



Shadow Hills Property Owners Association

Dedicated To Preserving Rural Community

S.A.F.E Coalition

May 14, 2015

Mark A. McLoughlin, Director of Environmental
Services
ATTN: PALMDALE TO BURBANK PROJECT
SECTION
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Los Angeles, CA 90012

California High Speed Rail Authority Board
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Members
c/o Mr. Mark McLoughlin
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Sacramento, CA 95814

Federal Railroad Administration
Joseph C. Szabo, Administrator
c/o Mr. David Valenstein
MS-20, W38-303
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Washington, DC 20590

Surface Transportation Board
Chairman Elliot and Honorable Board Members
395 E. Street, SW
Washington, DC 20423

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Los Angeles, CA 90053-2325

Re: Elimination of High Speed Rail/Palmdale to Burbank Project Section E-2
Alternative Route

Dear Addressees:

Over the past several months we have provided hundreds of credible, substantive technical letters and comments concerning the Angeles National Forest routes and by reference the proposed E-2 route which crosses the Big Tujunga Flood Plain at an elevated/bridge configuration and which ravages the hillsides which comprise the visual and practical hearts of both the Lake View Terrace and Shadow Hills residential communities. We have not received a reply to those letters nor any indication that they have been read and considered. The courtesy of a reply would be appreciated. We will not take the time to repeat those comments since they are already part of the public

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record. However, we would like to take this opportunity to focus strictly on what you have referred to as Route E-2 which crosses over the Tujunga Wash in an above ground manner that would forever alter the character of multiple northeast San Fernando Valley communities and the reasons we believe that it should be eliminated from consideration immediately and not included in the EIR/EIS process. Nearly a dozen community leaders were frustrated to the point of disgust at a meeting held with CHSRA project management personnel in their offices on a work day in downtown Los Angeles on Thursday, April 30, 2014, by their stubborn refusal to remove E2 from further consideration and their apathy, cavalier attitude and insensitivity in stating so many of our concerns would simply be studied in the NEPA/EIS process. We felt all of the meetings, all of the time, all of the comments and all of the evidence of infeasibility provided to CHSRA has been ignored and not given the professional review and consideration it deserves; that a conclusion has been reached and that CHSRA is working backwards. While a 3-5 year NEPA/EIS process may be a high paying and intellectually challenging venture for the CHSRA team we met with, for us, it represents an unnecessary and terribly damaging and troubling "cloud" over every aspect of our communities' and residents' existence for the foreseeable.

CHSRA Chairman Dan Richard was provided an extensive, personalized tour of the Big Tujunga Flood Plain area several months ago and is keenly aware of many of the unmitigable impacts described below. There is absolutely no way such a sophisticated Governor's appointee and senior project manager would conclude that E-2 is feasible or should remain in the SAA Report or be considered as an EIR/EIS option. We insist that Mr. Richard personally and immediately review the matter of E-2's continuing existence.

1. Cumulative Impacts Forever Alter the Character of the Community and Environment and Preclude Use of the E-2 Route. Having trains travel at speeds up to 220 miles per hour out of tunnels across the Big Tujunga Wash and into and out of Shadow Hills and Lake View Terrace changes the character of the community much like the windmills in the Palm Springs area. All the EIR/EIS studies in the world will not change the fact that a train in that area will forever adversely effect the character of the community. Therefore, the E-2 route should not be part of the EIR/EIS analysis. We believe that many of the substantive objections we've raised render E-2 infeasible on their own and that, collectively, they create an obvious conclusion that E-2 is infeasible.

CalTrans data reveals that approximately 190,000 vehicles travel the 210 freeway between Sunland Boulevard and Osborne Street each day. About

80,000 residents of the communities of Lake View Terrace, Sunland/Tujunga and Shadow Hills share the view of the Big Tujunga Flood Plain every day. Year round and especially on busy weekends and holidays tens of thousands of people recreate in the contiguous areas of Hansen Dam, Big Tujunga Wash Flood Plain, Angeles National Forest and the intricate network of equestrian, hiking, jogging and biking trails. Combined, the view, aesthetics and tranquility provided by this shared open space and natural resource will be ruined for more than a quarter of a million people.

Please note the recently presented draft EIR for the 710 freeway extension project located just a few miles from our area rejected the 4-mile above ground light rail alternative for reasons related to "changing/altering the character of surrounding communities". We believe that is further evidence that the more damaging E-2 alternative must be eliminated from further consideration. It is not necessary to subject communities along the E-2 route to the tortuous EIR/EIS process when the conclusion of infeasibility is obvious.

2. The 210 Freeway Crossing is Not A Precedent for the E-2 Route. CHSRA cannot rely on the 210 freeway crossing the Big Tujunga Wash as a precedent for the E-2 Route. That structure was planned, authorized and, for the most part built, prior to the enactment of the National Environmental Quality Act (NEPA) the California Environmental Quality Act (CEQA) and the Clean Water Act. When built, the freeway crossing was not subject to the environmental rules and laws currently in existence. In fact, NEPA was enacted partly in response to ever expanding freeway systems.
3. The Foothill Blvd. Bridges and Foothill Blvd. Cannot be Relied Upon As a Precedent for the E-2 Route. The Foothill Bridges and Foothill Blvd. which traverse the Big Tujunga Wash in a path almost parallel to the 210 freeway cannot be used as a precedent for the building of the E-2 Route through the Big Tujunga Wash. Foothill Blvd. and the original Foothill Blvd. bridges predated the 210 freeway by decades and, like the freeway, were not subject to the environmental rules and laws currently in existence.
4. 1969/1978 Floods Are Not a Precedent for the E-2 Route. In the 1969 and 1978 floods both of the Foothill Blvd. Bridges over the Big Tujunga Wash were destroyed and had to be re-built (one in each flood event). The re-building of those bridges did not have to comply with the current

environmental laws for numerous reasons including the fact that it was repairing an existing structure as opposed to new construction. You should note that this massive flood event caused boulders the size of Volkswagens to careen down the channel. This was in addition to the caskets from the Verdugo Hills Cemetery. The flood waters and the rocks/boulders in the next flood will seriously damage the structures which will support the overhead CHSRA train on the E-2 Route (See Attached newspaper article and photographs).

5. Future Flood Events on the E-2 Route Make that Route Infeasible. Future flood events could be just as damaging, if not more so, to the proposed E-2 Route. The Hansen Dam gates are rusted shut which means that water will back up into the flood plain during the next flood event. There will be additional problems caused by the construction on the Angeles Golf Course and the club house. The golf course was allegedly built to withstand a 100 year flood, but within 8 months after completion, in a relatively minor rain event, portions of the golf course washed away, never to be rebuilt because the jurisdictional waters of the United States changed. The golf course NEVER had a 404 Permit because the ACOE denied such a permit. Much more damage would have occurred if the golf course had not used large bulldozers to try to dam up the flood waters during the flood event. That "solution" will not come close to working in a major 1969/1978 type flood event. The golf course and many of its structures including the club house may be washed down stream and forcefully impact the above ground supports for the CHSRA train. Mother Nature and Father Time remain undefeated.

6. Effect of Noise Coming Into and Out of Tunnels on People Precludes the Use of the E-2 Route. The noise associated with the trains crossing the Big Tujunga Wash and entering and exiting the tunnels between Lake View Terrace and Shadow Hills will not be able to be mitigated and will completely disrupt both communities. The noise will reverberate through that area due to the mountains/cliffs on either side of the tunnels that create a "bowl effect" and "natural amphitheater." We know from decades of experience with the 210 Freeway that atmospheric conditions already affect sound in ways that are unpredictable, immitigable and, often, unbearable. CHSRA states that trains will not travel between midnight and 5 a.m. which CSHR asserts is the most sensitive sleep time. Commercial airlines at nearby Burbank Airport, for which the western end of Shadow Hills lies in the flight path, restrict their use of the airport to between 10 p.m. and 7 p.m. Even that is intrusive. CHSRA required hours of operation is an assault on people's sensibilities and will

constitute an on-going public nuisance. This precludes the use of the E-2 Route.

7. The Effect of Noise on Horses Precludes the Use of the E-2 Route. As noted by Dr. Robertson at the community meeting attended by over 2,000 residents, as well as CHSRA staff and consultants on January 13, 2015, horses are flight/fear animals and the Hansen Dam area is used extensively by equestrians. The sound from the construction and operations of the CHSRA will adversely effect the health of those animals and their riders and cause accidents on trails, as well as at home in stables and corrals, for which CHSRA will be liable. This precludes the use of the E-2 Route. At our January 13, 2015 event at All Nations Church, attended by multiple CHSRA management and consultants, Dr. David Robertson provided expert commentary about the effect of the noise and vibration on horses. A video of Dr. Robertson's expert testimony may be viewed at www.dontrailroad.us/videos/.

8. Effect of Noise on Endangered and Threatened Birds Precludes the Use of the E-2 Route. CHSRA contends that noise from the high speed train coming into and out of the tunnels and traveling at high speeds above ground in the wide open, natural amphitheater created by the Big Tujunga Wash between Lake View Terrace and Shadow Hills will be reduced by the holes/slots or other mitigation techniques in the tunnels. We have already provided extensive commentary and professional opinion about the impact of train-associated noise and vibration on humans, on communities and on equines. However, such intermittent noise will also have an adverse effect on birds. The Tujunga Wash is the home to endangered and threatened species of birds such as the California Gnatcatcher, the Cactus Wren and the Least Bells Vireo. The effect on these birds in general and during the nesting season will likely be so adverse as to preclude this E-2 Route. I suggest that you Google "effect of noise on birds." There are numerous "desk top" reports on the subject. Please note that there are various types of noise including constant noise and intermittent noise and there will be different types of noise during the construction and the operational phases. In addition to the year round bird populations, there are migratory birds which will be adversely affected by this noise. Because of these consequences, this E-2 Route must be removed from the SAA and not included in the EIR/EIS. In addition to the noise destroying the birds, it will also destroy the critical habitat of such endangered and threatened species.

9. The Effect of Noise on Fish Precedes the Use of the E-2 Route. In addition to the effect on birds the noise cause by the entering and exiting of the tunnel will have an effect on the protected fish such as the Santa Ana Sucker. Fish are sensitive to sound and the effect of the noise on these protected fish species will cause adverse effects which cannot be negotiated. If you've ever been to a fish store or aquarium you will see signs asking patrons not to tap on the glass. It distresses the fish and sometimes ends in deadly consequences. Fish are very fragile and unnatural sounds affect their heart rates and can interrupt their reproductive cycle. Please Google "effect of noise on fish." This too should preclude the E-2 route from the EIR/EIS. In addition to the noise caused by the operation of the train, the construction of the train and drilling its pillars into the wash will cause noise and vibration which will destroy the endangered fish and its habitat.

10. Earthquake Faults As disclosed in the Army Corps of Engineers Hansen Dam Master Plan Precludes the Use of the E-2. In the latest maps CHSRA did not show the earthquake fault which exists in an east/west direction at the southern edge of the Big Tujunga Wash. This thrust fault is identified in the Army Corp of Engineer's Hansen Dam Master Plan which is readily available online, but ignored for reasons known only to CHSRA. Also, please review the existing, but inadequate State of California earthquake maps online and the State of California Department of Conservation 2010 fault activity map of California. CHSRA must be careful not to traverse that fault line. It appears to be a thrust fault because it separates the pristine water of the Big Tujunga Wash from the high nitrate water to the south which is related to the use of septic tanks. Co-mingling those two water sources may promote the contamination of the Los Angeles City drinking water. The LADWP has stopped pumping the high nitrate water and puncturing that fault would preclude the use of the E-2 Route.

11. The Elevation of the Train Crossing Wentworth in Shadow Hills Precludes the Use of the E-2 Route. The elevation of the train in the E-2 Route as it crosses Wentworth is at grade. In order to "fix" the problem CHSRA needs to change the elevation of Wentworth and to build a bridge over the high speed rail which must be at the current Wentworth Street grade. Since fire trucks and other larger vehicles must still traverse Wentworth, the grade of the bridge cannot exceed 15% (fire truck minimum) which means that the top of the bridge would likely exceed the height of the top of the cliff and require ramp in excess of 300 feet in each direction. Additionally the CHSRA tunnel, which will have to be at grade over Wentworth, has insufficient space between the top of the tunnel and the surface of the top of the cliff to properly construct the tunnel based on

consistent representations from CHSRA project management personnel that tunnels will be located 60-80 feet below surface levels. We have conducted scientific studies of the elevation of Wentworth and the elevation of the bluff at the point of crossing the Big Tujunga Wash and found there is roughly 100 feet from grade level at Wentworth to the top of the cliff. There is simply not enough room to safely build the tunnel into the hills that give Shadow Hills its name. This is depicted in the attached graphic. There is insufficient room between the tunnel entrance and the top of the bluff for CHSRA to thread the needle for the E-2 Route. It is unfathomable to us that CHSRA initial studies have not already concluded that the tunnel opening plan for the Wentworth/Shadow Hills cliff is infeasible.

Wentworth is the only street with quick and easy access to the numerous homes of Rancho Verdes Estates and it is imperative that safety vehicles have complete and unimpeded access at all times. Because there is a tunnel portal proposed along this route, a large staging area would be required during the multi-year construction phase. There simply is not enough space to set up a staging area because there is a bluff on one side and a sheer drop into the Wash on the other. Construction at this location would be impossible.

Finally, there is a stream flowing 365 days a year just a few yards off of and parallel to the length of Wentworth Street from Mary Bell Avenue, past Wheatland and past the entrance to Rancho Verdugo Estates. This stream flows from the San Gabriel Mountains unimpeded all the way to Hansen Dam where its waters continue above and underground to the San Fernando Groundwater Basin. The staging area for the proposed tunnels into Shadow Hills would NOT be able to avoid this stream. It is simply too close to Wentworth Street.

All of these items preclude the use of the E-2 Route since it is IMPOSSIBLE to properly construct the tunnel at that point.

12. Earth Movement in Shadow Hills. There is earth movement in the Shadow Hills area which will be exacerbated by tunneling through Shadow Hills. Shadow Hills has several surface reflected ruptures running east/west near Mary Bell Avenue. Running CHSRA underground through that area will only expose the nearby residential structures to destruction. The homes on top of the bluff have pylons that penetrate deep into the ground. Drilling a tunnel, whether it is 20', 30' or 40' in diameter, would strike these pylons and cause the structures to lose their integrity.

13. No Governmental Permits Will Be Issued for the E-2 Route. There are numerous government permits including 404 and 408 permits which will be required to cross the Big Tujunga Wash. To our knowledge the Army Corps of Engineers has not issued any such permits in that area since the enactment of such legislation and we see no legal reason for them to do so at this time. It is fairly easy to ask the Army Corps of Engineers whether, or under what conditions, it will allow CHSRA to put a bridge across with all of the pillars into the Big Tujunga Wash. CHSRA can ask that now and disclose it publicly, before it goes through the expense of an EIR/EIS and subjects residents to needless fear and anxiety. It is clear from the current maps that the ACOE will NOT allow CHSRA to set one foot on to the ACOE owned property in the Big Tujunga Wash. Every proposed route meticulously avoids the ACOE property. The ACOE would not issue permits over property that they own so why would they give permits to CHSRA to trample identical habitats? The E-2 Route must be eliminated since none of the required permits will be issued.
14. "If You Touch It, You Own It" Precludes the Use of the E-2 Route. A CHSRA official once stated, "If you touch it, you own it." If CHSRA puts the train over the wash with the structures into the wash needed to support the train, then CHSRA will own the Big Tujunga Wash and all that goes with it. This is not the type of responsibility CHSRA can undertake. If something goes wrong, and it always does (Big Bertha), CHSRA will not only be financially liable but also could subject the entire project to being shut down. The risk reward ratio is not worth it. You can study this in an EIR/EIS forever but in the end... "If you touch it, you own it."
15. Traveling Through the Mitigation Bank Precludes the Use of the E-2 Route. CHSRA intends to run the train through an existing mitigation bank that is located in the Big Tujunga Wash. CHSRA will have significant regulatory impediments to damaging such a mitigation bank. When all of the regulatory hurdles are added up, traversing the Big Tujunga Wash above ground makes this alternative too costly and infeasible and precludes the use of the E-2 Route.
16. The E-2 Route is NOT Feasible and must be ELIMINATED NOW. CHSRA can only select for further study, alternatives which are feasible. As demonstrated in this letter, the E-2 Route is not feasible and must be eliminated at this point from further study. Existing environmental legislation related to CEQA and NEPA states clearly that infeasible routes should not and need not be included in EIR/EIS studies. The failure to eliminate the E-2 Route at this point constitutes a waste of

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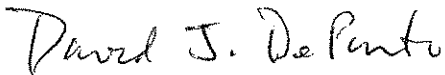
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everybody's time, tax payers' money, and squanders the few precious and dwindling resources of CHSRA. It would also present a legally and technically indefensible alternative within the NEPA/EIS environmental study and subject the entire NEPA/EIS document and its conclusions to certain, future legal challenge.

In conclusion, you know the E-2 Route cannot work, so stop it now.

Very truly yours,



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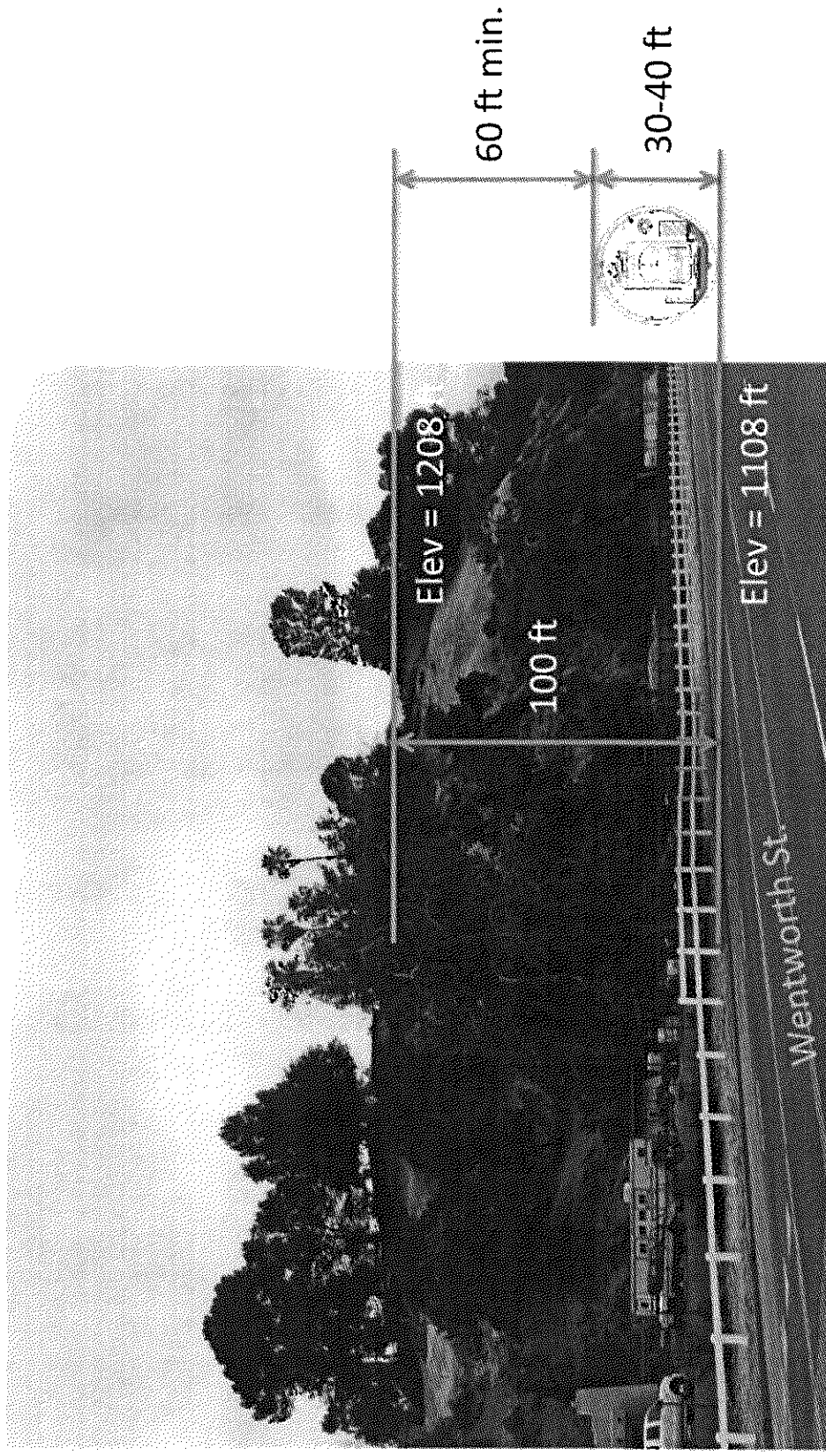
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Shadow Hills Tunnel Portal Limited Space: Unsafe and Infeasible



Investigation of Cemeterly

Verdugo Hills Firm's Legal and Financial Status Under Inquiry

BY KENTLEAS
Times Staff Writer

The enclosure of the Verdugo Hills Cemetery, which was reported to suffer a collapse into residential streets and yards in Torrance, California, has been investigated by a county prosecutor.

An investigation has begun to look at the legal and financial status of Verdugo Hills Cemetery, a firm that has been operating in a residential area since 1963, which is located on Eastern Avenue in Torrance.

The investigation began after Los Angeles County Superior Court Judge Robert J. G. Jones issued an order for the firm to be liquidated because of "apparent insolvency" to the state.

The cemetery's business reported in 1963 that the corporation had received a license from the state as a religious cemetery, according to the attorney general's office.

In the wake of the storm, which had been reported parts of were destroyed, the state attorney general's office in Berkeley last month called County Counsel Thomas Nighetti to look into the matter.

He said he has no information as to whether the firm is still in business.

The state attorney general's office is currently reviewing the firm's financial records and is expected to issue a report in the next few weeks.



HOLLOWED GROUNDS—County Counsel Thomas Nighetti (left, in suit) talks to two state members while another employee (far right) covers one of four bodies washed by flood waters from Verdugo Hills Cemetery (left, in suit) after it fell to two state members.

Cemetery into yard of home at 19233 Platan Avenue in Torrance. Photo in front of color covers another body. Times photo by Ron Lobo and Jack Laporte

Governments Mobilize Forces to Help Flood Victims Recover

Projects planned by the state to help flood victims recover from the damage caused by the recent flooding in the San Joaquin Valley.

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The state is expected to issue a report in the next few weeks.

The Foothills Paper

Local News and Events

12 days and 36 years ago, flood waters flowed down Parsons Trail into Tujunga. Besides buildings being destroyed, the waters unearthed a dozen bodies and carried them as far down as Foothill Blvd. Think about that tomorrow when the rains hit again. These photos are copyright of The Foothills paper and may not be used with written permission of the owner.

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Jeff Degee 50 years predicting that bodies and/or skeletons will be uncovered this weekend?

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The Foothills Paper replied: 3 Replies about an hour ago



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Hojjan Ayers the statement should say "may

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