SOUND CONTROL OTHER THAN LUBRICATING THE TRACKS ON CURVES. THE TRACKS ALONG THIS GROUPE OF HOMES ARE VERY CLOSE, WERE AS THE EXIST. EASTERN TRACKS HAVE A LOT DEEPER SET BACK FROM HOMES AND BUISNESSES.

WE WOULD HOPE THAT WITH SOME HELP FROM THE LEADERSHIP OF FREMONT THAT THIS PROJECT WILL BE REJECTED AND REDESIGNED WITH THE WELFARE OF LOCAL RESIDENTS IN MIND. AND IF NOT AND IT DOES GO THRU AS PROPOSED THEN IT WOULD SEEM THAT SOME TYPE OF MONITARY AWARD SHOULD BE AWARDED TO THE PROPERTY AFFECTED TO HELP COMPENSATE FOR THE HEALTH RISK. NOISE, FUMES, DUST ETC. AND ALSO FOR THE LOSS OF PROPERTY VALUE THAT IS SURE TO BE CONSIDERABLE. WE HOPE THAT SOMETHING CAN BE DONE SHORT OF LITIGATION CLASS ACTION OR OTHER.

SINCERELY

Don Michel

36767 MONTECITO DR
FREMONT CA 94536

(510) 797-7472

78 Don Michel

78.01 The comment suggests that the project design use the existing eastern track and add a spur to the BART station.

Response - Please see Master Response ALT-1, Niles Subdivision Passenger Rail Station Alternative.

78.02 The comment is concerned about increased noise.

Response – Please see PRDEIR.

78.03 The comment requests that monetary compensation be awarded to property owners as mitigation for decreased housing value and health risks.

Response – Please see Response to Comment 17.03 and Master Response AQ-1, Diesel Health Risk Assessment.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

RECEIVED
JUN 06 2005
CITY OF UNION CITY
COMMUNITY DEVELOPMENT

Name: Mr + Mrs Sammary Affiliation (if applicable): _____

Address: 1701 Horner way Date: 6-1-2005

Phone #: 510-794-8312 E-Mail: _____

Comments:

The impact of Severe noise. The switching tracks all time of late evening and nights.

And Vibration affect the whole house. Doesn't matter where in the house.

Please continue on back side if necessary.
Thank you for your comments.

79 Sam Mury

79.01 The comment expresses concern over noise and vibration from trains.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see PRDEIR.

May 17, 2005

RECEIVED

MAY 23 2005

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

Joan Malloy, Planning Manager
Economic and Community Development Department
City of Union City
34009 Alvarado -- Niles Road
Union City, CA 94587-4497

Re: The Union City Intermodal Station Passenger Rail Project

To Ms Malloy,

We, residents at the Riverwalk Subdivision, have a lot of concerns about your Railroad Expansion Project. As you know, our houses are away from the rail track by a fence, not even a concrete wall that we found very unsafe for the kids in the neighborhood. The rail track is used by Amtrak and also by cargo trains. The current schedule is so busy that we even hear the train noise from 6 a.m. to 10 p.m. at least every 15 mins. When we are on Riverwalk Dr. we can experience the impact from the train, the noise and the ground shaking. If this project moves forward, the rail track will be busier, our neighborhood will receive more noises, more ground vibration, nighttime construction noise and light glare, more emissions. Our Alameda Creek water will be degraded due to construction activities.

1

Riverwalk is a very nice community for our kids to grow up. If this project continues, we will be forced to move out or stay and suffer with all the noise and pollution. We can not afford to move and it is not fair for us to stay and suffer because of your project. Please keep noise and air pollution out of our neighborhood. Please re-consider and put your money elsewhere that is worthwhile.

Thanks,

The Nguyen's Family

Loc, Hoa, Richard and Jackie Nguyen
37801 Peachtree Ct
Fremont, CA 94536

80 Jackie Nguyen

80.01 The comment expresses opposition to the project citing unsafe conditions for children, health risks and disturbances as main concerns.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

#81

Joan Malloy

From: amy@inbridge.com
Sent: Thursday, June 09, 2005 10:32 PM
To: RailEIR
Subject: Comments of Union City Intermodal Station Passenger Rail Project

Dear Ms Malloy,

We are very concerned and strongly object the Union City Intermodal Station Passenger Rail Project and We think this project must be STOPPED for the following reasons:

- The noise impact to our residential area giving that we currently have the Bart running frequently!
- The vibration impact to our safety environment. We have enough vibrations created by the Bart and we can't stand even more of the vibrations!!
- The air pollutions affect our health and this may even pass from generation to generation!
- The Shinn Connection causes the complication to our safe and quiet environment.
- The air pollutions affect the Alameda Creek water and the Park of Union City natural environment.
- The economic impact of our property. Therefore, this affect the economic of City of Fremont and City of Union City.

We would appreciate your consideration for those impacts. **Please help us to save the beautiful environment.**

Shin & Amy Ohkura

37799 Fernwood Ct, Fremont

81 Shin Ohkura

81.01 The comment expresses opposition to the Proposed Project due to increased disturbances, health concerns and economic impacts.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

Name: <u>Tony Pany</u>	Affiliation (if applicable): _____	
Address: <u>1505 SHINN CT.</u>	<u>Fremont</u>	Date: <u>5/18/05</u>
Phone #: <u>(510) 623-9324</u>	E-Mail: _____	

Comments:

I am against the proposal to have SHINN connection because of the extra ^{train} traffic that comes with it. There are 2 railroad tracks already - An extra line will create unbearable noise. The emission of pollutants from diesel is also a big concern. I am concerned about that the pollutants that might cause asthma.

Please continue on back side if necessary.
Thank you for your comments.

82 Tony Pang

82.01 The comment expresses opposition to the Proposed Project citing increased disturbance, emissions, and health risks as main concerns.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

JUN 9 6 2005

Deadline: June 9, 2005

RECEIVED
CITY OF UNION CITY
2005 JUN 9 10 51 AM

Name: Dineshkumar Patel Affiliation (if applicable): _____

Address: 37811 Cherry Blossom Ct. Date: 6/2/05
Fremont CA 94536

Phone #: 510-797-6427 E-Mail: _____

Comments:

I bought my house with knowing
pre-existing conditions of rail-road tracks
and limited passenger & goods train traffic.
Now increase in the traffic, noise
and pollution will make living condition
worse besides negative effect on property
values due to added trains.

You can decrease the same no of goods train
to increase the passenger train to abate pollution
and traffic congestion.

D Patel

(Dinesh P. Patel)

Please continue on back side if necessary.
Thank you for your comments.

83 Dinesh Kumar Patel

83.01 The comment expresses opposition to the Proposed Project due to increased disturbance and pollution and decreased property values.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see PRDEIR and Master Response AQ-1, Diesel Health Risk Assessment.

83.02 The comment suggests decreasing the amount of goods train activity to mitigate for the increased activities of passenger trains.

Response – The movement of freight trains is at the discretion of the freight rail services. Changes in freight rail traffic may occur; however, changes are speculative at this time. Please see Master Response PD-4, Freight Rail Traffic.

Cary Pereira
5/28/2005

ATTENTION: Mr. Jim Pierson,

I oppose the Union City Intermodal Station Passenger Rail Project. Prevailing winds will subject my neighborhood to vastly increased diesel fumes and particulate matter, which the EIR admits will rise to nearly the government-allowed maximums.

By redirecting the alignment onto the Oakland subdivision, over 600 homes will be subject to increased diesel emissions, along with their known carcinogenic and mutagenic properties. I have young children, and I am unwilling to have them endure the additional hazards 40+ trains per day will present.

The EIR admits that the environmentally superior alternative is the No Project Scenario, and this should be pursued. Existing alignment along the Niles Subdivision will merely increase train traffic along an established route, where no additional homes will suffer toxic exposure to diesel hazards, and where no EIR is even required. Please, the residents of Rancho Arroyo and Hacienda Gardens in Niles already put up with more than 260 daily BART trains. Do not add further traffic on the Oakland Subdivision, with its consequent increase in already high noise and vibration.

While it may seem that my comments display a “not in my backyard” attitude, it appears that Union City is also looking out for itself in this regard. By having the crossover to alternate tracks take place in Hayward and Fremont, Union City bears no burden of traffic realignment, and thinks to reap all the ‘benefits’ of a BART Intermodal. Is Union City aware of the dismal result of the Millbrae Intermodal, with its tiny minority of Caltrain/BART transfers? Does the projected increase in ridership for BART and Amtrack/Capital Corridor justify a Union City Intermodal? What surveys have taken place that show that significant ridership increases will result if Union City were to have an Intermodal?

A far superior alternative is a dedicated bus bridge/service from Centerville station to either Fremont BART or Union City BART. It is a far more environmentally friendly alternative, and will easily be able to accommodate the few who really need to connect to BART from Amtrack/Capital Corridor, and vice versa.

Cary Pereira
36599 Montecito Drive
Fremont, CA 94536
cannay@california.com
(510) 791-8326

1

2

3

84 Cary Pereira

84.01 The comment states opposition to the Proposed Project and prefers the no action alternative citing health risks due to increased emissions as a main concern.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see Master Response ALT-1, Niles Subdivision Passenger Rail Station Alternative.

84.02 The comment questions the need of the project and cites the Millbrae Intermodal as an example of a project without justifiable need. The comment also requests more detail regarding the projections of use for the Union City Intermodal.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see Master Response ALT-1, Niles Subdivision Passenger Rail Station Alternative.

84.03 The comment suggests the construction of a bus/bridge from Centerville to BART as an alternative to the Proposed Project.

Response - Please see Master Response ALT-1, Niles Subdivision Passenger Rail Station Alternative.

Union City Intermodal Station Passenger Rail Project



#85

Public Meeting – May 18, 2005

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Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

RECEIVED

JUN 07 2005

Deadline: June 9, 2005

**UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT**

Name: Tim Pitsker Affiliation (if applicable): _____
Address: 36863 Montecito Drive, Fremont 94536 Date: 6/5/05
Phone #: 510-792-2971 ~~408-792~~²⁹⁷¹ E-Mail: VTMERTZ@yahoo

Comments:

See Attached Letter -

Please continue on back side if necessary.
Thank you for your comments.

June 5, 2005

TO: JOAN MALLOY, PLANNING MANAGER
ECONOMIC AND COMMUNITY DEVELOPMENT
CITY OF UNION CITY
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587

FROM: TIMOTHY PITSKER
36863 MONTECITO DR., FREMONT CA 94536
WORK-408-792-2971, HOME-510-792-4583

RE: COMMENTS REGARDING THE UNION CITY INTERMODAL STATION
PASSENGER RAIL PROJECT'S DRAFT ENVIRONMENTAL IMPACT
REPORT (DEIR)

1. An evaluation is needed for a possible link between the proposed Union City rail station and the Niles Subdivision track. It is only 800 feet between the proposed rail station and the Niles Subdivision tracks. RR tracks could be installed along the edge of the open field that separates the proposed rail station and the Niles tracks. This would minimize the loss of land that Union City will use for housing. A pedestrian overpass or elevated moving sidewalk could also be installed for easy access between the proposed rail station and the Niles RR. Another possibility would be to have a shuttle. 1
2. An evaluation of coordinating the scheduling of the use of the Niles subdivision tracks by BART, the Capitol Corridor Trains and Union Pacific Trains is needed. Most freight trains travel at night and on week ends. It seems as though it should not be too difficult to coordinate a schedule for all the users of the tracks to minimize or eliminate any train back log or stacking. 2
3. Single event noise evaluations are needed from inside the homes in Niles that are adjacent to the Oakland Subdivision tracks and the River Walk homes that are adjacent to the Centerville Line tracks. Tests comparing the interior noise with exterior noise should be conducted. The DEIR states that because BART contributes the most trains therefore the majority of the noise is attributed to BART. This is not an entirely accurate evaluation of the noise. A very loud high speed passenger train is much more disturbing than numerous BART trains. As it is right now, all conversation is stopped in the back yards of the residences along Montecito when a train passes by. To add to current noise would be intolerable and simply not acceptable. 3

4. The DEIR needs to consider mitigation for the noise in West Niles. The DEIR admits that total noise exceeds FTA impact standards. With single event noise evaluations it will be apparent that the noise levels will greatly exceed the excessive levels that are mentioned in the DEIR. 4

5. The DEIR needs to consider the noise impact of the second track that will run between the BART tracks and the Oakland Subdivision tracks. This second track will connect with the Oakland tracks on the West Niles side of Alameda Creek. What is the impact of the wheel squeal to both West Niles and River Walk? What are the possibilities for mitigation? This connection between the Oakland tracks and the new tracks will either be immediately adjacent to homes on Montecito or closer to the Alameda Creek Bridge with Quarry Lakes on both sides. If the connection is made with Quarry Lakes on both sides, the noise will be nearly as significant as if immediately adjacent to homes because noise bounces off and is magnified by water, especially in the early morning and at night. Perhaps a sound wall may help. Currently there is a new development of homes being built along the Oakland tracks by KB HOMES. This new development is on the edge of Union City and Fremont east of Niles/Alvarado Blvd. A solid concrete sound wall is being installed along the Oakland tracks. This solid concrete sound wall appears to be 13 or 14 feet tall. A sound wall of this nature should be considered by the DEIR along with some kind of vegetation such as ivy on the wall to prevent the noise from being reflected into other neighborhoods. 5

6. The DEIR should re-evaluate its conclusion that River Walk has a sound wall. The DEIR states that there is a wood sound wall between River Walk and the BART and Centerville Line tracks. This "wall" is nothing more than a run-of-the-mill wooden back yard fence with a 10" lattice on top. It is not a sound wall. If the DEIR considers a sound wall important for River Walk then it should evaluate the possibilities of installing a real sound wall. 6

7. The DEIR states that sound walls along the existing tracks protect the neighborhoods in the Niles District along the Bart and the UPRR. This is simply wrong. The houses on Montecito that are adjacent to the Bart and the Oakland tracks have back yard fences only. All you have to do is stand in the back yard of one of these homes when a Bart or freight train passes and your conversation will come to a standstill. Then you will understand the noise problem. 7

8. I object to the DEIR's conclusion that the risks of cancer from diesel pollution is insignificant. Having been a truck driver in my youth, I am aware of the dangers of diesel. What are the possibilities for mitigation for this issue? The DEIR justifies its increase in the risk of cancer to the West Niles area by decreasing the risk in East Niles. Think about it, does 8

this make sense? If one helps one person, then it is ok to harm another. I would like to see you sell a jury on this logic.

8 (Cont.)

9. I object to the DEIR's conclusion that the wildlife would not be affected by increased noise, vibration and pollution. Tests on the effect of additional noise, vibration and pollution on the animal life are needed.

9

These are just a few of the many objections that you will receive regarding the DEIR and Union City's proposed passenger rail project. Hopefully we can resolve these issues without resorting to litigation. Litigation will cost hundreds of thousand of dollars for each side or possibly more if the case goes to trial. As a lawyer, I know the value of settling differences before the sides 'dig in their heels' and become so entrenched that a judge and/or jury are called upon.

Let's keep the doors open.

Sincerely,



Tim Pitsker

85 Tim Pitsker

85.01 The comment requests an evaluation for a possible link between the Union City Rail Station and the Niles subdivision track. Additionally, the comment suggests the construction of a pedestrian overpass, shuttle or moving sidewalk as alternatives.

Response - Please see Master Response ALT-1, Niles Subdivision Passenger Rail Station Alternative.

85.02 The comment requests an evaluation and coordination of the scheduling for the activity on the tracks to improve efficiency.

Response – Train scheduling is the responsibility of the rail users and rail owners. It is in their best interest to minimize back logs and stacking, and therefore, it can be assumed that they are making their best effort to avoid these problems. With regard to scheduling the use of the Niles subdivision by BART, please note that BART uses its own set of tracks and does not use the Niles subdivision.

85.03 through 85.07 The comments request re-evaluation of the noise analysis in the DEIR.

Response – Please see PRDEIR.

85.08 The comment objects to the conclusions of the risks of cancer from diesel emissions.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

85.09 The comment objects to the conclusion that wildlife would not be affected by increased noise, vibration, and pollution.

Response – Comment noted and considered. The comment does not present any evidence to substantiate the claim that conclusions in the DEIR are in error.

Union City Intermodal Station Passenger Rail Project



#86

Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

Name: TERRY FLAUGHER Affiliation (if applicable): —

Address: PO BOX 2098 FREMONT Date: 5-18-05

Phone #: _____ E-Mail: JEFFS11011987@SBC6L08A.NE

Comments:

WILL THERE BE A SOUND WALL BUILT
TO ATTEMPT TO REDUCE SOME OF THE NOISE
FROM THE TRAINS. IF SO, HOW HIGH?

HOW CLOSE TO OUR BACK YARDS WILL THE
TRACKS BE?

Please continue on back side if necessary.
Thank you for your comments.

86 Terry Plaughur

86.01 The comment asks if a sound wall would be built.

Response – Please see PRDEIR.

86.02 The comment asks how close to the back yards the tracks would be.

Response – The comment did not provide a street address, but did provide a P.O. Box in the City of Fremont. The commenter is referred to the engineering plans in Chapter 2, Project Description, of the DEIR. New tracks along the Oakland subdivision would be farther from the Niles neighborhood than the existing tracks and the existing tracks would be upgraded. The new tracks along the Centerville Line would be approximately 10 to 15 feet closer to the Riverwalk neighborhood than the existing tracks.

Dear Union City Officials:

I am writing about my grave concerns over your city’s Intermodal Passenger Rail Station Project and how it would affect my family and neighbors’ health and general well being. I live in the Riverwalk community of Fremont, and the neighbors here are faced with a “triple jeopardy” or a “triple whammy,” if I may coin these terms, from your Rail Project. The threats to my community have to do with 1) the proposed southern layover yards Options A and B for the Dumbarton Rail Corridor trains; 2) the proposed Shinn Connection; 3) the proposed turnout of the Shinn Connection to join the UPRR Centerville main line that is by Cherry Blossome Ct.

Even though I am in favor of increasing and improving mass transit systems in general, it is hard for me to embrace your Rail Project that is a \$400,000 annual net operating loser (in 2005 dollars). By year 2025, it could benefit those projected 2,500 passengers who make up about 5,000 daily boardings (two boardings equal one round trip) of the Dumbarton Rail trains and approximately 1,000 daily passengers who would transfer between BART and Rail at the Union City Intermodal Passenger Rail Station. Did I forget anyone? Is this all? If I do the math, it seems like we would be subsidizing each potential passenger every year with \$100 so they would take public transit to work everyday. Not to mention it will cost approximately \$100 million up front to build the project. Isn’t there a better option out there? Aren’t there other competing transit improvements which also need public funding to build (e.g., BART extension from Fremont to San Jose)?

I think highly of our existing BART system and would very much like to see its expansion within a city as well as regionally in the Bay Area. I understand that 40 percent of residents living near a BART station take BART, whereas 17 percent of residents living near a passenger rail station use the system. BART’s fare box return is 62 percent while other rail systems’ range from 12 to 35 percent. Again, it’s hard for me to support your project proposal, in its present form, that would never be implemented in the business world because it doesn’t make any business sense. Why shouldn’t local governments use the same logical criteria as businesses do for their projects?

Clearly, I am in favor of the “No Project” or “No Build” Option given that the project proposal is as it stands today. However, if the powers that be vote in favor of this project as is, then I request a personal response to this letter and the following constructive criticisms and concerns to be considered for and addressed by your Rail Project’s Final Environmental Impact Report.

Concern # 1: Research the design of the turnout to be located where the Shinn Connection is. In other words, could the Shinn Connection and the turnout onto the Centerville Line be one and the same? Instead of having the trains idle or make noise nearby the neighborhoods of Riverwalk and Benchmark while trying to get onto the Centerville Line further down the track as currently proposed, couldn’t the trains do this before or as they enter the Shinn Connection? This would eliminate the need for any construction parallel to Riverwalk Dr. and thus eliminate the issues of noise, vibration and emissions at the currently proposed turnout right by Cherry Blossome Ct. in the Riverwalk community.

1

2

Concern # 2: Get rid of the southern layover yard options. Even Jones & Stokes, the consultants for the Rail Project, in their December 2002 study recommended that the layover yard be AWAY from residential areas. Furthermore, the layover yard is against Fremont's General Plan to enhance and/or maintain residential living areas. Last but not least, the layover yard would be right next to a recreation area (Quarry Lakes Park) and three residential neighborhoods, and it would severely pollute these areas with six 600-foot long trains of up to an hour long of idling every morning and every night, not to mention the noise and vibrations associated.

3

Concern # 3: Even though BAAQMD does not require the quantification of construction emissions, if you could research and quantify them and show us that the emissions would be below state and local levels, then we wouldn't have to worry about holding our breaths during the construction period when we have to dash in and out of the house or when we open our homes' windows for fresh air.

4

Concern # 4: Provide, calibrate and monitor particulate air quality stations in those affected residential neighborhoods of the Rail Project during construction and post-construction (like those equipment used by the Port of Oakland in their Vision 2000 – Air Quality Mitigation Program). Provide the measurement data for PM10 and PM2.5 particulate matter to the public via frequent Progress Reports. Compare those data to those of the Fremont's station and of the entire Bay Area's (as measured by BAAQMD). Especially since the number of passenger and freight trains is expected to double, triple and quadruple over the years to a few hundred trains a day along the much traversed and crucial 5-mile stretch of the Centerville Line, it is important to start gauging the particulate air quality for the health of the residents in the surrounding neighborhoods now. (FYI – the Port of Oakland settled a lawsuit filed against it by its residential neighbors, and it thus created the Air Quality Mitigation Program. As such, it behooves the city of Union City as well as the city of Fremont to take a far-sighted view and seriously consider such an Air Quality Mitigation Program for their residents, too.)

5

Concern # 5: Revise and mention in your EIR, particularly for Impact AIR-4, on the increased cancer risk of additional PM10 and PM2.5 particulate matter emissions to include the study of young children (who have a faster breathing rate), the elderly, and those people who are genetically predisposed to getting cancer. Please also provide your methodology for this study. Currently, the DEIR states that the Rail Project will increase the cancer risk to 9 in a million people. Although this is below the BAAQMD threshold of 10 in a million, the odd of 9 in a million is still hard to swallow. In other words, almost 1 in 100,000 people will get cancer as a result. This is better odds than winning the California lottery. These public transit improvements projects are aimed to better lives, not take lives, in the long run. Please also discuss in your final EIR the CUMULATIVE impact on our health when all the trains and their frequencies are considered: ACE, Capitol Corridor, UPRR, Starlight Express, Dumbarton Rail, and the future California High Speed Rail. If the impacts could be portrayed by images, then they need to be superimposed onto each other so we could see the TOTAL and CUMULATIVE impact. We don't live in a vacuum.

6

Concern # 6: Such as Mitigation Measure BIO-3 in the DEIR, I would like to see a biologist be hired to monitor and oversee the construction activities to make sure all guidelines and safety

7

precautions are taken. If you would do it for the wildlife near the project areas, why not do it for the human beings near these areas?

7 (Cont.)

Concern # 7: Such as Mitigation Measure BIO-1 in the DEIR, I would also like to see the biologist conduct mandatory contractor/worker awareness training for construction personnel on safety and environmental measures. This would benefit us residents in the project areas as well as the construction workers, because asbestos causing lung cancer (mesothelioma) is one of the greatest occupational related illnesses today. Since demolishing the existing industrial buildings for the layover yard would rouse up the air with asbestos and lead particulate matter, I fear most for our health and especially that of the young children in the community. It is important to note that symptoms of mesothelioma may not appear until 30 to 50 years after exposure to asbestos. Riverwalk is a close-knit community of 122 homes, and there are at least as many number of young children who live in these homes. Compared to adults, children are more vulnerable to the effects of environmental contaminants because they have smaller body mass, they place everything in their mouths including contaminated objects, they have immature organ systems whose development may be disrupted by an environmental exposure, and they are less able to metabolize, detoxify or excrete contaminants. As for the pregnant women in the affected neighborhoods, they have to be concerned about the health of their fetus since there are critical windows of vulnerability. Exposure to lead, a neurotoxicant, is known to happen in utero and can have harmful behavioral and cognitive effects on the baby later in his life. In summary, safety awareness training for construction personnel and the contractor must be conducted and mandatory in attendance. In addition, please provide up to date information on the construction progress and safety education to us residents so we can take the initiative to protect ourselves during the construction period.

8

Concern # 8: Reconsider and restate Mitigation Measure Air-1, which currently states that the contractor would use FEASIBLE control measures during construction, to explicitly state that the contractor would use all possible and necessary control measures. Table 3.2-3 “strongly encourages Optional Control Measures (in addition to Basic and Enhanced Control measures) at construction sites of large areas, located near sensitive receptors or which for any other reason may warrant additional emission reductions.” One such sensitive receptor, in my opinion, is where young children live, not just where they attend school. Therefore, I expect the contractor to use all Optional Control Measures, in addition to the Basic and Enhanced Control Measures.

9

Concern # 9: Eliminate the need for night-time or any reconstruction of the BART track by constructing the Shinn Connection further east away from the as many residents as possible.

10

Concern # 10: Consider the feasibility of building taller and thicker cement sound walls in replacement of the existing backyard fences for the Riverwalk and Benchmark neighborhoods. It’s only about a .25 mile stretch.

11

Concern # 11: Research and require the use of clean ultra-low sulfur diesel fuel by the locomotives of Capitol Corridor, ACE and UPRR trains, or as least as many trains as you have influence over. This type of fuel is less harmful to humans and the environment.

12

Concern # 12: Research and require the use of Diesel Oxidation Catalysts or Diesel Particulate Filters by the locomotives to reduce the emissions of particulate matter in the air.

13

Concern # 13: If the impact is considered for schools within a .25 mile radius of the project area, as per IMPACT HAZ-2, what about the place where school age children live and sleep? There are many affected homes with young children that are within 50 to 100 feet of the railroad tracks. I also fear train derailment, as it has happened twice in the last twenty years within the project area. I currently live about 50 feet from the Centerville Line. Having the proposed third track there for the turnout would bring the trains 15 feet closer to my home. My wits and concentration are not prepared for the extra noise. To hear that many trains coming that close would be mind-boggling. My baby's health is not prepared for extra pollution during and after construction. The pollution would be 15 feet closer after this project. To subject his tiny immature lungs and those of neighboring infants and toddlers to cope with the extra pollution would be a crime on humanity.

14

Concern # 14: My house was not built for the extra vibrations from the doubling, tripling or quadrupling of trains that would be running 15 feet closer. The Noise and Vibrations Analysis by ATS Consulting explained in only one sentence in its entire report that "although the perceived vibration from train passbys can be intrusive to building occupants, the vibration is almost never of sufficient magnitude to cause even minor cosmetic damage to buildings." Can they prove that indeed no structural damage would be sustained by the homes 40 to 50 feet close to the rail lines? If what ATS wrote was true, why did BART settle in the past with homeowners who had sued it for structural damages on their homes? Yet, vibrations from BART trains are felt as much milder compared to those of passenger and freight trains. Explain to me and to my neighbors in your final EIR the CUMULATIVE vibration impact from all the trains and their frequencies: ACE, Capitol Corridor, UPRR, Starlight Express, Dumbarton Rail, and the future California High Speed Rail, and over a 30-year period and 60-year period.

15

Concern # 15: Consider replacing the two existing 50-years or so old and dilapidated railroad tracks with the newest state of the art tracks for the Centerville Line in the stretch parallel to Riverwalk Drive. This would help minimize the noise, vibrations and anguish that we neighbors would feel if the Shinn Connection and the turnout were constructed nearby.

16

I would appreciate a reply to this letter addressing my concerns. Thank you for your attention.

Sincerely,

Maria Ching Ponssen
Fremont's Riverwalk Community Resident

87 Maria Ponssen

87.01 The comment questions the need for the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

87.02 The comment suggests revisions to the Shinn connection.

Response – Please see Master Response PD-2, Turnouts and Master Response PD-3, Redesigned Shinn Connection.

87.03 The comment suggests eliminating the southern layover yard options.

Response – Please see Master Response PD-1, Layover Yard.

87.04 The comment requests quantification of construction emissions even though not required by BAAQMD.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

87.05 The comment requests that an air quality monitoring program be established.

Response – The BAAQMD is responsible for attaining and maintaining air quality standards in the project area. The commenter is directed to the BAAQMD website for information on their compliance assistance program. (http://www.baaqmd.gov/enf/compliance_assistance/index.htm)

87.06 The comment requests clarification of the air quality impact analysis.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

87.07 The comment suggests that a biologist be hired to monitor construction activities to make sure all guidelines and safety precautions are taken.

Response – Construction would be performed by qualified personnel that would adhere to all appropriate regulations and permit requirements.

87.08 The comment expresses concern about asbestos in buildings that would be demolished for construction of the Shinn connections.

Response – The commenter is referred to page 3.5-8 in the DEIR for a discussion of impacts and mitigation measures related to asbestos and other hazardous substances.

87.09 The comment requests rewording Mitigation Measure AIR-1.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

87.10 The comment recommends redesigning the Shinn connection to eliminate the need for nighttime construction.

Response – Please see Master Response PD-3, Redesigned Shinn Connection. The redesigned Shinn connection would reduce the amount of nighttime construction necessary for the BART underpass, however, some modifications to the BART overpass would still be required and these would need to be made at night when BART is not running.

87.11 The comment requests consideration of new soundwalls along the Riverwalk and Benchmark neighborhoods.

Response – Please see PRDEIR.

81.12 through 87.14 The comments recommend additional mitigation for air quality impacts.

Response – Please see Master Response AQ-1, Diesel Health Risk Assessment.

87.15 The comment questions the conclusions of the vibration analysis in the DEIR.

Response – Please see PRDEIR. Comment noted and considered. The comment does not present any evidence to substantiate the claim that conclusions in the DEIR are in error. The vibration analysis in the DEIR and the PRDEIR was accomplished in accordance with the FTA guidelines.

87.16 The comment requests consideration of replacing the two existing tracks of the Centerville Line adjacent to the Riverwalk neighborhood with new upgraded track.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Friday, May 6, 2005

Dear Mr. Leonard,

I am writing to you to express my concern regarding the City of Union City's proposed Railroad Expansion Project ("The Union City Intermodal Station Passenger Rail Project"). If this project were to proceed, The Riverwalk Community and surrounding areas will have the following DIRE CONSEQUENCES:

- 1). Cancer causing emissions released during and after construction.
- 2). Nighttime construction noise and light glare.
- 3). Major environmental consequences (Loss of natural habitat for many animals)
- 4) Severe noise impact and vibrations
- 5). Negative Effect on our property values
- 6). Decline in the general quality of life for residents

It would be a tragedy to the local community if any of the above mentioned "DIRE CONSEQUENCES" were to materialize. Please help us maintain the community's quality of life and economic base by helping us stop the proposed railroad expansion project. Think of future generations. Do we really need to destroy the natural habitat of an abundance of wildlife?

Additional trains and the associated emissions we can do without. Let's have a place to take the kids for a walk, exercise the dog, go for a cycle ride with all the family without fear of dangerous emissions.

Sincerely,

Rajendra Prasad
Riverwalk Community Homeowner
1672 Riverwalk Dr.
Fremont, CA 94536

88 Rajnesh Prasad

88.01 The comment expresses concern about the consequences of the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

We own a home in Fremont's Benchmark II development at 37859 Benchmark Court and are strongly opposed to Union City's plans to put a rail yard and connector adjacent to our neighborhood.

Like many others, much of our net worth is tied up in our home and we have made improvements for our enjoyment.

We are 58 years of age and believe our property values will plummet if the project proceeds as planned. At this point in our lives, we never expected to be driven from our home. Sherry works from a home office 4 days per week. The

emissions from the rail yard and noise created by the additional trains will severely impact her work environment. This will

likely result in Sherry commuting to Palo Alto to work from her employer's facility driving up our costs and putting another car on the roads during commute traffic.

If we had known about this project, we would not have purchased the home here in North Fremont.

We urge you to cancel this project or relocate it to an area where Fremont homes will not be so adversely impacted.

Sincerely,

John and Sherry Ryan
37859 Benchmark Court
Fremont, CA 94536
510 791-5975

89 Sherry Ryan

89.01 The comment expresses concern about potential decrease in property value.

Response – Please see Response to Comment 17.03.

89.02 The comment expresses concern about noise and air quality impacts.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

Name: Carol Spindler Affiliation (if applicable): _____
Address: 36623 Montecito Dr. Date: 5/18/05
Phone #: 792-9387 E-Mail: _____

aesthetic report
Comments:

pg 3.1-8 "but their sensitivity to change is closely related to the quality of the existing visual setting."

Are you saying Rancho Arroyo Park & surrounding environs won't be affected? That there would be no "substantial, demonstrable negative aesthetic effect"

(pg 3.1.13)

pg 3.1.14 paragraph 2 - "are expected to upgrade the appearance..." Since when has a wall, noise & odor "upgraded" an area?

No where in your aesthetics report have you mentioned noise or odor. However your use of the terms "noise mitigation" & "less than significant" is used frequently.

Please continue on back side if necessary. (over)
Thank you for your comments.

move the tracks to the other side of the BART
tracks - on the S.E. undeveloped Quarry Lakes
Parkland. This might do a little mitigating.

Concerns - Diesel emissions

noise

respiratory effects

effects on water

effect on Quarry Lakes Park

" " Ala. Creek trail

I do not want a 14' wall behind my
home!

property values must be studied

& considered - noise, emissions, etc.

Carol Spindler 792-7387

36623 Montecito Dr.

Fremont 94536

90 Carol Spindler

90.01 The comment requests clarification of the discussion of viewer sensitivity on page 3.1-8 of the DEIR.

Response – The discussion on page 3.1-8 of the DEIR describes the sensitivity of persons who use recreational facilities such as Rancho Arroyo Park. It does not state that the park would not be affected. In general, recreationists have a high degree of sensitivity, however, that sensitivity is affected by the quality of the environment. Recreationists in urban environments tend to be less sensitive to changes in views than those in more natural environments.

90.02 The comment questions the conclusions of Impact LUVR-6: General Impacts on Visual Character of the Project Area, which was incorporated by reference into the DEIR.

Response - Comment noted and considered. The comment does not present any evidence to substantiate the claim that conclusions in the DEIR are in error. Impact LUVR-6 refers to improvements made through implementation of the Redevelopment Plan, including improvements at the BART station. These improvements were determined to be a less-than-significant impact because they are targeted to eliminate blight and they conform to local plans and policies.

90.03 The comment states that noise and odor are not mentioned in the aesthetics analysis.

Response – The comment is correct. Noise and odor are not mentioned in the aesthetics analysis. Please see PRDEIR for analysis of noise impacts. Please see Chapter 3.2, Air Quality of the DEIR and Master Response AQ-1, Diesel Health Risk Assessment for an analysis of air quality impacts.

90.04 The comment suggests moving the Shinn connection to the east.

Response – Please see Master Response PD-3, Redesign Shinn Connection.

90.05 The comment list a number of concerns related to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Please see Response to Comment 17.03.

Joan Malloy

From: Standlee, Kevin [Standlee.Kevin@menlowworldwide.com]
Sent: Friday, June 10, 2005 6:22 PM
To: RailEIR
Subject: Comment on UC ISPRP Draft EIR

I support the Union City Intermodal Station Passenger Rail Project; indeed, I wish it had been done years ago. We need to have more intermodal connections between trains, and it makes good sense to have another connection here in the South Bay between BART and conventional trains such as the Capitol Corridor trains and the proposed Dumbarton Bridge service.

Having this connection in place will make it much easier for people to use BART to connect to trains heading further south, and to cross the bay when the Dumbarton rail service happens, as I hope it does eventually.

I already live pretty close to the railroad tracks in Fremont, as the Meadowbrook complex is adjacent to the railroad line. I am disappointed at the NIMBYS who cannot look at the big picture.

Count me in as saying YES to the Union City Intermodal Station Passenger Rail Project.

Kevin Standlee
36992 Meadowbrook Common Apt 103
Fremont CA 94536-7421
510-794-6882

RECEIVED

JUN 10 2005

**UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT**

91 Kevin Standlee

91.01 The comment expresses support for the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

-----Original Message-----

From: Jeff Stenehjerm [mailto:jstenehjerm@easy.co.jp]
Sent: Monday, May 30, 2005 11:15 AM
To: 'ralleir@ci.unlon-city.ca.us'
Cc: 'Frankie Stenehjerm'
Subject: Opposition to the Intermodal Station Rail Project
Importance: High

May 31, 2005

Dear Joan Malloy and Cognizant Fremont City Council Officials,

My wife and I have read the proposal for the subject project and stand in opposition to it for the following reasons:


1. Adverse impact to surrounding property values.
2. Adverse impact to surrounding ecology.
3. Adverse impact to the environment in terms of resultant air and noise pollution.
4. Adverse impact in terms of increased traffic congestion.

We currently reside in the Fremont Riverwalk development and, although we have no children living at home, we pay very high property taxes and have contributed to the economic welfare of Alameda County and Fremont since establishing residence here in 1988. We believe that the subject project, if effected, would constitute both a compromise to the economic and social contributions we have made and are making to this community and a breach by government of its implied promise to protect our economic property rights and environment integrity.

Please abandon the Intermodal Station Rail Project.

Sincerely,

Ralph and Frances Stenehjerm



cc: Office of the Fremont City Clerk (Fax 510-284-4061)
Jim Pierson, Asst. City Engineer

*White Item 2
11/10/05 Council Work Session*

92 Ralph Stenehjem

92.01 The comment expresses opposition to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 19, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us
Fax: 510-475-7318

Deadline: June 9, 2005

Name: Marquet + Andrew Tai Affiliation (if applicable): _____

Address: 34965 Maple Ct Union City CA Date: 5/23/05

Phone #: (510) 324 5888 E-Mail: 94587

Comments:

We attended the Union City Planning Commission meeting on May 19, 2005.

After listened the presentations we don't think they can solve the problems -- potential impact on air quality, aesthetics, noise + vibration, traffic + water quality.

① Besides the Centerwill Station is only 7 minutes from Union City Bart station, no need two stations so close to each other ② The new Dumbarton Rail service is in the initial planning stage (the report say) This proposed project won't benefit the Dumbarton Rail for long long time. ③ The Riverwalk, Brookston

Please continue on back side if necessary.
Thank you for your comments.

Margaret Tai

Page 2 of 2

Residents will be effected seriously

④ Decoto Road's traffic now is already

Crowded. Especially at Alvarado Hills + Decoto intersection, the traffic is Jammed all the time. With the proposed Intermodal Station built, you can image the bad consequences going to be much worse.

⑤ Please take a serious re-consideration on this unnecessary project and save the tax-payer \$90 million which can be used for Education, Library, Police Dept.
Andrew + Margaret Tai

93 Margaret Tai

93.01 The comment expresses opposition to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

RECEIVED

JUN 06 2005

Deadline: June 9, 2005

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

Name: Jonathan Tu Affiliation (if applicable): _____

Address: 37794 Rosetree Ct Fremont CA 94536 Date: 5.31.05

Phone #: 510 494 2345 E-Mail: _____

Comments:

Hello Joan,

We Jonathan Tu Resident at Rosetree Ct have a very strong concern, about the Rail road that will be add another new one.

We hope you will understand, and feel how much the noisy, the vibrate it make us very disappoint and bothersome our life, also we live close from the boat station, it is really extremely noisy. We really need a quiet, and relaxing time when we off from work, every time the rail road and boat pass by - it horn very loud voice, it wake us up. My kids crys and -

Please continue on back side if necessary.
Thank you for your comments.

frightend. I myself really have heavy
headaches, can't go back to sleep. Would
you please put your hand your input ideas
to stop build any more railroad in
this areas.

Thank you so much.
Jonathan, Chau Etham allyssa.
5.31.05.

To Mrs. Joan
my name is
Etham

Could you please
don't let them build
more rail road around
my house it is really very
noisy at night time, and
i cannot sleep it give
me a big headache. thank
you
very much

94 Jonathan Tu

94.01 The comment expresses objection to the project and concern over increased noise.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Name= Mondonna Vanderpool
Address= 2058 Bishop Avenue
Fremont CA 94536
date= June 3 2005
phone= 510-793-4118
email = mondovan@myway.com

Dear Joan Malloy,

I absolutely oppose the union city intermodal station passenger rail project. As a resident of Fremont and a homeowner, I totally disagree with the benefit of this project. I do not want this in my backyard. The noise level has been ever so increasing in this area as is. There are plane and trains running passed midnight. The vibration shakes the whole house when fully loaded freight trains pass by. When they do switching of trains to different tracks at 3:00 a.m. it wakes up the neighborhood. I have complained many occasions about this and the sick conductors honking their horns in such a manner that terrifies the neighborhood. There are elderly and people with children who deserve a peaceful environment.

I want my community intact as it is. Is this going to run in your backyard? Would you enjoy the extra noise and vibration and pollution from this project? I and my neighbors certainly don't.

Regards,
Mondonna Vanderpool

95 Madonna Vanderpool

95.01 The comment expresses objection to the project and concern over noise and vibration.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

RECEIVED
JUN 09 2005

Name: Katny Wagner Affiliation (if applicable): _____
Address: 36563 Montecito Dr Fremont Date: 6/2/05
Phone #: 510-797-2341 E-Mail: _____

Comments:

See attached

Please continue on back side if necessary.
Thank you for your comments.

Kathy Wagner
36563 Montecito Drive
Fremont, California 94536
June 2, 2005

RECEIVED
JUN 06 2005
CITY OF FREMONT

City of Fremont
3300 Capital Avenue
Fremont, CA 94537

HAND DELIVERED

Attn: Fremont City Council Members

Re: **OBJECTIONS TO UNION CITY INTERMODEL STATION**

Gentlemen:

I have a home on Montecito Drive whose yard is adjacent to the proposed project. I purchased this home 20 years ago knowing that BART and one rail track resided next to my backyard. I was willing to accept this as a condition of my purchasing the home since I knew there would never be any homes behind my house peering into my backyard and a park was beyond the tracks. Until I lived there awhile, did I realize how many people walk in that area. I have fully read the Union City Environmental Study and am trying to figure out what the benefit of this project is to the City of Fremont and it's residents with the realigning of the rail track. I do have issues with a new line entering this area for the following reasons:

1

Noise: This project has projections of 44 additional trains running behind my house and through Fremont/Alameda County Park lands. The noise level will increase dramatically and for a longer duration of time especially if the layover yards are also implemented. Example 70 DBA for 15 minutes for trains leaving and entering the yard which is at the higher end of the City of Fremont's normally unacceptable range with 75 DBA being NOT ACCEPTABLE. The only benefit that I have seen from a noise standpoint will be the sounding of a one fewer horn in the Fremont City Limits.

2

Vibration: There will be 44 additional trains shaking my house at the level that is 80VDB. The unacceptable range threshold. I do understand that I will be getting a new train track for the locomotives, which may lessen the shaking when they come by. They will still be in the UNACCEPTABLE range. What kind of structural damage am I going to have to absorb and pay for?

3

Environmental: I don't even know where to begin with this. They are going to be destroying park/wet lands. Disturbing possible hazardous soil. Run off into our waterway with construction. Disturbing wild life/plant life. A hot spot will be created with the increased diesel fumes being relocated to one area. What will that do to the historical trees in the Rancho Arroyo neighborhood? What will that do to the citizens residing adjacent to the tracks? The wind normally blows those fumes directly towards that area. I read that it will be 9 ppm and 10 ppm is the threshold. I am concerned.

4

Safety: Since I moved here, I have lost two dogs to the existing train track. My neighbor lost one. My son admitted to trying to catch a train when he was younger. Someone was looking over him and his friends. BART has fences up. Why don't trains? I have a concern that I will now have a FAST train running back there. We have already had one train derailment since I have lived there. Toxic substances were leaked into our water system. What kind of guarantee am I going to get that we won't experience this? Granted, I understand that these new trains will only be hauling people but they will be operating on petroleum products.

5

Monetary property value effect: This was not in the study and my husband is a state licensed residential appraiser. By moving ALL of the trains behind my house, my current \$15K reduction in property value due to 5 to 10 trains a week along with BART could jump to hundreds of thousands of dollars for the 44 additional projected trains. Am I going to be compensated for this?

6

Union City is asking that the Fremont Citizens bear the brunt of this alignment. I have been at several meetings regarding the use of the area adjacent to my home by other agencies. The Niles community has shown interest in having a train depot stopping in town. This would economically improve the shopping in that area. An alignment as what is being proposed will never make this feasible and dash any hope for economic growth in this area.

7

NO Project was the environmentally superior alternative. The City of Fremont was adamant that the BART extension went underground at Lake Elizabeth so to not destroy the beauty of the park. This cost additional project money. The City of Fremont won this issue but we also lost. The additional cost for this extension has opened the City up to other light rail systems since BART couldn't get it funded in an expedient manner. Instead of having an electric, environmentally friendly system running through our city we will have three train lines polluting our air with diesel fumes, noise and vibration. With this alignment and the Dumbarton extension approval by the City, you are telling me that my neighborhood, the park, and Riverwalk is inconsequential compared to Union City. Where do I have to live to get representation?

8

Sincerely,

Kathy Wagner

Cc: Joan Malloy, City of Union City ✓

96 Kathy Wagner

96.01 The comment questions the need for the project.

Response- Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

96.02 The comment expresses concern about the noise impacts of the Proposed Project.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Also, please see PRDEIR.

96.03 The comment expresses concern about the vibration impacts of the Proposed Project.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR. Also, please see PRDEIR.

96.04 The comment expresses concerns about the hazardous soils, biological resources and air quality impacts of the Proposed Project.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

96.05 The comment expresses concerns about the safety of the Proposed Project.

Response – Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

96.06 The comment expresses concerns about the impact of the Proposed Project on property values.

Response – Please see Response to Comment 17.03.

96.07 The comment expresses concern about the economic impacts of the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

96.08 The comment expresses opposition to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



#97

Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

RECEIVED

MAY 24 2005

Deadline: June 9, 2005

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

Name: WEIMIN WENG, Huey Wen Lian Affiliation (if applicable): _____
Address: 37806 Jasmine Ct., Fremont, CA 94536 Date: May 22, 2005
Phone #: 510-792-7051 E-Mail: Weiminweng@yahoo.com

Comments:

From the meeting, I learned following.

- 1. This project will have big Negative effect on RiverWalk Property Values.*
 - 2. This project will generate severe NOISE Impact. The Turnouts near Riverwalk neighborhoods will cause train noise level to exceed the FTA impact threshold.*
 - 3. This project will ~~have~~ generate SEVERE VIBRATION impacts exceeding impact threshold.*
 - 4. The project Construction will have CANCER CAUSING EMISSIONS.*
- These are all the facts that are in Union City Intermodal Station Passenger Rail Project Draft Environmental Impact Report. This project is DETRIMENT to the RiverWalk Community, to my property, to harm our health.*
- We strongly against this project.*

Please continue on back side if necessary.
Thank you for your comments.

*W's W's
Johnny-Wan L.*

97 Weimin Weng

97.01 The comment expresses concerns about the impacts of the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Joan Malloy

From: DandJWilson [dandjwilson@comcast.net]
Sent: Thursday, June 09, 2005 7:21 AM
To: RailEIR
Subject: Comments on Union City Intermodal Station EIR

To Joan Malloy,

I would like to submit the following comments on the Union City Intermodal Station project Environmental Impact Report.

The Union City intermodal station and connector project is a much needed addition to the East Bay commuting infrastructure and I would like to commend Union City for their vision in proposing it. It will significantly improve public transit and commuting options for Union City residents, and when combined with the Dumbarton rail project will also increase options for North Fremont residents, as well as other commuters as far east as Stockton and as far north as Richmond. Not only will this reduce pollution and auto congestion, it will provide fast, convenient service to jobs on the Peninsula and the South Bay, helping our neighbors now working in these areas and increasing the desirability of our area as a place to live.

I am in an especially good position to comment on the project as I have lived near the proposed Shinn connection for the last 10 years. I bought my home in the area in part because of the relatively easy access to the Centerville train depot and BART. In fact, I was one of the first riders on ACE, taking it from Centerville to my job in Silicon Valley for over five years, often walking to the station in the Summer. I now work in Newark, but the Dumbarton train will stop near my office there, allowing me to commute by train again.

As a local resident, it is my experience that the Environmental Impact Report is correct in asserting that train horns, such as those being blown for Shinn Blvd., are one of the loudest sources of noise. This noise will actually be reduced by moving Capitol Corridor trains to the Oakland Subdivision. Aside from the horns, by far the most noise, vibration and diesel exhaust comes from the long heavy freight trains which are not affected by this project. Union Pacific and its predecessor railroads have been using these tracks for freight trains for nearly one hundred years, long before any of the neighbor hoods were built, and certainly have every right to continue running as many trains as required to meet their obligations as a common carrier. It is fairer to add trains to existing tracks where the neighbors knew the tracks were already there when they bought the properties, then add them to new corridors where trains have never run. Those who choose to live near railroad tracks, especially a heavy duty main line, should expect to see and hear trains.

In summary, this is project provides improved commuting options in the Southeast corner of the Bay Area. I believe that the overall environmental impact for the Bay Area is positive, due to the increased use of public transit which it will encourage, and that the mitigations recommended in the EIR for the benefit of nearby residents are reasonable. I strongly recommend that the EIR be accepted, and the project allowed to move forward.

Sincerely,
Andrew W. Wilson
37830 Tacchella Way
Fremont, CA 94536
510-791-7469

98 Andrew Wilson

98.01 The comment expresses support for the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

RECEIVED

MAY 24 2005

Deadline: June 9, 2005

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

Name: James Wu Affiliation (if applicable): _____

Address: 37801 ROSETREE Court, Fmt. CA 94536 Date: 5-22-05

Phone #: (510) 945-8071 E-Mail: _____

Comments:

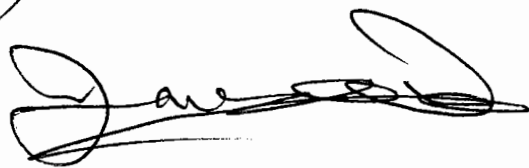
AFTER attending the public Hearing of May 18, 2005 at Niles Elementary school, I strongly against the project, Based on the following reasons:

- 1) This project will hurt my property value
- 2) This project will waste the taxpayers money like myself.
- 3) This project will have cancer causing Emissions to my neighborhood.
- 4) This project will have serious environmental consequences. (continue back)

Please continue on back side if necessary.
Thank you for your comments.

5. This project will have severe
Noise impact.
6. This project will have severe
vibrations
7. This project will hurt me mentally
and physically, due to the
noise in the night, cause
me can not sleep well.
8. I have been watching the capital
corridor service train activities, there
are not many passengers to use the
Service, so, the project can be
postponed another ten years, but not
now.

thanks



99 James Wu

99.01 The comment expresses opposition to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

Union City Intermodal Station Passenger Rail Project



#100

Public Meeting – May 18, 2005

Comment sheets may be deposited in the comment box or mailed, faxed or e-mailed to:

Joan Malloy, Planning Manager
Economic and Community Development
City of Union City
34009 Alvarado-Niles Road
Union City, CA 94587-4497

E-mail: raileir@ci.union-city.ca.us

Fax: 510-475-7318

Deadline: June 9, 2005

Name: Stella Wu Affiliation (if applicable): _____
Address: 37801 Rose Tree Court Date: 5/18/05
Phone #: 510-745-8071 E-Mail: StellaWW@yahoo.com

Comments:

Severe noise impact
Vibration

Nighttime Construction ~~Noise~~ Noise & Light Glare

Cancer Causing Emissions

Major Environmental Consequences

No NO ND ! !

Should be Away From any Resident Property
Away from Riverwalk Fremont
Need EPA Report for problem

Please continue on back side if necessary.
Thank you for your comments.

100 Stella Wu

100.01 The comment expresses opposition to the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

5/18/05

To Joan Malloy;

I would like to submit the following comments on the Draft Environmental Impact Report for the Union City Intermodal Station Passenger Rail Project:

I fully support the Dumbarton Rail Project and the construction of an intermodal station in Union City to connect future Dumbarton Rail Service to BART. I also support the rerouting of the current and expanded fleet of Capitol Corridor trains to the proposed alignment on the former Western Pacific Railroad right-of-way between Hayward and the Shinn on the Centerville line.

I recommend placing low importance on any claims or complaints submitted by the residents of the Riverwalk Neighborhood in Fremont. This is because this is a fairly new development that was constructed after the long term expansion plans for the Capitol Corridor were made and communicated and after the completion and communication of several studies of future Dumbarton Rail service and the possibility of a Shinn rail connection or even a Shinn Intermodal Station. Back when the City of Fremont was planning this development, I was contacted by a City Planner for the City of Fremont (Janice Stern) who inquired as to my knowledge of the future planned growth of the number of Capitol Corridor trains that would operate alongside the future Riverwalk development. I stated that the train frequency could eventually grow to up to 20 round trips per day, that there would be additional commuter rail service (including Dumbarton Rail and the ACE service). Because of this current and future passenger rail service projections, the City of Fremont was going to require the homes nearest the rail line to have extra insulated walls to protect from noise and to have double-pane insulated windows to further shield any excessive noise.

Secondly, it is obvious to all that this development is bracketed on three sides by busy transportation corridors - East by the elevated BART line that includes up to 16 trains per hour, to the south by the Union Pacific's Centerville line that carried a large number of passenger and freight trains, and to the west by Paseo Padre Boulevard, a major Fremont Arterial Street. In addition, the Centerville Rail line was completely rebuilt with new welded rail and replacement ties in 1992 and a second main track was completed in February of 2000. It is impossible for any reasonable person to expect tranquility when a home is purchased within such a hemmed-in piece of property where there is obviously a busy piece of Railroad that has regularly been studied for future heavy rail frequency increases.

However, it doesn't mean that some reasonable mitigation measures shouldn't be taken to minimize the impact of the Shinn Connection on these residents. In addition to the mitigation measures noted in the DEIR, I suggest the addition of the following two items:

1) Lengthen the new "Shinn Connection Track" alongside the current Centerville Line further westward up to the double-track Paseo Padre overcrossing. This will place the track turnout away from the homes, thus minimizing the noise created at track turnouts

(or switches). Also, any Westbound or Southbound trains holding on the Connection track waiting to enter the Centerville line will have their idling locomotives near Paseo Padre, not near the homes.

2 (Cont.)

2) The track turnout (switch) linking the Shinn Connection Track to track one of the Centerville Line should be a high-speed #30 turnout with a "movable point frog" and concrete ties. This type of turnout will be much quieter than the spring switch suggested in the DIER as there is not gap in the frog that creates a "clickity-clack" when the train passes over - in any direction. Furthermore, a #30 turnout is engineered for speeds of 60 mph --- thus, having the turnout located near Paseo Padre will not adversely impact the overall running time of the passenger trains. For a nearby example of a #30 high-speed turnout, Union Pacific is currently installing one of these turnouts at the south end of the South Newark Siding (new second main track).

3

Thanks,

William G. Wullenjohn Sr.
38395 Alta Drive
Fremont, CA 94536-7130
(510) 501-0007 cell phone
(510) 795-1040 home

It is clear from the newspaper accounts of Fremont's review of the Union City Intermodal Station DEIR that the City of Fremont is opposed to being host to the Dumbarton Rail Layover Facility within its City limits. I have an alternative solution that would provide Dumbarton Rail with the viable option for an "overnight" layover facility without impacting Fremont, Union City, or Hayward.

Here is my proposal:

The six sets of Dumbarton Rail commuter trains would use Amtrak's new maintenance facility in West Oakland for overnight layover and for weekend storage. Dumbarton Rail would negotiate a contract with Amtrak for overnight servicing of the trains and for storage.

Each weekday morning, the six Dumbarton Rail Commuter trains would be ferried in "pairs" southward to the Union City Intermodal station (one set in each pair would be destined to San Francisco, and the other destined to San Jose). The paired trains would be coupled together "elephant" style (locomotive & several coaches coupled to locomotive and several coaches --e.g. LCCCCLCCCC).

As the coupled trains head southward from the Amtrak Oakland Maintenance Facility, the coupled trains would stop at Oakland-Jack London Square, Amtrak Oakland Coliseum Intercity Station, and Hayward stations to board passengers in the forwardmost train set (this would be the train set destined for San Jose). The trailing train set would be closed off and not open for passengers until reaching Union City. In this manner, Dumbarton Rail passenger destined for points such as Menlo Park, Palo Alto, Mountain View, Sunnyvale, etc. would be able to board their train in Oakland-JLS, Amtrak Oakland-Coliseum, or Hayward without needing to make an across the platform transfer at Union City (e.g. BART to Dumbarton Rail at UC). The train set that was closed off in transit from Oakland to Union City would be the section destined for San Francisco. Once the paired trains reach Union City, the two trains would be uncoupled and one section (the one with the passengers on board) would depart for San Jose via the Dumbarton Bridge and the other, after a suitable holding period, would board passengers in Union City and depart for San Francisco via the Dumbarton Bridge.

Then the process would repeat itself for the other four train sets at the Amtrak Oakland Maintenance Facility. That is, two more paired (coupled) trains would head south toward Union City in the same manner as described above.

The process would work in reverse in the evening.

As for the financial impact of this proposal, here are the impacts:

- 1) Added operating costs for running three paired trains between Union City and the Amtrak Oakland Maintenance Facility. There may not be any additional labor costs for operating this extra distance. Added costs would include fuel and track access fees to Union Pacific for the route between Hayward and Oakland.

- 2) Increased revenue from boarding passengers at Oakland-JLS, Amtrak Oakland-Coliseum, and Hayward). This increased revenue would be from additional ridership and carrying passengers longer distances. Many passengers would like the seamless route offered from Oakland/Hayward to the Southern Peninsula ---- that otherwise might not use public transportation due to the otherwise required transfer in Union City.
- 3) Avoidance of capital costs for construction of separate Dumbarton Rail Layover facility and the costs for maintaining, staffing, managing, and operating its own layover facility.
- 4) Avoidance of mitigation costs to any property owners near any separate Dumbarton Rail Layover facility
- 5) Added contract costs with Amtrak for the overnight servicing of the six Dumbarton Rail Commuter train sets in Oakland. These costs would probably be cheaper than separately operating a layover facility solely for Dumbarton Rail trains. (economies of scale)
- 6) An undetermined increase in capital costs to increase the track capacity of the Union Pacific rail line between the proposed Industrial Blvd connection in Hayward and the Amtrak Oakland Maintenance facility (These costs could include construction of a second main track between the proposed Industrial Blvd connection in Hayward and Elmhurst in South Oakland. In addition, there may need to be some minor capital improvements and/or expansion at the Amtrak Oakland Maintenance Facility to accommodate the overnight storage of the six Dumbarton train sets. Also, Dumbarton Rail may want to add some additional parking at the new Amtrak Oakland-Coliseum Intercity Station and Hayward Amtrak station based on projected Dumbarton Rail ridership that will originate there.

1 (Cont.)

There it is. This is a practical solution that would make Fremont, Union City, and Hayward happy because they would not need to be host to a rail layover facility. Now, the next step would be to discuss this option with Amtrak, the Capitol Corridor Joint Powers Authority, and Union Pacific. Issues needed to be discussed include use of the new Amtrak Oakland Maintenance Facility, use of the three Amtrak stations at Oakland-JLS, Amtrak Oakland-Coliseum, and Hayward, and track access/improvements on the Union Pacific between Hayward and the Oakland Maintenance Facility.

This is a viable option that should be investigated. As all that I have discussed would be a categorical exemption from CEQA, no EIR work would be required for the above operational change.

Thanks,

William G. Wullenjohn, Sr.
38395 Alta Drive
Fremont, CA 94536-7130

101 and 102 William Wullenjohn

101.01 The comment expresses support for the Proposed Project.

Response - Comment noted and considered. The comment does not raise issues regarding the adequacy of the analysis of impacts in the DEIR.

101.02 The comment recommends modifying the Shinn connection track by moving the connection to the Centerville Line farther to the west.

Response – Please see Master Response PD-3, Redesigned Shinn Connection.

101.03 The comment recommended using moveable point frogs for the turnouts.

Response – Please see Master Response PD-2, Turnouts.

102.01 The comment recommended a new alternative for the layover yard for the DRC.

Response – Please see Master Response PD-1, Layover Yard.

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF MAY 19, 2005, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

- I. ROLL CALL: Commissioners Lew, Savage, Sison, Sweeney and Chairperson Anderson
ABSENT: Commissioner Savage and Commissioner Sison**

STAFF PRESENT: Mark Leonard (Director, Economic and Community Development); Joan Malloy (Planning Manager); Aki Honda (Associate Planner); Carlos Jocson (City Engineer); Kit Faubion (City Attorney); Kris Fitzgerald (Administrative Assistant).

- II. APPROVAL OF MINUTES:** The minutes of the Regular Planning Commission Meeting of May 5, 2005 were approved as submitted.

- III. ORAL COMMUNICATIONS:** None.

- IV. WRITTEN COMMUNICATIONS:** None.

- V. PUBLIC HEARINGS:**

A. CONTINUED HEARINGS: None.

B. NEW HEARINGS: None.

- VI. SUPPLEMENTAL STAFF REPORTS:**

A. CONTINUED REPORTS: None.

B. NEW REPORTS:

- 1. UNION CITY INTERMODAL STATION PASSENGER RAIL PROJECT PUBLIC MEETING;** the City of Union City has prepared a Draft Environmental Impact Report (DEIR) in accordance with the California Environmental Quality Act (CEQA) for the proposed Union City Intermodal Station Passenger Rail Project. The purpose of this meeting is to present and review findings from the DEIR and give the opportunity for comment.

Joan Malloy, Planning Manager, presented the staff report.

Karl Schaarschmidt, Earth Tech, gave an overview of what the regional rail services are and where they are located and how they will interact with Union City. Mr. Schaarschmidt spoke about the project goals.

Bill Kasson, Jones and Stokes, stated that they are making this presentation this evening because the Draft EIR has been released and this is the public comment period. He said that all written comments should be received by June 9, 2005. Mr. Kasson spoke about the different mitigation measures that were being proposed in response to the environmental impacts of this project.

Chairperson Anderson asked him to define sensitive receptor for the audience.

Mr. Kasson stated that the significant sensitive receptor was the residents. He said that they looked for the resident that was closest to the track. Mr. Kasson stated that there was one that was 50 feet from the track. He stated that was used as the most sensitive case to determine if there would be an impact.

1 cont.

Commissioner Sweeney asked what type of material is used in the friction modifiers that are listed under the noise mitigation and how do they work.

2

Mr. Kasson stated that it is a water-based lubricant. He said that it reduces the friction to reduce the noise but not so much that it impacts breaking.

Commissioner Sweeney asked what is ballast.

3

Mr. Kasson stated that ballast is what tracks are built on top of.

Chairperson Anderson asked how the different decibel levels compare to each other.

4

Mr. Kasson stated that it is difficult to explain because decibels are on a logarithmic scale.

Chairperson Anderson asked if the 90 million dollars funding is for all the phases.

5

Karl stated that it is the total cost to construct the line.

Chairperson Anderson opened up the public meeting.

John Haley, Union City, stated that he feels that this is a huge increase in train traffic and that there are a lot of gated crossings involved. Mr. Haley asked how all this new traffic will be managed. Mr. Haley stated that there are already problems with lengthy waits at gated crossings.

6

Bret Chamberlin, Fremont stated that when he bought his home in Riverwalk in 2001 he was aware that there was existing train traffic and that there was the possibility of there being more trains in the future. Mr. Chamberlin stated that he was not informed that a connection would someday be built through the Riverwalk neighborhood. Mr. Chamberlin does not want a diesel railyard within several hundred yards of the neighborhood. He does not want years of noise and blinding lights from nighttime construction. Mr. Chamberlin spoke against the wheel squeal from dozens of trains careening around the corner of his neighborhood everyday. He feels that this project is being unfairly forced onto his neighborhood. Mr. Chamberlin stated that if the purpose of this project is to provide a direct connection between Capital Corridor, Amtrak and BART, then all the riders need to do is take an Alameda County Transit bus from Fremont Centerville station to the Fremont Bart station. Mr. Chamberlin stated that Amtrak riders can depart in Hayward and take an Alameda County transit bus straight to the Hayward BART station. Mr. Chamberlin asked why we are spending 100 million dollars of taxpayer money so that a few Amtrak riders who need to connect to BART don't have to spend a couple of minutes on a bus that already exist. Mr. Chamberlin asked how many Amtrak riders need to connect to BART. Mr. Chamberlin stated that according to a 2002 study by Capital Corridor the number would be 896 per day in the year 2025. Mr. Chamberlin asked how the cities of Fremont and Union City can go forward in good faith on a project that is specifically for Amtrak trains when the Federal government has put Amtrak on the fast track to bankruptcy by eliminating most of its budget. Mr. Chamberlin stated that he does not believe that most of the vibration in his neighborhood comes from the BART trains. Mr. Chamberlin stated that he does not notice any significant vibrations from passing BART trains at his home, but he feels significant vibrations from passing Amtrak, ACE and freight. Mr. Chamberlin does not want the new rail line constructed so close to his home as he feels that this will increase the vibration impact in his home severely. He stated

7

that his home was engineered to withstand the vibrations from the existing train traffic. Mr. Chamberlin asked the cities of Fremont and Union City to stop this project. Mr. Chamberlin stated that this project will devalue the homes more than the 90 million dollars the project will cost. He asked if the cost of the project included defending the project from lawsuits arising from the related economic, environmental and health related harm that will be inflicted on thousands of residents of Fremont and Union City. Mr. Chamberlin stated that the potential benefits to the community versus the potential harm to the environment, safety, quality of life, cost of construction, loss of real estate value, and emissions make this project unnecessary and potentially irresponsible.

7 cont.

Hugh McNamara, Union City, spoke of his concerns that the railroads maintain their signal arms so they do not malfunction and cause associated traffic problems. He stated that the arms sometimes go down for no reason.

8

Kenneth Ryan, Union City, stated that he is representing the Southern Alameda County group of the Sierra Club. He said that they have been working on this project for over three years and he is glad that the EIR has been released. Mr. Ryan does not think that the City should be responsible for mitigating things that occur outside of the City. He said that the agencies that are operating the lines should be responsible for taking care of the mitigations. Mr. Ryan asked that the consultants give some more information about the relationship of BART noise. Mr. Ryan asked that the consultants discuss the speed of the trains.

9

Christina Govea, Fremont stated that the new line will be about 20 feet away from her house. She offered her home last year for the sound study. She is upset that they are going to be moving the fence closer to her house and the amount of noise that is going to be generated by the trains. She asked who decides that the cancer level is acceptable.

10

Bill Kasson, stated that with regards to the air quality modeling there are standards that are established by a number of different agencies and that results in a cancer risk assessment. Mr. Kasson stated that Bay Area Air Quality Management District established the threshold of 10 in one million. Mr. Kasson stated that their analysis showed a possible cancer risk of 9 in one million and that is below the threshold. Mr. Kasson stated that risks to children and the elderly are taken into account.

Christina, asked if the city of Fremont has had any input into the project.

Ms. Malloy replied that all of the surrounding communities have been invited to participate in the planning process that began in 2002 and presentations have been made in the city of Fremont.

Mark Leonard, Director, Economic and Community Development, stated that the certification of the EIR will be done by the Union City City Council. Mr. Leonard stated the decision of the layover yards will be made by the city of Fremont in conjunction with the rail operators and Union City and Hayward. Mr. Leonard stated that it has only been identified that a layover yard is needed but it is not a part of this project.

11

Ms. Malloy stated that the Fremont City Council will be holding a study session on June 2nd from 5:00 p.m. to 7:00 p.m.

Katherine Livermore, Planner, City of Fremont, stated that this is only a comment period that ends on June 9th. She said that the city of Fremont staff will be evaluating the EIR and will be providing comments and reports to the City Council.

Christina asked who has final approval on the project.

12

Mr. Leonard stated that the Union City City Council will make the approval for the project as it is described in the EIR document. Mr. Leonard emphasized that the layover yard will be determined later.

12 cont.

John Daskaloff, Fremont, stated that he was never informed of this project when he moved into the neighborhood. He stated that his whole family is asthmatic and he feels that the new rail line will increase his families health problems.

13

Larry Horn, Fremont, stated that he disagrees that Union City plays a part in the decision on the layover yard. He believes that the reason that the EIR looks at this is because it is one of the larger areas where one could be built. Mr. Horn stated that he works for the San Francisco Airport Commission and one of the things that the commission has to do is go out to the neighborhood area and refurbish the house because aircraft noise affects houses. Mr. Horn stated that in the long run he believes that the noise from the trains will affect the homes unless significant improvements are made to the homes. Mr. Horn pointed out the trains make a squealing noise even when the track is straight. Mr. Horn feels that the noise impact will be greater than what is being predicted.

14

Bal, Fremont, spoke against the project. He is worried about the noise impact and the vibrations.

15

Rajeed Prasad, Fremont, asked if the city ever notified the builder of the new homes that there was going to be a third rail line.

Ms. Malloy stated that it would have been up to the city of Fremont.

16

Mr. Prasad wanted to know who was going to be responsible for all of the noise issues.

Chairperson Anderson suggested that he write his questions down for inclusion in the comments.

Renard Smith, Union City, stated his concerns of the impact of this project on the Decoto neighborhood. He spoke of noise impacts and safety concerns. Mr. Smith asked what is going to be built next to the station.

17

Ms. Malloy stated that there is a station district identified in the General Plan and it will include high density housing as well as office and retail.

Bret Chamberlin, Fremont gave some quotes from the environmental report. "Wheel squeal from future Capital Corridor trains on the Shinn connection will generate noise levels in excess of the FTA severe impact threshold in the Riverwalk neighborhood." "Typical train noise from wheel squeal through the tight curve along the Shinn connection would result in severe noise impacts in the Riverwalk neighborhood." "Turnouts located near the Riverwalk and Brookstone neighborhoods could generate vibration impacts exceeding impact thresholds." "Project workers and nearby residents could be exposed to airborne lead dust, asbestos or PCB's during the proposed program related alteration, renovation or demolition of existing structures. This exposure could be significant." "Mortality of northwest pond turtles in Alameda creek." "Disturbing nesting of migratory birds or raptors." "Direct mortality or disturbance of California red legged frogs." Loss or disturbance of protected trees, which could conflict with ordinances of Fremont and Union City protecting native trees. Specifically with respect to the sound level in the Riverwalk neighborhood, "The expected decibel range currently at 60, is expected to go to 74 and would be a severe impact. Mr. Chamberlin stated that he is in favor of the Dumbarton rail connection but he is not in favor of the industrial connection and this new track and rail system. Mr. Chamberlin stated that he has no problem with the Union City Intermodal project. Mr. Chamberlin stated that as he understands it there is money available now to build the Intermodal station but there is not any money to

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build the rail line to and from the station. Mr. Chamberlain said that he believes that to build the rail project would take away money needed to build the Dumbarton rail project.

18 cont.

Commissioner Sweeney asked whether there will be a traffic management plan to handle the increased train traffic.

Jim Allison, Capital Corridor Joint Powers Authority, stated that they run their trains on the Union Pacific right of way. Mr. Allison stated that Union Pacific does their dispatching and is responsible for maintaining the signal arms at grade crossings. He stated that Union Pacific has not in the past developed a traffic management plan for a city but they may work with cities to address issues such as grade separations.

19

Commissioner Sweeney asked if this project will increase the number of trains that would be anticipated.

Mr. Allison stated that this project only affects the routing of the number of Capital Corridor trains that would be on either route. He said that it is difficult to address the future number of freight trains because that is controlled by Union Pacific.

20

Commissioner Sweeney asked about the wheel squeal on the existing track and how the additional track will add to that noise level.

Mr. Kasson stated that the existing noise was measured at several locations to determine the background noise levels. He said that part of that measurement was the trains passing by. Mr. Kasson stated that the additional noise from the new trains was not found to create an impact. Mr. Kasson stated that the BART noise was greater because of the greater frequency of BART trains. Mr. Kasson stated that part of the noise reduction will be the replacement of the old rails with new high speed rails.

21

Chairperson Anderson asked if the speed of the train could be considered a mitigation measure.

Mr. Kasson stated that it could be.

Chairperson Anderson asked if operational considerations could be added to the mitigation measures.

Mr. Kasson stated that he was not sure how that could be added.

22

Mr. Allison stated that trains are designed to be operated at a particular speed and it is the responsibility of the train engineer to abide by those rules. Mr. Allison stated that a slower speed could be designated for an area that was designed for higher speeds.

Commissioner Sweeney asked if building this project would take money away from the Dumbarton rail project.

Mr. Schaarschmidt stated that the funding for this project is part of the Dumbarton rail project. He said that the Dumbarton rail project is currently funded at 300 million dollars.

Commissioner Lew asked if the City would still go forward with the Intermodal station if this new rail project is not approved.

23

Ms. Malloy stated that Union City would go forward with the Intermodal station project.

Commissioner Lew asked if Union City would still build the passenger rail station.

Ms. Malloy replied that the passenger rail station is a component of this entire corridor, so without the Shinn connection and the industrial connection there would most likely not be a passenger rail station in Union City at that BART station on that alignment.

23 cont.

Chairperson Anderson closed the public comment period.

103 City of Union City Planning Commission Meeting May 19, 2005

At the May 19, 2005 City of Union City Planning Commission Meeting, comments were received from the public and the planning commissioners asked questions of the City Staff and consultants. Commenters were advised to submit their comments in writing to assure they were addressed in the responses to comments in the FEIR. All comments received at the planning commission meeting have been noted and considered in the preparation of the FEIR. The minutes of the planning commission meeting provide a transcript of the comments and responses to the comments presented at the meeting. With the exception of the comments addressed below, responses to comments and questions received at the meeting were addressed at the meeting and are included in the minutes of the meeting, which are a part of the public record. Additionally, several comments have been responded to in the responses to written comments above. Several comments expressed support for or opposition to the Proposed Project. Those comments are noted and considered, but written responses are not provided below.

103.04 The comment asks how different decibel levels compare to each other.

Response – The commenter is referred to Figure P3.8-1. Sound Levels from Transit and Non-Transit Sources in the PRDEIR, which provides a graphic description of the noise generated from a number of sources. Also please see Response to Comment 8.21.

103.06 The comment expresses concern about traffic at gated railroad crossings.

Response – Passenger train consists are typically small, 5 or 6 cars, and the amount of time a gate would be closed during passenger train crossings would typically be less than one minute. Impacts on traffic are therefore expected to be minimal.

103.09 The comment expresses support for the project and requests additional information about BART noise and train speed.

Response – Please see PRDEIR regarding BART noise. Train speeds will vary along the project corridor. Capitol Corridor trains approaching the Union City station will be traveling at approximately 50 miles per hour (mph) and will be decelerating as they approach the station. Departing the station, the trains will be accelerating to approximately 50mph. Trains will travel through the Shinn curve at approximately 30mph.