

**APPENDIX B**  
**Comments made at the Public Hearing on the Draft EIR**

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I N T H E S T A T E O F C A L I F O R N I A

C O U N T Y O F A L A M E D A

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**CERTIFIED COPY**

B A Y A R E A R A P I D T R A N S I T

W A R M S P R I N G S E X T E N S I O N

ENVIRONMENTAL IMPACT REPORT

PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Monday, August 12, 1991

---oOo---

Reported By SUSAN KAHLER, Shorthand Reporter

County of Alameda, State of California

**BAY AREA COURT REPORTERS**

1                   BAY AREA RAPID TRANSIT PUBLIC HEARING

2

3           BE IT REMEMBERED that on Monday, August 12, 1991,

4 commencing at the hour of 7:19 p.m. thereof, at the

5 Fremont Public Library, Fukaya Public Meeting Room,

6 2400 Stevenson Boulevard, Fremont, California, before me,

7 SUSAN KAHLER, a Shorthand Reporter in and for the County of

8 Alameda, State of California, personally appeared the parties

9 and speakers named herein, and the following public hearing

10 proceedings were held.

11

12                   APPEARANCES

13

14                   JOAN KUGLER

15                   Warm Springs Extension Project Manager

16

17                   CAROLYN M. VERHEYEN

18                   Moore Iacofano Goltsman

19

20                   DOUG DONALDSON

21                   Donaldson Associates

22

23                   BILL DIETRICH

24                   DKS Associates

25

26                   \*\*\*\*\*

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1 August 12, 1991

7:19 p.m.

2 P R O C E E D I N G S

3  
4 CAROLYN M. VERHEYEN

5 MS. VERHEYEN: Hello everybody and welcome. Thank  
6 you all so much for coming tonight. We're ready to start the  
7 more formal part of our evening, the public hearing. I hope you  
8 had a chance to go around and meet the BART staff and engineers  
9 and consultant team and look at the displays and get a sense of  
10 the project, if you don't have that already.

11 My name is Carolyn Verheyen. I'm with the firm  
12 Moore, Iacofano, Goltsman, M.I.G. We're public involvement  
13 consultants, and I'll be moderating the event tonight.

14 The purpose of tonight's public hearing is to  
15 receive your comments on the adequacy and the accuracy of the  
16 draft Environmental Impact Report for BART's Warm Springs  
17 extension project. Your comments will be recorded by our court  
18 reporter and responded to in the final E.I.R. BART really needs  
19 your feedback in order to create the final E.I.R. and so we're  
20 happy you are here tonight.

21 I'd like to introduce some BART staff who are  
22 present, Joan Kugler project manager for the Warm Springs  
23 extension, she's over there; Theresa Dunn, environmental  
24 officer, in the back of the room; Bruce Kusanovic, director of  
25 the community relations, there he is; Molly Murphy, community  
26 representative; Farrell Schell is the project manager for

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1 engineering. Robin Hill is BART's real estate manager. We also  
2 have Allan Lee and Fariborz Vazirabadi, who are planners,  
3 extension planners, there in the back; Lillian Young, who's the  
4 Warm Springs engineer.

5 From the consultant team, we have Bill Dietrich,  
6 from DKS Associates. He'll be doing a presentation later  
7 tonight. You'll hear more from him. Also, Carolyn Wiecejzorek  
8 and Doug Donaldson from Donaldson Associates. He'll be  
9 presenting as well.

10 From the City of Fremont we're honored to have  
11 Kunle Odumade. He'll be giving opening remarks from the Mayor's  
12 office.

13 And from BATC, Hanan Kivett who's project manager  
14 for the Warm Springs extension.

15 So after a brief presentation, we'll open the public  
16 comment period. We'd like you to fill out one of these blue  
17 speaker cards, if you could. We'll receive them in order, and  
18 we'll use them to call people up to the microphone which is in  
19 the center aisle there. We'd like to give everyone a chance to  
20 speak, therefore, we'll ask you to be brief. If you could keep  
21 your remarks to about three to five minutes, we'd very much  
22 appreciate that. If there's time at the end, after we've gone  
23 through all our speaker cards, you may have another chance to  
24 come up, but we'd really like to give everyone an opportunity to  
25 speak tonight.

26 Also, for your convenience, we have these comment

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1 cards which you'll find at this table, I believe, and in the  
2 back there. If you'd like to write your remarks and either hand  
3 them in tonight or send them in, just be sure you send them in  
4 before August 26th. That's the end of the public comment  
5 period.

6 Now, I'd like to introduce Joan Kugler, the project  
7 manager for the Warm Springs extension. She'll give a brief  
8 presentation.

9  
10 JOAN KUGLER

11 MS. KUGLER: Thank you very much. It's really a  
12 pleasure to see you all here tonight and I thank you for coming.  
13 I'm sure there are a lot of other things you could be doing, but  
14 public participation is one of the most important parts of the  
15 environmental process.

16 Those of you who were at our public workshop know  
17 that I break down the environmental process into five  
18 components. The first component is the scoping process and  
19 that's where we look at what the depth of the project should be.  
20 It starts out with setting out the project and the alternatives  
21 and then going out and asking the public: What do you think we  
22 should look at in the environmental document? We had a public  
23 scoping meeting in March, on March 20th, and maybe some of you  
24 were here at that presentation.

25 After we take all the comments from the scoping, we  
26 go on to the next step which is data collection and evaluating

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1 the alternatives. And as part of that process, we had a public  
2 workshop on May 15th, and I hope some of you were here for that.  
3 At that point in time, we got to talk about Central Park and  
4 Irvington Station and South Warm Springs area.

5 Then the consultant team and BART staff went back  
6 and we prepared the environmental document and that  
7 environmental document was sent out for public review on July  
8 12th. And as Carolyn had said, the close of the public review  
9 period will be August 26th so you have until August 26th to  
10 write any input on the environmental document that you'd like to  
11 see us answer in the final E.I.R.

12 Where we are tonight is at step four, which is the  
13 public hearing in the middle of the public review process. And  
14 this is where we get input from you on the adequacy and accuracy  
15 of all the information that we've put into the environmental  
16 document. If there's clarifications that you feel are in order,  
17 if there's additional information you feel should be in the  
18 document to make it adequate, we want to hear about that from  
19 you.

20 Then what we'll do is take all these comments, both  
21 from the transcript that will be made tonight and also from the  
22 written comments on the card or any letters that are sent in,  
23 and what we'll do is respond to those comments in the final  
24 E.I.R. That's the last step, when we put together the final  
25 E.I.R.

26 And then that information, the draft information,

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1 the draft document and the comments and their responses create  
2 the final E.I.R. which is given to the decision makers and the  
3 BART board can make a decision on which project, what design  
4 options, and how everything is going to be configured.

5 So I thank you for coming tonight for this very  
6 important step. I and other BART staff will be up and down the  
7 aisles tonight looking for anybody who wants a blank speaker's  
8 card or to hand in your speaker's card so you can make your  
9 comments, or if you want to write your comments that's fine,  
10 too.

11 So I really want to thank you all for being here  
12 tonight. And I think the next speaker will be Bill Dietrich,  
13 who will give a small presentation on the alternatives and then  
14 Doug Donaldson who will talk about the environmental impacts.

15 Thank you.

16  
17 BILL DIETRICH

18 MR. DIETRICH: Thank you, Joan.

19 I'm going to give a very brief discussion of the  
20 alternatives. Many of you have seen the earlier presentations  
21 and/or have looked at the displays, but we thought it would be  
22 appropriate to just give a brief overview, and I'm going to do  
23 that with the help of a few viewgraphs.

24 Now, if you can hear me, the first comment, this  
25 first map is the area that's involved in the extension and the  
26 proposed project basically starts at the Fremont BART station,

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1 goes down through Central Park, down to a new station at  
2 Irvington, continues south of Durham and Grimmer to a new  
3 station at Warm Springs and a station just north of Kato Road,  
4 South Warm Springs, just north of the county line. This is  
5 basically a 7.8 mile extension. It involves three new stations.  
6 And it's basically, after going through Central Park, it's  
7 basically along the railroad corridor.

8 Now, the proposed project involves going aerial  
9 through Central Park, but there are a number of specific design  
10 alternatives that are also considered.

11 Basically, the proposed project would go across the  
12 finger of Lake Elizabeth as an aerial alternative in going over  
13 into the railroad area. There is an alternative that uses the  
14 same alignment but that would be subway. That's Design Option  
15 1.

16 Then there are several different alignment choices,  
17 one that would go north of the finger of Lake Elizabeth and this  
18 design option could be either aerial or subway. Both  
19 alternatives were discussed to quite an extent in the  
20 environmental document.

21 And then the third alignment is an aerial  
22 alternative alignment that goes a little further north and  
23 further away from the lake than the other options.

24 So that there are a total of five design options, if  
25 you will, for design options, plus the proposed project through  
26 Central Park area.

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1           In addition, then, to the design options and  
2 proposed project, there are a number of alternatives. And some  
3 of those alternatives are basically alternatives that do not  
4 include an extension.

5           Alternative 1 being, basically, a no-action, status  
6 quo alternative.

7           Alternative 2 is a no-action alternative but  
8 includes programmed highway and transit improvements in the  
9 Fremont area.

10          And Alternative 3 is an expanded transportation  
11 system that includes additional high occupancy vehicle lanes and  
12 plus transit improvements within southern Fremont.

13          Then there are a series of alternatives that are  
14 looked at that are different types of BART extensions.  
15 Schematically, we've tried to illustrate this with sort of stick  
16 figure diagrams.

17          The proposed project, as we've said, was a  
18 three-station extension with the Irvington/Warm Springs/South  
19 Warm Springs Station. The project that was presented a little  
20 over a year ago is labeled Alternative 4. It basically was a  
21 two-station extension that involved BART being on the east side  
22 of the railroads and the railroad being relocated so as to  
23 provide room for it and with an Irvington Station and a  
24 Warm Springs Station.

25          Alternative 5 is identical to Alternative 4 with the  
26 exception that it uses the alignment of the proposed project.

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1 And let me back up a moment.

2 The crux of the proposed project really is that BART  
3 would be between the two railroads at Irvington as it continues  
4 south until it approaches the Warm Springs Station. So that the  
5 distinction between Alternative 4 and Alternative 5 is that BART  
6 was on the east side of the railroad where under Alternative 5  
7 and with the proposed project, BART's between the two railroads  
8 until it approaches the Warm Springs Station.

9 Alternative 6 is similar, again, to the proposed  
10 project except that it excludes an Irvington Station. It has a  
11 Warm Springs and a South Warm Springs Station, again, using the  
12 same alignment as the proposed project.

13 Alternative 7 is similar to Alternative 6 except  
14 that it has a slightly different alignment. In this alignment,  
15 BART would be between the two railroads until it reaches  
16 Washington. Then it would be off and to the east of the  
17 railroad to Warm Springs and South Warm Springs so that the  
18 difference between Alternative 6 and 7 is the effect of being to  
19 the east of the railroads rather than between the two railroads  
20 between Washington and Grimmer.

21 Alternative 8 is a total change in alignment. It  
22 basically would take BART between the railroads as far as  
23 Washington but then transfer across and run down the median of  
24 Osgood Road and Warm Springs Boulevard with a station still at  
25 Warm Springs and South Warm Springs. There, it would return  
26 back to the railroad at the county line.

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1           Then there are several other variations that are  
2 provided of different station types, Alternative 9, a  
3 single-station extension to Warm Springs, again, using proposed  
4 projects alignment and Alternative 10, a single-station  
5 extension to South Warm Springs on the same alignment.

6           And then lastly, to fill in all the different  
7 station opportunities, is Alternative 11. That has a station at  
8 Irvington and South Warm Springs and no station at Warm Springs  
9 and again, that uses the same alignment.

10           There are a number of alternatives, and the  
11 differences between those as they apply to different  
12 environmental issues is shown in the document if you read the  
13 particular areas.

14           Basically, in summary, in terms of all these  
15 different alternatives, we attempt to look at several different  
16 alignments. Alternative 4 has a different alignment east of the  
17 railroad; Alternative 7 has a different alignment; Alternative 8  
18 has a different alignment.

19           And then a number of different station options: The  
20 basic three-station extension, or a two-station extension to  
21 Irvington and Warm Springs, or a two-station extension to  
22 Warm Springs and South Warm Springs or a two-station extension  
23 with Irvington and South Warm Springs and then single-station  
24 extensions either to Warm Springs or South Warm Springs.

25           That's a very quick overview. And with that, I'm  
26 going to ask Doug Donaldson to talk about the environmental

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1 elements that were considered in the process.

2  
3 DOUG DONALDSON

4 MR. DONALDSON: Thank you, Bill. I think I'll speak  
5 from this microphone here.

6 The preparation of a document of this size and  
7 magnitude is necessarily a very complex undertaking. It's  
8 perhaps one of the largest and most comprehensive E.I.R.'s  
9 that's been prepared in this region in the last several years, I  
10 think. The organization and the work that involved, in our  
11 team, involves a variety of specialized professionals in a wide  
12 range of disciplines and the multiplicity of disciplines ranging  
13 from geology and biology, planning, environmental law, landscape  
14 architecture, archaeologists and at least three or four  
15 different areas of the engineering professions, acoustical  
16 engineering, transportation engineering, and civil engineering.

17 In putting together the Environmental Analysis in  
18 the report, we have attempted to respond to important issues  
19 that were identified in previous studies on the extension in the  
20 earlier E.I.R. on the previous project that was published last  
21 year, and also some changes, important changes, have been made  
22 during the scoping process of the last several months preparing  
23 this E.I.R., including the addition of several design options  
24 and mostly recently of Alternative 11.

25 As you can see from this slide, there are 14  
26 separate areas of analysis contained in the basic environmental

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1 section of the E.I.R. which is Chapter 3, a full range of  
2 analytical areas. I'm not going to take the time tonight to  
3 highlight the basic findings in all of these areas. They are  
4 summarized in the summary of the E.I.R. and, in fact, the  
5 summary is provided verbatim as one of the handouts for this  
6 evening. And it is an important document to look at for  
7 specifically identifying the effects of the specific alternatives  
8 in these areas of analysis.

9           Within each of these areas, we have attempted to  
10 provide a comprehensive and relatively consistent and rigorous  
11 formating. First, direct impacts in each of these areas, soils,  
12 geology, ecosystems, whatever it might be, are identified, the  
13 direct impacts of each of the alternatives, if they were built.

14           Then the construction period impacts are identified  
15 and analysed as a separate area. Some of the alternatives would  
16 have much more extensive construction impacts than others.

17           Cumulative impacts are a separate category or topic,  
18 subtopic, under each of these areas that are identified in  
19 Chapter 3 of the Environmental Analysis.

20           Mitigation measures are specifically proposed within  
21 each of these topic areas and for each of the impacts that have  
22 been identified.

23           And finally, you get to, perhaps, the bottom line,  
24 the residual impacts. Those are the impacts that would be left  
25 after mitigation is put in place. And that's how you come out  
26 with determining what are the unavoidable adverse environmental

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1 impacts within each of these areas of each of the alternatives  
2 and design options assessed in the E.I.R.

3 Significant impacts, residual impacts, unavoidable  
4 impacts, are identified in the document. They're summarized on  
5 pages S-7 and S-8 which is in the summary handout tonight, also  
6 in the summary of this document and also in Chapter 5 of this  
7 document.

8 And unavoidable adverse effects would occur in the  
9 seismicity area, for the first topic; also in the ecosystems  
10 area, there are some residual unavoidable adverse effects that  
11 would occur with almost any of the alternatives.

12 In the land use area, the potential relocation  
13 impacts of the proposed project and the build options, the build  
14 is identified as a significant unavoidable adverse effect.

15 In the Central Park land use and recreation topic,  
16 there are also significant unavoidable adverse effects that  
17 would occur with Design Options 2 and 3 and the proposed project  
18 as well.

19 In the visual area, the E.I.R. identifies probably  
20 about six or seven different unavoidable adverse effects. They  
21 vary with specific options and with specific alternatives that  
22 are chosen. Certainly, the visual impacts of the aerial  
23 structures in the Central Park area is identified as a  
24 significant unavoidable adverse effect in that subject area.

25 Traffic impacts, there are also significant  
26 unavoidable adverse effects that would occur with some of the

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1 alternatives. In the traffic area we look, primarily, of  
2 course, at the impacts around each of the stations because  
3 that's where the biggest effect on the local transportation  
4 network would occur with the Warm Springs extension.

5 And finally, in the noise area, unavoidable adverse  
6 effects are identified. Some would occur in Central Park with  
7 the aerial options and others would occur at several selected  
8 locations. Alternative 8, which is the one that follows Osgood  
9 and Warm Springs Boulevard, has the most unavoidable adverse  
10 noise effects.

11 I could go on at some length in trying to summarize  
12 the findings of the document, but really, I don't think it's  
13 appropriate to do that tonight. The real purpose of the meeting  
14 is, of course, to listen to you, to find out your comments on  
15 the adequacy of the E.I.R. and identify issues that we might  
16 want to go back and clarify or amplify more on.

17 So with that, I'm going to conclude my summary of  
18 what's in the document, how the Environmental Analysis was put  
19 together, and turn it back over to Carolyn so that we can  
20 actually listen to you, which is the purpose of the meeting.

21 Thank you very much.

22 MS. VERHEYEN: Thank you, Doug and Bill and Joan for  
23 that quick lesson or refresher course on the environmental  
24 review process.

25 Now, we'll begin to hear your comments. Please pass  
26 your speaker cards to the staff in the aisles if you haven't

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1 done so already. Again, we'll invite each speaker to the  
2 microphone in turn. And we'd like you to keep your comments  
3 brief in respect to other people. And we'd like you also to  
4 speak to the issue at hand, which is the environmental effects  
5 of the Warm Springs extension.

6 Really, the public hearing is designed to receive  
7 your comments, your input, on the subject so that they can be  
8 responded to very directly in the final E.I.R. If you have  
9 questions as a result of the presentations you've heard or  
10 anything else you hear tonight, we suggest you stick around a  
11 little bit until the end of the evening. BART staff and  
12 consultant staff will stick around a little while afterwards to  
13 receive your questions and hopefully answer them.

14 If you can't stay, or if it's too involved, please  
15 feel free to call the BART extensions hotline. That number is  
16 in the latest version of the Warm Springs Extension Newsletter  
17 but I'll also give it to you now. It's (415) 734-8733. It's a  
18 24-hour hotline. You might leave a message, and they'll get  
19 back to you and answer your questions.

20 So I'd like to call the first two speakers. We'll  
21 hear from Kunle Odumade from the City of Fremont first, and  
22 Jeff Asay will be next.

23 Jeff, if you'd like to get ready.

24 Kunle, please.

25 Also, please state your name for the record right  
26 before you speak.

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KUNLE ODUMADE

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6

MR. ODUMADE: Good evening, Mayor Gary Mello couldn't be here tonight. He had to attend another meeting, so I apologize on his behalf. I'm going to read the statement for him.

7

8

9

"On behalf of the citizens of Fremont and the Fremont City Council I welcome BART Directors and BART staff to the City of Fremont.

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"Our history of support for the Warm Springs Extension, however, does not mean the City of Fremont

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1 will allow the extension to be built without insuring  
 2 the significant environmental impacts of the project  
 3 are properly mitigated. While the new draft E.I.R. is  
 4 an improvement over the document which was published  
 5 last year, we were disappointed the draft E.I.R.  
 6 didn't do a better job of specifying the subway  
 7 options as appropriate mitigation in Central Park and  
 8 clearly identifying BART's responsibility for traffic  
 9 mitigation measures.

CP-24

T-3

10 "Central Park is a unique and very special  
 11 resource. The park is just as important to Fremont  
 12 and Southern Alameda County as Golden Gate Park is to  
 13 San Francisco, and it should receive the same  
 14 sensitive treatment a BART extension through Golden  
 15 Gate Park would receive.

CP-25

16 "The City Council will send its written  
 17 comments on the draft E.I.R. to BART prior to the  
 18 close of the review period on August 26th, 1991. We  
 19 are monitoring public comments at tonight's meeting  
 20 and will also hear public comment at the City Council  
 21 meeting on August 20, 1991 prior to finalizing our  
 22 response letter. I want to thank you for the  
 23 opportunity to be heard this evening. The City of  
 24 Fremont looks forward to continued close coordination  
 25 with BART as this project proceeds."

26 Thank you.

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1 MS. VERHEYEN: Thank you. I might add that  
2 Mr. Odumade is Acting Transportation Engineer for the City of  
3 Fremont.

4 Next we'll hear from Jeff Asay and Hart Rumbolz.  
5 Jeff Asay with Union Pacific Railroad.

6  
7 JEFF ASAY

8 MR. ASAY: Thank you. My name is Jeff Asay. I'm a  
9 staff attorney with Union Pacific Railroad and I had the  
10 opportunity to speak before at the earlier meeting. And since  
11 that time, we've worked with BART's staff and their design  
12 people to try to mitigate some of the impacts on the railroad.

13 I would like to say, however, that Union Pacific  
14 Railroad is not really comfortable with the proposals for the  
15 Irvington Station, primarily. Alternative Number 4 is the one  
16 that we were talking about last year, and we had a lot of  
17 problems with that, and it's still one that we cannot live with  
18 from an environmental standpoint.

19 It puts the Union Pacific and the Southern Pacific  
20 very close together in a long tunnel. And we just do not think  
21 that that is, environmentally, a good idea. To get the trains  
22 under the station, the front half goes down and then the front  
23 half goes up. The back half is still going down while the front  
24 half is still going up. It puts in motion a set of forces on  
25 the train. As the locomotive is going up the hill, it's putting  
26 out more smoke; it's making more noise. And if, unfortunately,

P-25

PD-27

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PD-27

1 there should be a derailment in a tunnel like that, the  
2 logistics of trying to clean it up would really be a nightmare.

SS-8

3 We have real problems with security, I think.  
4 Unfortunately, we have a problem with a lot of people being on  
5 our tracks, and we think a tunnel would probably encourage that  
6 activity. So the security would have to be really strong.

7 The alternative, the proposed project station at  
8 Irvington is a little bit different and it's better. It keeps  
9 the Union Pacific and the Southern Pacific on opposite sides and  
10 it isn't, as I understand it, in such a long tunnel.

PD-28

11 But nonetheless, we don't like being down in a hole  
12 and having to go down the hole and then go up the other side.  
13 As recent events, unfortunately, have called to our attention,  
14 we really do have to think about all the things which impact on  
15 trains. And this is one of them what we call the buff forces,  
16 the train going different -- one side going downhill, one side  
17 going uphill.

P-26

18 The Alternative Number 4 alignment was unacceptable  
19 because it pushed us too close to the Southern Pacific, and it  
20 blocked us from the east side. The proposed alignment is  
21 better, south of Irvington, and that's satisfactory.

P-27

22 I would say, to close up -- and I have to get my  
23 score card out here. Alternatives 4, 5 and 11 are not  
24 acceptable, from Union Pacific's point of view. And 6, 7, 9 and  
25 10 would seem to us to be appropriate.

26

Thank you.

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1 MS. VERHEYEN: Thank you. Next we'll hear from  
2 Hart Rumbolz and then William Schriever.  
3

4 HART RUMBOLZ

5 MR. RUMBOLZ: My name is Hart Rumbolz. I'm  
6 co-chairman of Transit Advocates Group. I live at 2921 Miles  
7 Drive, M-i-l-e-s, in Santa Clara.

8 We don't really have an argument to this extension  
9 at all, especially since Santa Clara County might choose a  
10 standard rail system using existing rails to meet with BART  
11 there near the Scott Creek Road or the South Warm Springs  
12 Station. Of course, we would expect there to be another --  
13 there should be room for the Santa Clara County Transit's train  
14 station or Caltrain, whatever we want to call it, within walking  
15 distance to the BART station so people could transfer off of  
16 Santa Clara's system, walk a few feet over, and transfer on to  
17 BART.

18 In regards to the Fremont park, we would like it to  
19 be as minimally environmentally impacted as possible. We would  
20 like it to go way around the park if possible. We don't know  
21 the history of BART, but we wondered why the original Fremont  
22 line wasn't just extended further around north or east anyway  
23 where the existing tracks are. We don't know why they chose it  
24 to go right down there to downtown Fremont and then dead-end  
25 right at the park. It seems to me it's poor planning.

26 We also have concerns over the high cost of BART in

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1 general and the time delay that it takes. BART is very slow.  
2 It takes a long time to get anything done.

3 And we take exception to some of your plans outside  
4 of your district, namely, the running the line from Menlo Park  
5 down to San Jose. We feel that San Mateo County and those  
6 people there are Caltrain supporters, and they like Caltrain.  
7 And they don't want to go with BART. The reason why they voted  
8 in BART was just for the airport extension, although Caltrain  
9 has plans to go to San Francisco Airport, too, within the near  
10 future and have an upgraded and modified electrified train  
11 similar to BART.

12 Also, Caltrain's short-range plan calls for the  
13 coming over the Dumbarton rail bridge to Fremont within a very  
14 short time and we expect BART and Caltrain to have a station  
15 there for a transfer, again, so passengers can come over from  
16 the west bay and get off if they want and then transfer to BART.

17 But we just hope that -- well, we don't care -- we  
18 care, but we realize that Alameda County needs BART. And it's  
19 their system; they voted for it, so they can do what they want  
20 with it. But we just have these concerns that we'd like to  
21 voice.

22 Thank you.

23 MS. VERHEYEN: Thank you very much, Mr. Rumbolz.

24 William Schriever please. Next, we'll be hearing  
25 from Robert O'Connor.

26 Mr. Schriever.

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WILLIAM SCHRIEVER

MR. SCHRIEVER: I'm going to talk about the seismic aspects of this thing. Page 3.228 of the Environmental Impact Report makes a statement:

"The subway portions of Design Options 1 and 2-S do not cross the fault trace. Since fault rupture is restricted to areas along the fault, there is no potential for fault rupture impact on the subway structure."

Now, I just don't agree with that. How ever convenient it may be to make that statement, it seems to me that when you make a trench in the ground parallel to a fault, a deep trench, and a long trench, and you have an earthquake, it seems to me quite probable that the rupture may break through into that trench rather than follow the old rupture.

G-12

I don't think there's anything that guarantees, as suggested elsewhere in this report, that by passing legislation that you can guarantee that the fault will break where it broke before. Even if it's state legislation.

In the section on the probability of an earthquake causing a train to derail, the arithmetic there is correct, but I don't consider that discussion complete. What is calculated there, it says:

G-13

"The combined probability of an earthquake event occurring while a train was within the fault

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1 zone is approximately 1 in 50."

2 And I guess that's probably true if the train is, in  
3 fact, always going 38 miles per hour and you have three fault  
4 zones and the other assumptions that are made there, you, in  
5 fact, get that number.

6 It turns out if the train's going twice as fast, the  
7 probability is half as much. It would be 1 in 100. So if you  
8 could just make the train go fast enough, the probability would  
9 be practically zero.

10 What's ignored there is the time it takes to stop  
11 the train in anticipation of the bent track. That is completely  
12 left out of the calculation. And if that's put in there, then  
13 you will get probabilities that are somewhat higher than what's  
14 anticipated there. And that probability, we're talking about  
15 ten seconds roughly, that the train would be within the fault  
16 zone, in any one fault zone.

17 I don't know how long it takes to stop a train, but  
18 they don't stop real fast. And even if you had a communication  
19 system that would sense the earthquake and put on the brakes  
20 automatically, the train could very easily take 30 seconds to  
21 stop or a minute or something like that, without throwing the  
22 passengers through the door. And when you compare that to the  
23 ten seconds that you've already allowed, you could see that the  
24 probability could very well be five times as great as  
25 anticipated there, that you could get an impact from a moving  
26 train relative to the fault.

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1 I think that the discussion is just inadequate when  
2 it comes to discussing the environmental impact on human beings  
3 relative to the subway aspects of both the Irvington Station and  
4 the Central Park. It mentions liquefaction in there occurring  
5 with respect to the tunnel and it assumes that the tunnel is not  
6 ruptured and then says, well, it could be cracked and there  
7 could be water infiltration. Well, with a lake there to supply  
8 the water, there could be a lot of water infiltration and  
9 everybody on the train could drown by the time you got your  
10 rescue efforts going.

11 It seems to me that that whole discussion is just  
12 much too cursory for a serious project.

13 MS. VERHEYEN: Thank you for that comment.

14 We'd like to hear from Robert O'Connor and then  
15 we'll hear from Mark Hirsch.

16  
17 ROBERT O'CONNOR

18 MR. O'CONNOR: Good evening. My name is  
19 Robert O'Connor. I live at 2376 Jackson Street in Fremont.  
20 I've been a 30-year resident of Fremont, and I have some serious  
21 problems.

22 Lake Elizabeth is a jewel to the City of Fremont.  
23 It is the diamond in the center. And I think BART would simply  
24 be a blight, to be an aerial tramway or bridge across the lake,  
25 and I would like to see -- more than like. I don't know how to  
26 stress this -- almost demand that we have a subway. I think we

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1 were promised one years ago. Every problem has a solution. The  
P-28 2 alternatives we have been shown are not it. I believe that  
3 every solution can be improved.

4 Furthermore, I would like to see the subway continue  
5 under the lake and continue under Paseo Padre, under  
6 Washington Boulevard and then to the station which would be  
7 underground because we also have great problems with the trains.  
P-29 8 I'd like to mention that to the railroad lawyer right now. The  
9 trains are getting longer and they're getting slower. And I'm  
10 sure anyone that's driven down Paseo Padre -- they also seem to  
11 time them for the commute. I've been stuck there at 8:00  
12 o'clock in the morning and 5:00 in the evening, and the trains  
13 are just barely moving.

14 I was told that the Warm Springs yard -- and I think  
15 this was for Southern Pacific -- is now their main yard in  
16 Northern California, that the impact is just too great with the  
P-30 17 railroads. And I do like the one part of the alternatives where  
18 they would put both the railroad tracks underground. I think  
19 that's a great idea. The lawyer said he doesn't like them close  
20 together. There's another alternative where they can spread  
21 them farther apart. That's fine.

22 I had another thought, that BART's response to the  
23 subway has been that the money's not there. I was thinking that  
P-31 24 we could eliminate the South Warm Springs Station. I didn't see  
25 that on any alternatives when he mentioned them eliminating a  
26 different station. Every one of them kept the South Warm

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1 Springs unless they got rid of both the stations.

P-31

2 And if we eliminate the South Warm Springs  
3 Station -- because I feel the South Warm Springs Station is a  
4 gift to Santa Clara. And Santa Clara has been very arrogant.  
5 They do not want BART. I don't see BART continuing into  
6 Santa Clara. And it's just simply a gift to them that we cannot  
7 afford -- that money for that station, that part of the track,  
8 could be used for subway, and we could just stop it at Grimmer.

9 I also wanted to touch on the fact that we have a  
10 good historical resource on the corner of Washington Boulevard  
11 and Osgood. There's an old historical winery. I would like to  
12 see that not impacted too greatly, that we do something with the  
13 bricks or something and save some of that historical resource at  
14 that point.

C-3

15 And then I had just one last thought to  
16 Mr. Schriever's comments: The City of Fremont has a long  
17 history of moving the fault. All they do is rewrite it on the  
18 map. It goes right around City Hall, either side they want. So  
19 I don't think there'll be any problems with earthquake  
20 mitigation. We just simply move the fault.

21 MS. VERHEYEN: Okay. Thank you for those comments.

22 We'd like to hear from Mark Hirsch and then

23 Bill Pease.

24

25

MARK HIRCH

26

MR. HIRCH: Thank you. I'm Mark Hirsch. My office

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1 is at 1550 Washington Boulevard. My comments mainly surround  
2 the existence of the Irvington Station.

3 I'm a member of the Irvington Business Association.  
4 I've lived here all my life. For many of us in Irvington, we  
5 believe the Irvington Station is critical for a number of  
6 reasons:

7 Number one, it allows us to complete the existing  
8 transportation problems that we have in the area, as the  
9 gentleman before me indicated. Because right now, if you try to  
10 go through that area with the trains going through morning and  
11 evening, it really is a traffic problem. This gives us a golden  
12 opportunity with recessed railroad tracks and with BART going  
13 through the area, to really take care of that problem and to  
14 really do things the right way to minimize the impact and to  
15 improve overall traffic circulation. Also, if the lines are  
16 handled in the right way, it will improve the quality of life  
17 for a lot of people who live in that area and have businesses in  
18 that area as well.

19 The Irvington Station will be the last component of  
20 the redevelopment of Irvington which I'm sure most of the people  
21 here are familiar with, where we actually widen the streets and  
22 improve the existing surrounding area. This will allow us to  
23 make the BART station area into a major transportation center  
24 and for a lot of senior people that live in the area that don't  
25 have other transportation alternatives, this will work out  
26 extremely well for them and will also allow for the completion

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T-35

U-20

1 of the circulation in the area.

2 Lastly, the old Gallegos Winery facility across the  
3 street is something that should be tied in with what we do so we  
4 do it in a proper way to make that a bit of an asset for our  
5 area because it does have a lot of history and it is a  
6 significant structure. And it needs to be done in the correct  
7 way so as not to be destroyed in the process we're talking  
8 about.

LU-20

C-4

9 Thank you.

10 MS. VERHEYEN: Okay. Now, we'll hear from  
11 Bill Pease who also represents the Irvington Business  
12 Association.

13 Next after Bill will be James Boissier.

14  
15 BILL PEASE

16 MR. PEASE: All right. Bill Pease, 4009 Fremont  
17 Boulevard. I'm currently president of the Irvington Business  
18 Association. I'm here this evening to convey our support for an  
19 Irvington Station. A station as proposed by BART with depressed  
20 tracks and depressed BART through the station utilizes the land  
21 to it's optimum and allows for the best solution of traffic and  
22 the visual impacts.

P-33

23 As was mentioned earlier by a spokesman for the  
24 railroad, they don't seem to want to have a little incline or  
25 something going through the station. I think mathematically  
26 that can be corrected very easily with a depressed route going

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P-34 | 1 from Paseo Padre all the way through the station so there's very  
2 little incline going in and out.

P-35 | 3 As far as security goes, railroad tracks have been  
4 there a hundred and something years. I think BART has an  
5 excellent security record, and between the two of you, you  
6 should be able to figure that out.

T-36 | 7 The Irvington Station has strong support from the  
8 community, and also, we were at the community workshop. One of  
9 the things that was brought up at that particular time was the  
10 option of making the Irvington Station a multi-modal  
11 transportation hub, combining AC Transit along with BART and the  
12 automobile.

T-37 | 13 And one of the possibilities of doing that is that  
14 the current 680 freeway goes right through and makes a curve or  
15 sharp bend just above Osgood Road. There's an overpass or  
16 interchange that's already completed that goes nowhere, and that  
17 was to take care of the proposed freeway running along the  
18 hillside. With a little bit of thought, that particular  
19 interchange can go directly right down into the Irvington  
20 Station parking lot and eliminate traffic coming down from  
21 either Santa Clara County and/or the Pleasanton/Sunol area which  
22 will take traffic off the Fremont streets.

23 Why that's not addressed in the E.I.R., I'm not  
24 sure. I didn't find it. Maybe I missed it somewhere, but that  
25 was brought up at the community workshop as well as a  
26 depressed-route option through Lake Elizabeth. That particular

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1 subject was discussed at length. That's not in the E.I.R.  
2 Whether that's doable or not, I'm not sure. I'm not an  
3 engineer, but I think that should be addressed.

4 As far as the lake and the problems that we have  
5 either over or under, personally, I'm not opposed to the visual  
6 aspects. I have been in the Orlando area and you could use  
7 Epcot as, say, a model if you will, but I came to the conclusion  
8 after attending the workshop and the community meetings,  
9 et cetera, that visually, that's one aspect. P-36

10 The other major problem is the noise, and that's an  
11 impact that can't be mitigated. So therefore, we believe that a  
12 subway route or depressed route through the lake should be the  
13 alternative. P-37

14 As far as funding for that, we've been in contact  
15 with the Delaine Eastin's office, Bill Lockyer's office, and  
16 there seems to be a possibility of federal funding available for  
17 the additional expense if it's needed on the federal level. We  
18 have Don Edwards who is in the House Transportation Committee.

19 Alameda County area is a self-help community. As  
20 far as BART transportation, we're paying taxes. When issues of  
21 this nature came up before the legislature, self-help  
22 communities receive a lot of -- well, I wouldn't say  
23 preferential treatment because we are paying our own way. So I  
24 think that the funding dilemma that we've been wrangling with  
25 for the last couple of years is probably something that can be  
26 worked out.

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1                    In the BART newsletter I received here tonight, it  
2 establishes temporary sailing courses on the lake, and  
3 unfortunately, with the raised train tracks, these would become  
4 permanent changes to the racing courses on the lake and would  
5 probably render the east side of the lake useless, as far as  
6 sailing is concerned, due to air turbulence. We noticed a  
7 significant difference in the sailing on the lake after this  
8 building was built. The wind tumbles across the lake and moved  
9 our finish line for the races.

10                    The sailing club gave quite a bit of input into the  
11 design of the lake back in the '60's when it was built, and we  
12 were happy to see it expanded a couple of years ago. It allowed  
13 us to have regattas, open regattas, and bring in other sailing  
14 clubs to sail with us. A lot of them can't believe we have our  
15 own lake to sail on. We're so lucky to have a lake. A lot of  
16 sailing clubs don't have a lake to sail on and kind of dwindled.  
17 But what we'll end up with is a severe reduction in the amount  
18 of the lake that we could use for sailing and possibly it would  
19 be a safety hazard to new sailors due to severe wind shifts,  
20 particularly down near the island.

21                    And I would think that any landscaping that could be  
22 large enough to cover the train tracks would certainly be  
23 detrimental to the flow of the wind down the lake. We think it  
24 would be a serious mistake to render the lake useless for  
25 sailing when sailing was instrumental in getting the lake built  
26 in the first place among all the other uses that the lake's

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CP-26 | 1 there for. That's all.

2 MS. VERHEYEN: Thank you. Next we'll hear from  
3 Dehnert Queen and then Chuck Journey.

4  
5 DEHNERT QUEEN

6 MR. QUEEN: Good afternoon. My name is  
7 Denhert Queen. I am the C.E.O. of the Small Business  
8 Development Corporation, and as of last Saturday, I am also a  
9 candidate for Mayor of San Francisco, and after you hear my  
10 testimony, you will understand why.

11 The reason I came over today is that I've been  
12 involved in the M.T.C.s in the East Bay and peninsula's E.I.R.s  
13 now for almost six years and I've learned the hard way, that  
14 which is presented, isn't necessarily what's going on. It's a  
15 little complex to say in three minutes, but I'm going to give it  
16 a try. And I have a number of documents that I'll be leaving  
17 behind that I'd like to have some of the people here read. But  
18 I'll give you some of my basic comments here, first of all.

19 First of all, it's unreasonable to expect the public  
20 to read a 500-page document, to assimilate it, understand it,  
21 come up with cogent comments, put it down in writing and get it  
22 to this body in 30 or 45 days. And I've already asked the  
23 M.T.C. to expand whenever they have projects this large to make  
24 it at least 90 days because there's no way you can do it. It's  
25 essentially a rush, snow job.

26 Secondly, essentially, in my view, having the BART

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1 do the E.I.R. is conflict of interest. They're essentially  
2 expanding their own empire and there are other alternatives  
3 which they have not addressed. And you have to understand that  
4 over the last few years, government has grown to be the fourth  
5 largest industry in the Bay Area, and with BART, it's going to  
6 be number two. Because there's not enough money to run BART  
7 around the bay. But that's just a comment.

8           Something else you don't know is that the M.T.C. and  
9 BART are working, putting together what's called a Joint Powers  
10 Agreement which allows them to allocate toll revenues for  
11 commitments to BART extensions. And the reason why, the thing  
12 they don't show in the E.I.R.s, is that most of this stuff is  
13 done with bonds.

14           And every time you get a bond for a dollar, I'm just  
15 going to figure it at 10 percent for 20 years, it essentially  
16 doubles. For every dollar you take in borrowing, you pay back  
17 about two. So let's just say this project's 600 million. It's  
18 a lot of money, folks. And I'm just saying we're looking at  
19 expanding this thing roughly six or seven miles, for, depending  
20 on how you count, 600 million to 1.2 billion dollars. And it's  
21 only going to carry another 6,000 passengers somewhere in the  
22 year 2,010. So I don't know how much we have spent for this  
23 E.I.R., but anyway, I'll go on.

24           One of the reasons why these problems are going on  
25 is that Mr. Boatwright, our representative, passed a bill not  
26 too long ago that gave counties the authority to have their own

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1 transportation authority, and they've essentially diluted the  
2 M.T.C. You keep hearing about Rod Diridon and Tom Nolan and  
3 everybody else talking about Bay Vision 2020, and we've got to  
4 have regionalism. Meanwhile, they're crippling the only  
5 regional planning entity that we have in the Bay Area. And  
6 quite honestly, the only reason they're coming up with doing it  
7 to the Bay Vision 2020, is the Bay Area Air Quality Board is  
8 what's giving these major plans that the M.T.C. and ABAG has  
9 cooked up and the only way they can get around it is to usurp  
10 the Bay Area Air Quality Board. That's what Bay Vision 2020 is  
11 going to do, put them in a back room department.

12 Now, under Section 21002 of the legislative policy,  
13 that's the CEQA Rules:

14 "All feasible alternatives or mitigation  
15 measures have to be shown in the E.I.R."

16 And then under another, Section 15088 of CEQA. As  
17 of today, I'm going to present another alternative that under  
18 the law, they have to address either in this E.I.R. or in a  
19 supplemental E.I.R. and if they don't, according to all the  
20 rules and the legislature and the statute, this project will  
21 fail.

22 Now, I've gone through this before. And the problem  
23 with all of this is, there's all these laws out there but --  
24 excuse the French -- there is not one God damn bit of  
25 enforcement. The M.T.C. drives their E.I.R.s through there any  
26 way they want; the City and County of San Francisco drives them

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1 any way they want. If anybody doesn't like it, tough. If you  
2 want to go and spend the money to try and go to court, you can,  
3 but the judges tend to throw it out of court.

4 The only way to get an E.I.R. to work, is that the  
5 public, who's going to pay the bills, stands up and insists that  
6 they do it right before they certify the E.I.R. Otherwise,  
7 there is no stoping it. I'm not an attorney, but that's a  
8 pretty strong opinion.

9 Now, there's another section that's called 15131.  
10 And essentially it reads:

11 "Social economic impacts --"

12 Of which you don't see a darn thing bit in this  
13 E.I.R., do you? Not a thing. Nothing about costs to speak of,  
14 nothing about social economic impacts. But anyway:

15 "Social economic impacts shall be considered  
16 when a change of cause and effect to actual physical  
17 changes can be demonstrated."

18 Well, I can demonstrate that this project, the way  
19 it's going to be designed, is going to substantially increase  
20 density of population. The thing you've got to keep in the back  
21 of your head is density.

22 Secondly, that's going to impact traffic.

23 Thirdly, that's going to impact air quality.

24 And finally, that's going to impact our children.

25 And I'd like to read you a short little paragraph.

26 MS. VERHEYEN: How short?

LU-21

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1 MR. QUEEN: Very short.

2 MS. VERHEYEN: If you'd like to start wrapping up,  
3 that would be great, Mr. Queen. Do you have your comments  
4 written and available for --

5 MR. QUEEN: I've been giving it to you guys to read  
6 for so long, you've probably got it memorized just like I do.  
7 I'd like this for the public.

8 It impacts our children because they're not saying  
9 to you -- there's also a Bay Area air quality social economic  
10 impact regarding the M.T.C. transportation plan for the whole  
11 Bay Area. And essentially, because they can't make the problems  
12 go away, they're going to start charging businesses to pay for  
13 the these fix-ups for these problems. And I can't remember the  
14 number in my head, I was going to look it up before I got here,  
15 but I think it's about \$3 billion, and I can get a harder figure  
16 for you. But things are just not as they appear here. All  
17 right. And I have a substantial number of documents to back up  
18 what I'm saying.

19 And here's my alternative: My alternative is that I  
20 think extending BART to a parallel track along the S.P. or U.P.  
21 tracks probably makes sense and to make it so there's a station  
22 of roughly ten -- a thousand feet so that people can get off  
23 BART and walk right across the platform to a regular train and  
24 then take the train down from where it comes from the north down  
25 to San Jose, connect it to the Caltrain system. It can be done  
26 much faster. It can be done with a lot less expense. And this

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1 way, it will also connect with a Caltrain systems going up and  
2 into San Francisco. ↑ OA-16

3 Now, moreover, there's also another plan called the  
4 Baker Plan -- no, no, no Hannigan Plan that connects rail  
5 service throughout the whole East Bay, points east, Los Angeles  
6 and most importantly, also provides freight service for ocean  
7 commerce, which I could also comment on.

8 The B.C.D.C. is trying to kill commerce. And, in  
9 fact, August 1st, they were supposed to try to pass a resolution  
10 to stop dredging which would put about 80,000 guys out of jobs,  
11 which is about \$6 billion of our economy. So trains and BART  
12 are not the same thing.

13 The nice thing, if we were to put our money into  
14 having -- I don't care if it's a separate entity -- but put  
15 another set of tracks down there for people and transit and make  
16 sure we help the public pay for the freight because right now,  
17 railroads have to pay everything. And railroads, down the road,  
18 are going to save our butt, okay.

19 MS. VERHEYEN: Okay.

20 MR. QUEEN: Not now, but if we're going to get into  
21 ocean freight and some other things for some real jobs. I could  
22 go on and on and on, but they always cut me off so that's the  
23 essence of it. And I'm going to put all this in writing before  
24 the due date.

25 MS. VERHEYEN: Thank you, very much for your  
26 comments.

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1 go the farthest east of the lake so I don't mess with the boats  
2 or anything and make a tiny bridge over the water, follow the  
3 railroad track to Warm Springs.

4 And right now I'm not sure if we need South Warm  
5 Springs or Warm Springs, but if I do win the election, I'm  
6 thinking of a Giants stadium so I have to think of the best spot  
7 to connect with BART so we do have the Giant's stadium. So I  
8 hope you do get to the point where you do play ball with me and  
9 the Giants or strike out, whoever gives us any B.S.

10 The other thing I'm thinking of is possibly the  
11 three stations, 500 million, our taxpayers really don't have it.  
12 If we put that in and it doubles to -- 500 million would be a  
13 billion, wouldn't it?

14 So what I'm saying, we keep getting deeper in the  
15 hole and Mello -- City Councilman Mello and Loisel said only  
16 we're a million and a half in debt. Now, this budget says 81.5  
17 million. So it seems like we keep getting deeper in the hole.  
18 And I'm saying, when are we going to get out. So as long as it  
19 costs our taxpayers, I hope they do put it above and around.  
20 Like I said, it doesn't have to go real high.

21 And I've ridden the trains in Hayward where it's  
22 near the houses, and I don't hear one peep. The trains are loud  
23 and the BART is very quiet. So I don't know how it could bother  
24 anybody.

25 So as long as it does cost our taxpayers, I say  
26 above and around like you say because -- and three stations I

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P-39 1 cannot go for. It's one in Warm Springs. Like I said, I am  
2 confused between the Warm Springs and South Warm Springs. I  
3 have to decide which is the best area so I might have to talk to  
4 BART officials a little bit later.

5 MS. VERHEYEN: Thank you, very much.

6 Mohinder Singh and then we'll hear from James Lieb.  
7 Feel free to get up and get some cookies and coffee and make  
8 yourself as comfortable as possible.

9  
10 MOHINDER SINGH

11 MR. SINGH: May I face my audience, please?

12 MS. VERHEYEN: Yes, if you'd like.

13 MR. SINGH: Thank you. Good evening. I'm  
14 Mr. Mohinder Singh. I live at 2895 Hancock Drive off of  
15 Paseo Padre.

16 I must confess at the outset, that I am a BART  
17 employee but not a spy. I am a station agent who works at  
18 Fremont Station and I'm sure quite a few of you who ride your  
19 lovely BART must have seen me. But tonight, here, I am as a  
20 private citizen of Fremont because I pay some taxes, too. Last  
21 time, also, I spoke on the subject, very briefly, and I hope to  
22 be very brief tonight also.

23 The question is, three in front of us. As I see it,  
24 one is saving the lake and the park which must be done.

25 Secondly, to have how many stations down the line up  
26 to the end of Warm Springs North. We have to keep in mind the

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1 citizens who are paying heavy taxes up on the hill in the  
2 vineyards -- I wish we had never built that district and kept  
3 the vineyards there, but anyhow, since it's done, it's done --  
4 but they pay heavy taxes, and they do also expect a station  
5 somewhere in their vicinity.

6 And Irvingtonians I must compliment them, have  
7 really done a marvelous job of taking back this town and  
8 sprucing it up. And they also expect the BART to stop by in  
9 their neighborhood which, incidentally, would be closer to my  
10 house so I'm more interested perhaps in that, and I'll come to  
11 that a little later.

12 And regarding the last station down the line,  
13 whether it should be in Milpitas or this side of Milpitas or  
14 where, or if we want to gift it to Santa Clara or not is another  
15 question.

16 Gentlemen, since the last meeting, I did some  
17 research of my own. The Irvington Station is going to cost us  
18 \$50,000,000. Putting the BART under the lake is also exactly  
19 \$50,000,000. So the choice becomes very clear that if we could  
20 save \$50,000,000 somewhere, then we don't have to beg and borrow  
21 from anyone. We could go under the lake.

22 I've seen citizens going there at 5:00 o'clock in  
23 the morning 6:00 o'clock, 7:00 o'clock, rain, winter, summer,  
24 autumn, relaxing, enjoying, after the hard day's work trying to  
25 lower their blood pressure, keeping their cholesterol low, and  
26 it really turns me on. We don't want to have BART going

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1 "screech" overhead and here our citizens go to relax and enjoy,  
2 and we get distrubance and raise their blood pressure and  
3 cholesterol. Surely we don't want that, not when we are coming  
4 to the end of the 21st century.

5 Please if, geologically, we can prove that this  
6 fault line can be shifted away on the map -- no, no, no, sorry.  
7 It has to be there. If we can keep away from the fault line and  
8 the BART engineers can come up with a foolproof system that can  
9 withstand a magnitude of 8.5, then I think it will be worthwhile  
10 first putting our eyes down to saving the lake and the park.

11 I've seen people coming from San Francisco, yes,  
12 San Francisco, with their cycles and getting off and asking me,  
13 "Where is Lake Elizabeth?" And you have my word for it, honest  
14 to God. So let us save the lake.

15 Number two, now, let's get other stations. Do you  
16 want one at Irvington or do you want a little further down at  
17 the cross of Durham or Osgood or Grimmer or do you want one more  
18 in South Warm Springs and one more north -- Warm Springs.  
19 Gentlemen, if the Russians are going to give us the money, let's  
20 have all four of them, but we are definitely broke right now.  
21 And so we also have a tight budget thanks to those S and L  
22 crooks so we -- yes, they took our \$5 billion away. So what are  
23 we going to do now?

24 I suggest we only aim for one station, that is at  
25 the crossing of Grimmer and Durham. There is plenty of space  
26 available over there. It will serve the guys living up in the

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21378 Foothill Blvd.  
Hayward, Ca. 94541

(415) 889-9400

41 Sutter, Suite 1222  
San Francisco, Ca. 94104

1 hills. Irvington District will be happy. It's pretty close to  
2 them. And the population density here, the traffic generated by  
3 Irvington District alone, I do not think this justifies having a  
4 station so close to Fremont Station. And if other supervisors  
5 can get along on friendly terms with Santa Clara, if they can  
6 chip in some money, okay, then let's build one on the North Warm  
7 Spring so San Jose can be served and other citizens can also be  
8 served who go to those industrial areas.

9 Now, this is another question. So therefore,  
10 Irvington want a station. I also want it, perhaps, right next  
11 to my house so I can walk to work; I don't have to use my car.  
12 Let us put this question to ballot, to vote. After all,  
13 Irvingtonians alone are not going to pay for this station. I  
14 think all the citizens of Fremont City are going to pay for it,  
15 therefore it is but right that all of them have a say in the  
16 matter. And in due consideration to the Irvingtonians, let us  
17 try to forcefully aim and focus at Durham and Grimmer crossing.  
18 I think everybody's going to be happy. We'll save money. We  
19 won't beg and borrow, and we will have a good station put up  
20 over there.

21 Thank you very much.

22 MS. VERHEYEN: Thank you. Now, it's a lot more  
23 interesting having people face the audience, but you realize  
24 then their back is to me, and I'll have to go and tap on  
25 shoulders. So if you don't mind, try to face this way so I can  
26 monitor your time a little bit. If you insist, you can turn it

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1 around and speak to the audience, but then be prepared, I might  
2 be coming up giving time or having Dave put up a little flag  
3 saying, wrap it up. We just don't want people to go on 10 or 15  
4 minutes.

5 Mr. Lieb.

6  
7 JAMES LIEB

8 MR. LIEB: Thank you. My name is James Lieb. I'm a  
9 resident of Fremont in the northern area. I'm addressing the  
10 chairman, anyway, so I'm supposed to face this way.

11 A couple of comments, the proposed route to me seems  
12 reasonable. I believe it's 2-A. The one that doesn't go quite  
13 out of the way elevated is also reasonable. And it's reasonable  
14 to me for one reason, is that for many years I was a soccer  
15 referee, and the biggest impact there other than the sailing --  
16 I don't know what the the wind currents are like out there. I  
17 know they're pretty strong on soccer balls -- but the  
18 Union Pacific and Southern Pacific Railroads generate far more  
19 noise with their SD60s and whatever trying to drag things up the  
20 hill than BART can ever do.

21 \$50,000,000 is a lot of money. In many respects we  
22 in Fremont knew that that was going to eventually be an  
23 extension through there and we went and built the lake anyway,  
24 and we went and built the other areas, like the softball fields,  
25 anyway. So as a taxpayer and as a person who extensively uses  
26 the park, \$50,000,000 is a pretty high price to pay given the

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1 noise levels in comparison to the noise levels that are already  
2 there.

3 The second thing is that I grew up in Los Angeles,  
4 and we had the largest transportation system in the country many  
5 years ago and we gave it all up. And being down there visiting  
6 relatives this last week, I discovered that the latest  
7 extensions of their transit system, which is starting to be  
8 extensive again, is using the very same right-of-ways that were  
9 there 110 years ago. We're about to go into the 21st century  
10 basically in the same place we were in 20th century. And only  
11 difference down there is that the cars are blue instead of red.

12 We have to view all of these impacts compared to the  
13 alternatives. And one of the alternatives that was brought up  
14 that people around here have forgotten is how handy is that  
15 interchange down there to go into a potential Irvington or  
16 Warm Springs Station that 238 freeway was supposed to go down  
17 the right-of-way where those trains are now.

18 And I live fairly close to 880 and each one of the  
19 environmental impacts of 880 are piling up one after another.  
20 And now as you go down towards Oakland, you have these hideous  
21 sound walls the whole distance, and if we keep it up all the way  
22 to the Santa Clara County line, if we follow that logic, we're  
23 going to have 20, 25-foot concrete walls on both sides of that  
24 freeway and really, the noise and pollution and wiping out the  
25 air currents, environmental impacts, are what will BART do and a  
26 BART that is handling traffic, compared to a six-lane freeway

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1 with 25-foot sound walls.

2 All of this is tied together and the only complaint  
3 I would have about the E.I.R. process itself is that we take  
4 things in little tiny slivers and we never look at the whole  
5 thing.

6 And an environmental impact of our own  
7 transportation decisions is that around six months ago, 279  
8 American servicemen gave their lives to defend the source of  
9 oil. And over 200,000 Iraqis and other Middle Eastern peoples  
10 gave up their lives to defend their point of view on oil. And  
11 God knows how many people have been displaced over there and the  
12 environmental impact in towns like Basra is rather significant  
13 right now. And those are costs that are tied in to what it is  
14 that we're doing as far as transportation is concerned here.

15 And really, any environmental impacts on  
16 Lake Elizabeth, which is a lovely place, have to be compared to  
17 what is that six-lane freeway next door going to look like  
18 because either we do this or we do that and we spend an awful  
19 lot of time arguing about transit things.

20 I don't recall nearly as much attention being paid  
21 to the Highway 84 extension or what it is we are already doing  
22 on 880, which is ruining my neighborhood. It's all a balance.

23 The obvious choice is, we'd all love to walk to  
24 work, but it's a long walk and the costs involved to put them in  
25 perspective of how expensive this is, the Dumbarton Bridge which  
26 is really a four-lane bridge, cost us \$4 billion and it is less

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1 than a third of the distance of what this rail extension is  
2 going to be. You pay it one way, or you pay it the other.

3 Thank you very much.

4 MS. VERHEYEN: Next we'd like to hear from  
5 Glen Norman then Vaughn Wolffe. We're about halfway through the  
6 number of speakers' cards I've had from the beginning.

7  
8 GLEN NORMAN

9 MR. NORMAN: Thank you. I'll try to keep my  
10 remarks brief. I'm Glen Norman. I live at 40425 Chapel Way in  
11 the Irvington District. Just a couple of items here.

12 I, too, would like to address the issue of the draft  
13 Environmental Impact Report not addressing the issue of the 238  
14 abandoned right-of-way and using that right-of-way as direct  
15 access to the Irvington Station. I certainly hope that that  
16 matter will be addressed by the time the final Environmental  
17 Impact Report comes out.

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18 As far as where the station should be, I believe  
19 three stations along that 7.8 miles is excessive also, but I was  
20 glad to see that Option 11 has come about. I believe that the  
21 station is important to the Irvington District and that one  
22 should be preserved. And if we're going to eliminate a station  
23 somewhere, Warm Springs seems to be as likely a candidate as  
24 anything.

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25 I believe we should extend to South Warm Springs if  
26 we possibly can. I know there's grumbling about this being a

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P-44 1 gift to those evil hordes in Santa Clara County, but we can look  
2 at it this way, too, the station is built to South Warm Springs  
3 then we keep those invaders off our Fremont streets and highways  
4 and that they can just funnel whatever evildoing they have in  
5 mind into the South Warm Springs Station.

6 I'd also like to bring up the point that's been  
7 barely touched on that BART runs south as well as north, and I'm  
8 sure that there are many people in Alameda County who would  
9 welcome being able to head south on BART toward Santa Clara  
10 County with, hopefully in my lifetime, anyway, an eventual  
11 connection with the Guadalupe Light Rail system that's now  
12 planned to be extended east across the freeway into Milpitas.

P-45 13 And finally, as far as the Lake Elizabeth issue is  
14 concerned, I think I would prefer to see the line go underground  
15 or at least depressed at Lake Elizabeth, too, and the apology of  
16 something that I had mentioned back at the March 20th meeting,  
17 but I'll try to remove the self-congratulatory element of it is  
18 that I don't want to wake up in the year 2015 or 2020, read in  
19 the newspaper that the City of Fremont and BART have come to an  
20 agreement to share funding for a subway under Lake Elizabeth,  
21 but at this point, it now costs \$150,000,000 instead of the  
22 \$50,000,000 that we're talking about now. So please, BART, City  
23 of Fremont and maybe Santa Clara County, if you're feeling  
24 generous too, find some way to share the cost of this thing.  
25 For heaven's sake, split it or something, but don't let it sit  
26 and inflate. That's my point on the issue.

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1 MS. VERHEYEN: Thank you, sir.

2 I'd like to hear next from Vaughn Wolffe and then  
3 Robert Allen.

4  
5 VAUGHN WOLFFE

6 MR. WOLFFE: My name is Vaughn Wolffe, 1541 Cottage  
7 Grove, San Mateo. You might wonder why I'm talking from  
8 San Mateo, but since we're paying for this thing, I might as  
9 well speak.

10 I think it's completely irresponsible for BART and  
11 the City and County, and in particular Delaine Eastin's  
12 representatives, to not inform the people here that although  
13 Alameda County's been paying into the BART system for  
14 essentially 30 years, you haven't even scratched the cost of  
15 what it really costs.

16 The reason BART doesn't go around the bay is because  
17 it costs \$100,000,000 a mile. That's why it doesn't go to  
18 San Jose. That's why it won't go down the peninsula. It's  
19 barely going to make it to the airport, and that's only because  
20 Norman Mineta is writing it in as his favorite pork barrel  
21 project for the Surface Transportation Act. \$540,000,000 would,  
22 to give you an instance, pay for the complete electrification  
23 from San Francisco to L.A. and buy the train sets to run it.

24 If you really want a BART extension to your lake, I  
25 would suggest you put it north of the lake, connect with the  
26 regular rail lines and use the other \$400,000,000 that you'd

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OA-17 1 have extra to buy real trains, run them up to Sacramento, run  
2 them off to the San Joaquin, and that would really take the  
3 people off your highways and off your city streets.

4 Quit wasting money on this BART boondoggle and the  
5 BART around the bay. It's jobs-generation project. It has  
6 nothing to do with transportation. As you can tell, that's why  
7 most of the BART employees are here tonight.

8 With the deficits of spending at the state and  
9 federal level, it's totally irresponsible to spend a  
10 \$100,000,000 a mile when modern conventional rail can be  
11 provided with superior service, superior speed, superior range  
12 and superior comfort for one-tenth that cost. Nobody in the  
13 world builds BARTs. Everybody's had the example, and they've  
14 all used it as a mistake to avoid.

15 If it's supposed to be a rapid transit district, let  
16 me tell you that BART's average speed is 33 miles an hour,  
17 Caltrain's average speed is 32 miles and 39 miles an hour for  
18 express service. And BART can't do express service. And the  
19 cost per passenger mile for Caltrain is 19 cents a mile; for  
20 BART it's 21 cents a mile. It's supposed to go up to 25 cents a  
21 mile, and for Caltrain, it's going to decrease.

22 If this is a modern, efficient system, keep in mind  
23 by the year 2010 when it will be carrying almost 20,000 people,  
24 it will be as antiquated as Caltrain is now. You will have paid  
25 essentially a billion dollars for what we already have on the  
26 West Bay.

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1 My final remark would be, something that costs this  
2 much should provide better service and this won't even scratch  
3 the surface of the 900,000 or 1.2 million trips that are  
4 required to go into the Silicon Valley by the year 2010. You're  
5 only going to be carrying 20,000 people.

6 Thank you.

7 MS. VERHEYEN: Thank you, Vaughn.

8 Robert Allen, and then we'll hear from  
9 Dr. Jonelle Zager.

10  
11 ROBERT ALLEN

12 MR. ALLEN: My name is Robert Allen. I'm a member  
13 of the Committee on Public Rail Transit for the American Railway  
14 Engineering Association.

15 The figures which were thrown at you are completely  
16 out of the ballpark. BART costs somewhere in the neighborhood  
17 of \$25,000,000 per mile where you can build at grade. It's  
18 between 20 and 30 million for a double track BART line. The  
19 figures were way out of line.

20 MR. WOLFFE: They're published in BART's  
21 publication.

22 MR. ALLEN: The costs would be substantially reduced  
23 if the cities would go ahead and do grade separations first.  
24 And I would urge several factors in connection with the routes  
25 that are adopted that it stay completely on the west side of the  
26 Union Pacific. That the line not leapfrog over the railroad and

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1 that it would have to leapfrog back in order to get into  
2 Santa Clara. It's much better to keep BART at grade alongside  
3 the railroads, between the railroads.

4 It might be possible to have one railroad operate,  
5 have the S.P. move over, operate on the Union Pacific somewhat  
6 as they do over the Altamont. For many decades there were two  
7 railroads going over the Altamont. Now, the Southern Pacific  
8 operates over the Union Pacific and that is on a Union Pacific  
9 main line. It shouldn't be any great problem. I talked to the  
10 Union Pacific man going out and he said there would be no  
11 problem as far as the U.P. had, if the BART line were kept on  
12 the west side of the Union Pacific where there is room in  
13 between the railroads and minor track shifts might be made. A  
14 station on the order of the Richmond Station could be put at,  
15 say, at Warm Springs, South Warm Springs.

16 I've written this and talked at length and I'm  
17 surprised that the people doing the environmental analysis have  
18 not looked at the possibility of keeping BART between the  
19 railroads and on the west side of the Union Pacific.

20 I would also urge that the cities go ahead and grade  
21 separate roads. There are a number of major streets which now  
22 cross what would be the BART line, Paseo Padre Parkway,  
23 Washington Boulevard, a future Blacow Road, Warren Avenue,  
24 Kato Road and in Milpitas, Dixon Landing Road. And if there  
25 were -- grade separations cost somewhere in the neighborhood of  
26 \$5,000,000 a piece. Roughly between 4 and 7 million is a

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1 typical grade separation which could be funded partly by the PUC  
2 grade separation fund, by the cities, and by BART, and it would  
3 greatly, greatly reduce, save many megabucks in the cost of  
4 putting a BART line down toward the county line. For gosh  
5 sakes, let's stop this design concept of leapfrogging the  
6 railroads.

7 One other point I would like to make: Interstate  
8 680, the access at Irvington, it's been mentioned before and  
9 I've mentioned it repeatedly. There is a freeway interchange  
10 which is now unused. And it would aim directly down. It ends  
11 about a half a mile short of the BART Irvington Station. You  
12 could go directly into an intermodule structure, parking, buses,  
13 everything. You could charge parking tolls on that which would T-39  
14 basically apply only to people coming up from Santa Clara  
15 County, and I think that they would much rather pay, say, pay a  
16 dollar to go directly into a parking structure rather than go on  
17 through all the roundabouts on city streets and clog up your  
18 streets.

19 There were errors in the E.I.R. For example, it  
20 said that the 180 runs on 15 minute headways on commute hours,  
21 30 minutes during the day. Well, that's what they are is about  
22 30 minutes during the day. It said every 15 minutes and the PD-29  
23 E.I.R. is wrong there, and somebody should take a good look at  
24 it.

25 So far as Central Park is concerned, I would urge  
26 that BART -- that consideration be made, now this is not to say OA-19

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1 that it would be done, but that a grade, a route at grade,  
 2 through the park, dividing the active and the passive parts of  
 3 the park, and in the absence of an at-grade, a shallow cut,  
 4 which would still be open-air and still give passengers some  
 5 idea of the beauty of Fremont, perhaps converting that north  
 6 cove into an additional silting pond like the existing silting  
 7 pond putting BART at grade across there would save megabucks.  
 8 It would not be obtrusive. It would be less obtrusive than the  
 9 Southern Pacific tracks are now, where they toot their horn at  
 10 Paseo Padre.

11 And I would urge that a program of grade separation  
 12 be started immediately as a part of this project and also as a  
 13 separate city project.

14 Thank you.

15 MS. VERHEYEN: Thank you, Mr. Allen.

16 Next Dr. Jonelle Zager and then we would like to  
 17 hear from Mrs. Helen Kliment.

18  
 19 JONELLE ZAGER

20 DR. ZAGER: Jonelle Zager, 3100 Capitol Avenue,  
 21 Fremont. I am the chair of the Governmental Affairs Committee  
 22 for the Fremont Chamber of Commerce.

23 And what I would like to state is that the Chamber  
 24 of Commerce would like to reiterate the support for the  
 25 completion of a BART Warm Springs extension. We have been very  
 26 patient. We have supported an extension since BART's

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1 conception. And we now feel it is time that an extension be  
2 completed.

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3 MS. VERHEYEN: Okay. Mrs. Helen Kliment and then  
4 Jack Seymour.

5  
6 HELEN KLIMENT

7 MRS. KLIMENT: I have a few comments to make. And  
8 I'm not any expert. I'm supposed to be retired, which I'm not.  
9 And my general concern is that I had very little time to go  
10 through the Environmental Report.

11 And like they're saying about the subway could have  
12 problems with the earthquake. Well, the same thing can happen  
13 with the aerial. So I think it can happen either way.

14 My main concern is about safety in regarding the  
15 railroads versing BART. I live on Valdez Way, 1585 Valdez Way,  
16 I forgot to mention that, and that runs parallel of the Union  
17 Pacific Railroad. And after hearing all the comments tonight,  
18 I'd be for the plan to not even have BART go through the park.  
19 Because reading the Environmental Report and living on  
20 Valdez Way, there's a lot of things I don't think people are  
21 aware of.

SS-9

22 The Union Pacific, when I moved here in 1977, was  
23 just a spur track to Ford and the Southern Pacific was to  
24 General Motors. Now, they are full blown with freight trains.  
25 And we all know the records of the past few months of Southern  
26 Pacific and Union Pacific and Amtrack. So if we're going to

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1 make passenger trains out of the railroads, think about the  
2 record of Amtrack in the last year; think about Southern Pacific  
3 and the hazard and the safety involved.

4 On March 27th of this year, the Union Pacific, at  
5 7:15 in the morning, went down our track by my house and the one  
6 wheel slipped off the rail. And it sounded like an earthquake.  
7 It was shattering. And the engineer of the train didn't -- as  
8 far as I know, is what I heard from the railway workers --  
9 didn't stop and check the train and went on to Milpitas. Well,  
10 you should see the damage to the ties. They have come out and  
11 replaced them. They were absolutely splintered because as their  
12 wheel went along, it tore it up.

13 So the trains, it's true, have been mentioned as  
14 going ten miles an hour. Now, this is the fact because it was a  
15 little piece in the paper that Union Pacific said that the wheel  
16 went off the train, I think at Gomes Park, just a little bit  
17 farther down from me and that it was minor. Well, I guess you  
18 consider something like that minor if it doesn't derail.

19 And the hazard, those cars are carrying, it said in  
20 the paper, something about it was carrying, it was a minor  
21 thing, it was carrying car parts. Well, they carry a lot more  
22 than car parts. There are chemical trains with the 1-800  
23 number to call if they derail. There's lumber. There's coal.  
24 There's car carriers, which is natural because they're going to  
25 the plant. But there are a lot of different things like  
26 piggyback, so if you have a derailment this can be serious. It

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1 can go either way.

2 Now, I would be concerned about BART. If it has to  
3 be any way, the subway would be the way to go. If it goes, I  
4 read the report and it said now, it said on Valdez and Vaca, the  
5 noise now exceeds the APTA criterion, right now as is. And the  
6 day the train wheel came off, on March 27th of this year, the  
7 BART people came out, that was at 7:15 and before noon, the BART  
8 came out and placed speakers on my neighbor's house next door to  
9 me. That was on for two days. It was taken off on the 29th.

10 And would you believe the rails were so weakened, I  
11 guess, or whatever, they took precautions. You can mark that  
12 out. I don't know the condition of the tracks. But in my  
13 opinion, it must have been something wrong because they put the  
14 speed down to ten miles an hour. And that's why all of the  
15 traffic backed up going each way.

16 And before that, they had brought boulders out and  
17 put them between the railroad track, between Hetch Hetchy pipe  
18 and the railroad track, in order to strengthen the tracks  
19 because there was a natural spring there. So that's why I'm  
20 saying I'm concerned about the railroad and BART. And I would  
21 hate to see railroads put on one line, you know, I think it's  
22 very dangerous.

23 Also, they say there's going to be 139 sensors  
24 placed somewhere in this area, this new line. And they say the  
25 sensors are quite loud and they would have to be -- I didn't  
26 quite understand it because I read this rather rapidly --

SS-9

N-11

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N-11 1 encased in some kind of a wall. I'm not sure about that.

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2 And then I'm also concerned about, they also  
3 mentioned that, you know, the park is a beautiful, beautiful  
4 place. I was very impressed with it. And it's a wonderful  
5 place to walk. And people really use it. They were saying if  
6 they go aerial, that the people walking under there, every time  
7 a train goes by, they're going to have to stop talking. They're  
8 not going to be able to hear each other. Well, isn't it nice to  
9 have a beautiful park and you can't even talk to the person  
10 you're walking with.

11 It looks like to me that there must be some way of  
12 resolving this. The park can remain. This is known all over.  
13 It's in the AAA book. It's one of the big things in Fremont.  
14 Why can't we keep our park for a beautiful park, not make a zoo  
15 out of it?

16 And then on top of it, you're talking about the  
17 freeways, the traffic. Well, can you please tell me, if you  
18 have four stations in Fremont, you mean to tell me we're all  
19 going to have packs on our back and fly over to them. There's  
20 going to have to be cars going from our homes to the BART  
21 Stations. And I've lived here almost 12 years and I have yet to  
22 be able to have a car and park in that BART station and walk  
23 right in the door. It just isn't possible.

24 And then on top of it, a BART person told me you can  
25 park way over there (indicating). And I have a sister I have to  
26 take over to the doctor in San Francisco, and I have to bring

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1 her way back here. For me, it's not that good. Those are what  
2 my big concerns are.

3 MS. VERHEYEN: Okay. I think we've covered your  
4 five points.

5 MRS. KLIMENT: Okay. Thank you.

6 MS. VERHEYEN: Thank you, Mrs. Kliment.

7 Jack Seymour and then Mike Forney.  
8

9 JACK SEYMOUR

10 MR. SEYMOUR: My name is Jack Seymour. I live at  
11 3588 Ronald Court. And I'm with everybody else that I don't see  
12 how you could expect us to read five pounds of the Environmental  
13 Impact Report in 25 to 30 days. I didn't completely get to go  
14 through mine.

15 It's noted, the possibility of moving the Union  
16 Pacific tracks closer to my house and adding two more tracks  
17 would add more noise pollution. And I notice that they only  
18 talk about putting a seven-foot sound wall on BART track only.

19 I have a two-story house next to the railroad track.  
20 My master bedroom window is 58 feet from the Southern Pacific  
21 Railroad tracks. And I am very worried about the added noise  
22 pollution that this is going to generate. And you made no  
23 mention in your Environmental Impact Report about the two-story  
24 houses on the railroad right-of-way, and you talked about  
25 single-family dwellings which leads me to believe that you did  
26 not notice the two-story houses along there.

N-12

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1 get those ten fields that we have at Central Park, and they only  
2 accommodate approximately 60 percent of our boys and girls. We  
3 need more fields, not less. We don't need railroad tracks on  
4 the surface or up in the air. It's unsightly and certainly  
5 noisy.

6 If I were a neighbor living along that railroad  
7 corridor there and then BART was added on top of that coming by  
8 every 15 minutes or so, I would certainly be unhappy with that  
9 situation.

10 So our feeling is that an underground between the  
11 existing soccer fields and the end of the lake there would be  
12 preferable, possibly then we could use the area that would be  
13 above BART for play areas, grassy play areas, and we would still P-48  
14 also maintain a habitat for the burrowing owls in some of those  
15 areas.

16 If BART is built, extended, I would prefer to see  
17 three stations. Certainly, if we're going to get people out of  
18 their cars, we have to have places where they can board these  
19 types of transportation modules. I'm sure things are going to P-49  
20 change in the future, but we're not getting any better. We've  
21 got to do something.

22 Back again to the field thing. I don't want to lose  
23 soccer fields. And I can recall instances where people really  
24 get upset about things that happen. The Cull Canyon Recreation  
25 Area was supposed to have had a water slide, and I can recall  
26 women placing themselves in jeopardy in front of bulldozer

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1 blades. And I commend that kind of activity when they're  
2 wholeheartedly opposed to wanton kinds of developments.

3 And in my estimation, putting this above ground  
4 through that Central Park area where we don't have enough land  
5 as it is, we could use double that acreage, it just can amount  
6 to slapping the citizenry of Fremont in the face.

7 MS. VERHEYEN: Thank you, Mr. Forney.

8 Mary Jo Higgason, and Bruce Aihara.

9  
10 MARY JO HIGGASON

11 MS. HIGGASON: My name is Mary Jo Higgason. I live  
12 at 43438 Newport Drive, right along the railroad tracks.  
13 Needless to say, I'm not real thrilled with putting BART right  
14 behind my house. I do agree with Lake Elizabeth subway because  
15 my kids do play soccer, my husband is a soccer referee, and I  
16 feel it would impact them quite a bit.

17 But my main concern is BART station, BART behind my  
18 house. I'm right near the Irvington proposed station.  
19 Unfortunately, I am not in total agreement with having an  
20 Irvington Station. I travel a lot in that area. It will impact  
21 me on a daily basis just to get around town. It would impact my  
22 kids' wellbeing. They go to Grimmer Elementary. It will impact  
23 the school's availability and how they can provide the education  
24 for the children.

25 I've got a few questions, one, I did ask a question  
26 at the May 20 meeting about sound bounc off against the BART

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N-13

1 trains and the trains when they go by at the same time. I  
2 didn't find it in the Environmental Impact Report anywhere. It  
3 wasn't covered.

4 And now they're talking about putting a sound  
5 barrier wall on each side of the BART train seven feet high, but  
6 inside, not outside, on either side of the railroad tracks. To  
7 my mind, that impacts that even more with more sound bounce off  
8 when the BART goes by and the trains go by. And it doesn't  
9 alleviate any problems. It just makes a greater problem. So  
10 I'd really like to know where the impacts are.

11 There was another portion where it talked about  
12 putting that sound barrier wall on both sides of BART would  
13 impact the BART viewer ride and the historic Irvington scenery.  
14 I'm sorry. I don't agree. I've got pictures from my backyard,  
15 and they're not scenic. The only scenic thing is the little  
16 winery. The rest of it is warehouses, fields, tractor trailer  
17 rigs. I mean, there's nothing pretty back there. Even though I  
18 live there, I do look out there. It's nice not to see a bunch  
19 of other houses except for the houses on the hill which I wish  
20 we hadn't built either. Needless to say, I'm not real thrilled.

21 I guess one of the alternatives, I wish BART  
22 wouldn't be there, I'd like Alternative A, although I know it's  
23 one of the least liked alternatives, because it gets it away  
24 from my backyard. They want to put a sound barrier wall in, why  
25 don't they put it behind our houses so we don't have to look at  
26 the people every 15 minutes. It's not fair to us to lose our

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N-13

V-5

V-6

V-6

1 privacy. I've been there 12 years. I've been in Fremont just  
2 about all my life. And I'd like to keep my privacy. It's not  
3 fair for me to lose that just because people are going to be  
4 behind my home.

N-14

5 And as far as the school goes, how is that going to  
6 affect the sound on them because if they want an Irvington  
7 District Station, from what my understanding is when that train  
8 comes out and goes into Irvington District Station, it will  
9 sound off its horns behind our house. They've talked about some  
10 switches that make lots of noise back there. All I'm hearing is  
11 more noise. I'm not seeing anything getting rid of any of it.  
12 And I don't see how that's going to help me one bit.

13 Unfortunately, I commute to Santa Clara County so it  
14 won't help me either, but I do use BART to go up to Oakland and  
15 San Francisco and that so I'm not against the BART. I just  
16 don't feel it should impact my life on a daily basis. It should  
17 be able to help me out and my neighborhood. All my neighbors  
18 feel the same way. We've all been talking about it, and  
19 unfortunately, we can't all be here at the same time so a few of  
20 us came just to make our thoughts known. I just hope that it  
21 can be resolved that way.

S-10  
SS-10

22 The other issue, too, at the Grimmer School is the  
23 safety of the children. And kids love trains. Like they've  
24 said, there have been accidents with the trains. That's just  
25 going to be one more thing to take the kids' mind and put them  
26 near the train tracks if there's a BART station there and

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1 there's no way of protecting them. And I just need to find out  
2 how we're going to resolve all this. SS-1

3 I feel like in the Environmental Impact Report  
4 they're more concerned about the animals, spring wells  
5 underwater. The residents there are very low. Well, I'm sorry.  
6 I think we're a little more important than the animals and the  
7 spring wells underneath the ground. We are taxpayers of the  
8 City of Fremont, and we should have our concerns heard and find  
9 out how they're going to resolve them. And I really would like  
10 the sound barrier, bounce off, sound off, all of that, how it's  
11 going to impact. Thank you.

12 MS. VERHEYEN: Thank you. Please direct your  
13 questions to BART staff if you can stay till the end.

14 Bruce Aihara and then we'll hear from Andrea Pohle.  
15

16 BRUCE AIHARA

17 MR. AIHARA: My name is Bruce Aihara, and I live at  
18 43426 Newport Drive. I'm a neighbor of Mary Jo's and our house  
19 is also right close against the tracks there, too.

20 And reading about the recent incidents, the railroad  
21 derailments, doesn't make me feel any better. But the addition  
22 of BART in that area is also a real concern. When Mary Jo  
23 brought up the point about the concurrence of the trains running  
24 and BART running at the same time and what kind of noise impact N-15  
25 that would have, that was addressed at one of the previous  
26 meetings for the draft Environmental Impact Report. And from

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N-15 1 what I understand, I certainly couldn't find that mentioned.

2 Plus now what sounds like the option of putting  
3 large sound walls in between the tracks, the BART tracks and the  
4 railroad tracks, that seems like that would exacerbate that  
5 situation. It would cause more sound bounce off to our homes  
6 and to the Grimmer Elementary School. I have a nine-year-old  
7 that goes there now, and we also have a two-year-old. And  
8 hopefully in the future -- Grimmer has been a very good  
9 elementary school, and we'd like to keep it that way and help  
10 improve it.

N-16 11 We have lived with the sound of the railroads as  
12 they're going by now, and it is excessive, but it's not that  
13 frequent. With BART in there, it seems like the sound will be a  
14 lot more frequent. From what I understand, it doesn't seem like  
15 there was that much thought as to the placement of the walls.  
16 If the walls could be in between all the noise and receptors,  
17 that would be one thing, but it seems like they're only putting  
18 them by the BART tracks.

19 The other thing, too is, in looking at the executive  
20 summary -- I read a lot of reports in my work, and I know that a  
21 lot of people only look at the summaries. And I think there was  
22 only one box as far as safety and security. And I have seen  
SS-11 23 many people riding on the trains. And even with the wall, there  
24 will still be people, hopefully, none of the kids from the  
25 elementary school because elementary school grounds run fairly  
26 close to the trains tracks also, but that doesn't seem adequate.

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1 Just to think the security plan is going to work would be one  
2 thing, but I can only assume that costs for security, additional  
3 people and additional materials for fences and BART, will go up.  
4 And I don't think that is adequately covered.

5 Another thing, too, is really it's only really  
6 highlighted in Alternative 8 which is, I believe, the aerial  
7 that there would be significant residual impacts on residences  
8 and the school. I mean, on all the design options and  
9 alternatives, Grimmer Elementary is next to the train track.  
10 And it is, as far as I know, the one school that would be  
11 impacted by just about all of them except for the one that goes  
12 down by Osgood.

13 And now hearing all the other things about the way  
14 costs could go up, how much things really cost, I mean, I'm in  
15 favor of rapid transit, but if everything's going to cost that  
16 much and until there can be a connection between any kind of  
17 rapid transit and Santa Clara Rapid Transit, the only thing I  
18 can see is maybe the business interests hoping that with three  
19 stations here in Fremont, we're going to have additional people  
20 coming into Fremont and spending money and additional  
21 industrialization which means more density in population, more  
22 density of businesses, which to me kind of really detracts from  
23 what Fremont is like now. And I don't think that's really  
24 covered either.

25 You talk about getting people off the freeways.  
26 Yes. But that's everybody north and east of us and Fremont. I

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1 commute to Sunnyvale and have for years and a lot of people I  
2 work with either live in Fremont or Livermore or Pleasanton and  
3 I don't see them -- they're not going to be riding this  
4 extension into Santa Clara, you know, to the border of  
5 Santa Clara. We really need transit that covers from here into  
6 Sunnyvale and Palo Alto and into San Jose. And until there's a  
7 connection, like I say, it just seems like there's going to be  
8 more congestion here.

9 Thank you.

10 MS. VERHEYEN: Thank you for your comments.

11 Andrea Pohle, and Michael Keenly and our last  
12 speaker, unless I receive another card, will be Alice Hoch.

13  
14 ANDREA POHLE

15 MS. POHLE: My name is Andrea Pohle, and I live on  
16 Benavente in Fremont. I have some questions that I'd like to  
17 ask just to find out what the process is. What happens after  
18 tonight?

19 MS. VERHEYEN: Okay. I can briefly --

20 MS. POHLE: I know that there's a meeting in  
21 November that you're going to take all of this information.

22 MS. VERHEYEN: Well --

23 MS. POHLE: And then you'll come up with a final  
24 E.I.R.

25 MS. VERHEYEN: Yes. I'll give you just an overview  
26 of the steps. I wanted to do that at the end, anyway.

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1           The public comment period ends on August 26th, as  
2 you know. Then the BART will prepare the final E.I.R. in  
3 mid-November and then the decision by the BART Board happens in  
4 mid-December. If you have more detailed questions about this or  
5 the sequence of --

6           MS. POHLE: Well, is there going to be another  
7 public hearing for the final E.I.R. to know what the final  
8 decision is of the BART? In other words, whatever they decide,  
9 happens, right? GEN-

10           MS. VERHEYEN: That's right. The decision rests  
11 with the BART Board of Directors. It will be announced, of  
12 course, and it will be --

13           MS. POHLE: And there's no time for rebuttal or  
14 further discussion?

15           MS. VERHEYEN: The public comment period, I believe,  
16 ends August 26th.

17           MS. POHLE: Is there going to be another open  
18 hearing before that time other than this one tonight?

19           MS. VERHEYEN: Joan has an answer, a more detailed  
20 answer for you.

21           MS. POHLE: I have to leave after this. I have to  
22 be someplace else.

23           MS. KUGLER: Okay. I'll --

24           MS. POHLE: Well, maybe the other people would like  
25 to know if there's going to be another meeting.

26           MS. KUGLER: You can give your comments to the City

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1 Council on August 20th. You can appear at the BART Board  
2 meetings if you'd like to give further input.

3 MS. POHLE: When is the BART board meeting?

4 MS. KUGLER: The BART board meeting will be in  
5 December. We about don't have the date set as of --

6 MS. POHLE: Is it daytime or nightttime?

7 MS. KUGLER: It will probably be a daytime meeting.  
8 That's when the BART board --

9 MS. POHLE: I find that very interesting because  
10 everybody's at work. Nobody can come to a daytime meeting when  
11 this affects everybody and it should be in the evening, I would  
12 think for something as important as this. Absolutely.

13 I also would like to make a comment that I noticed  
14 that the E.I.R. for the Central Park Golf Course is now out.  
15 And upon reading some of the comments that are made in that  
16 E.I.R. report and your E.I.R., you make very, very little  
17 reference and any mitigation for the golf course at Central  
18 Park. You have not addressed that at all. And I am requesting  
19 that the BART, whoever it is that's going to be doing this final  
20 E.I.R., make some mitigating circumstances there because I find  
21 it very conflicting.

22 There's going to be -- the way I read the E.I.R.  
23 from the Central Golf Course is going to be on either side of  
24 the train tracks, and if you've got BART going there, I find  
25 that a little bit difficult for golfers to go on the other side  
26 where BART is. And I think BART knew that this golf course was

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1 in the plans so I'm a little confused here.

2 Then after December when the BART makes their  
3 decision, the board, that's it.

4 MS. VERHEYEN: I believe that's the --

5 MS. POHLE: Is Mr. Glenn going to be at that  
6 meeting? I missed him tonight. I was expecting to see him here  
7 and he wasn't here.

8 MS. VERHEYEN: I imagine he will, although I don't  
9 know for sure.

10 MS. POHLE: I would really like to have you try to  
11 have that meeting in the evening so that if there are people  
12 here that wish to go -- or have it have publicly an announced in  
13 the newspaper.

14 Which brings me to another question. How many times  
15 was this meeting announced publicly?

16 MS. VERHEYEN: There were two adds placed in the  
17 newspapers, I believe.

18 MS. POHLE: And one today.

19 MS. VERHEYEN: Yes.

20 MS. POHLE: The one I saw today.

21 MS. VERHEYEN: I believe so.

22 MS. POHLE: Well, I must have been sleeping then.

23 Is there another way with you can get the word out because I  
24 think a lot of people missed it.

25 MS. VERHEYEN: Are you on the BART mailing list?

26 MS. POHLE: I am now. But have you not sent it to

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1 all the citizens in Fremont since it affects everybody?

2 AUDIENCE MEMBER: Publishing public meetings in the  
3 newspaper has been standard in United States of America since  
4 178- --

5 MS. POHLE: I am asking the board people, please.  
6 Thank you.

7 MS. VERHEYEN: Okay.

8 MS. POHLE: Are you going to make any effort to try  
9 to make it more of a -- you know, getting the word to all of the  
10 people in the city?

11 MS. VERHEYEN: Basically, my role is to receive and  
12 moderate comments. I don't have answers tonight. But I --

13 MS. POHLE: Okay. Well --

14 MS. VERHEYEN: -- encourage you to direct your  
15 questions to --

16 MS. POHLE: Maybe you can take that with your  
17 information there.

18 MS. VERHEYEN: Thank you, very much Ms. Pohle.  
19 Thanks for your comments.

20 Michael Keenly and then Alice Hoch.

21

22

MICHAEL KEENLY

23

24

25

26

MR. KEENLY: Hi. My name is Michael Keenly. I  
live at 3998 Lux Court in San Jose. I'm probably the only other  
person besides Vaughn speaking at this hearing who lives outside  
of this county.

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1 I, like Vaughn, would like to see, first of all, a  
2 Caltrain extension up here. It's a lot cheaper. We can do it  
3 right now. The tracks are already there. It's kind of funny  
4 how we're running the BART down the center of the tracks, and  
5 we're not even using those tracks. It's kind of not seeing the  
6 forest for the trees.

7 I was glad to get the document. I mentioned the  
8 Caltrain thing, but I guess I know in my heart it's never really  
9 going to happen so I went ahead and asked for a copy of the  
10 document, and they sent it out to me. That was pretty nice. I  
11 think the postage on it was about \$8.92. I guess we take all  
12 those off out of the \$6,000,000 and we'll probably be down to  
13 maybe \$5,000,000.

14 Anyway, I had time to review most of the document.  
15 I spent my lunch hours and evenings. It's a huge, huge  
16 document. Big sections of it, I didn't read because it was  
17 either not applicable to what I was interested in, or it was  
18 just plain boring, I guess.

19 Anyway, I came up with a decision on the proposed  
20 projects or the alternatives and the one I felt to be the best,  
21 out of all the choices that were given, was the proposed  
22 project. I actually spent a couple of days on the weekend  
23 riding my bicycle along the route to take a look at it and see  
24 what it looks like.

25 And a couple of interesting things about the  
26 proposed project that we should consider is possibly moving the

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1 Union Pacific Railroad tracks west of where they are located now  
2 although I know the Union Pacific Railroad Company wouldn't like  
3 to see that. By doing this, we could probably not have to  
4 remove three-quarters of all the commercial buildings that are  
5 located on the east side right now, the east side of the Union  
6 Pacific Railroad tracks. Most of these buildings are probably  
7 less than ten years old. Actually, one, I think is just now  
8 being completed. It runs right next to the U.P.R. tracks, and  
9 it's probably going to be moved. I don't think anyone's moved  
10 in there yet.

11 If I had to choose one of the design options through  
12 Central Park, it would probably be Design Option 3, aerial. I  
13 know a lot of people don't like aerial, but if we look around in  
14 this neighborhood, or any of the neighborhoods, we build all  
15 kinds of freeway structures, freeway overpasses, no one really  
16 gives them a second thought. This is okay. This is part of  
17 development. This is what happens. That's okay.

18 But once when we give transit a short shrift in some  
19 way then, you know, this is okay. We can bury it. We can hide  
20 it. Never give the transit rider a benefit. Always give the  
21 car a benefit. You know, block it off with walls, whatever  
22 we're going to do.

23 I really don't see detriment to the aesthetics of  
24 the park, especially with Design Option 3. It won't cut across  
25 the lake. It doesn't cut through the forest. It's about as  
26 east as we can go. There's a lot of activities in the park,

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1 most of which happen on the northwest and south side and not as  
2 much over on the east side. I know it's going to go through a  
3 couple of baseball fields. It's unfortunate. They may have to  
4 be relocated or whatever, but some of these things, they're  
5 always going to have to be done.

6 The noise issue, I don't personally see that's an  
7 issue. There are some mitigations to make noise on the BART  
8 trains quieter. Some of these things haven't been done before.  
9 I'm sure we can consider them similar to the Washington D.C.  
10 Metro System. They have rubber bumpers or whatever. It makes  
11 it a lot quieter. I'm sure we can consider some of these things  
12 to make the noise impacts a lot less than they are which isn't  
13 even that bad.

14 I'd like to make a couple of comments about the  
15 Grimmer School. I rode my bicycle by there yesterday and if you  
16 look out there right now, there are not even walls blocking the  
17 school. There's a fence along the outside of the Grimmer School  
18 which is three feet high, which means currently any child can  
19 jump over the fence and walk in front of any freight train. So SS-12  
20 instead of putting the walls in front of the BART -- or I'm  
21 sorry, on either side of the BART, why not put the walls next to  
22 the school? That way, the kids can't jump over the wall or  
23 anything like that as they could currently.

24 I'd like to talk about the stations just for a  
25 couple of minutes, or a minute. The three stations are good. P-52  
26 The Irvington Station looks like a good location. It's right in

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1 the middle of the Irvington District. The Warm Springs Station  
2 is probably a good station in the future. It's probably not  
3 now. It may be a good idea to do the preliminary engineering on  
4 it now and not actually build it. There's really nothing out  
5 there right now except for agricultural fields, and if  
6 development for some reason, I don't know why anything would  
7 stop it, but if it didn't occur at that point then we really  
8 wouldn't even need that station.

T-40  
9 I also have something against the parking lots. I  
10 think we should work towards increasing the bus service to the  
11 parking lots or to the area of the stations and decrease the  
12 size of the parking lots. I'm not sure if we need 2300 parking  
13 spots at most of these stations, even on the Southern Warm  
14 Springs Station. There's a meat packing plant. I don't know if  
15 they've been notified, but they're building is going to be  
16 removed under the design of the parking lot. I'm sure they  
17 probably wouldn't be too happy about that.

18 In general, I'd like to say we need to look more  
19 closely at the expense of these things. We don't -- like I said  
20 before, if we move the Union Pacific west, we don't need to  
21 remove all of these buildings. That's millions of dollars worth  
22 of expense. If we keep it from going underground, that's  
23 another million dollar savings. It doesn't always have to do  
24 with savings, but we should definitely look at some of these  
25 things.

26 Also the time it takes to finally get any transit

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1 system implemented, whether it's BART or light rail or whatever  
2 it may be 10, 12, 13, 14, 15, 16 years from design to completion  
3 is much too long. People don't want to keep waiting. We've  
4 been voting for propositions, measures to increase funding for  
5 transit, and it takes forever. We publish these huge documents  
6 that people have to attempt to read, and it's overwhelming. No  
7 one can even begin to comprehend this stuff.

8 Thank you.

9 MS. VERHEYEN: Thank you for your comments.

10 Next we'll hear from Alice Hoch and then I believe  
11 that two other speakers who spoke previously would like to make  
12 additional comments.

13  
14 ALICE HOCH

15 MS. HOCH: I'm Alice Hoch and I live at  
16 41727 Chilterm Drive. I've lived there for 25 years.

17 My main interest on this is on Central Park and  
18 Lake Elizabeth. And my preference is for alternate 2-S, the  
19 subway. And some of the reasons that I'm in favor of having a  
20 subway instead of an aerial BART are, one, if you have this  
21 subway, after the construction, there will be much less  
22 destruction of habitat. With the aerial, you will lose lake  
23 habitat; you will lose forest habitat, and you will lose  
24 grasslands. If it is a subway, you won't lose those things.  
25 Also, if it is a subway, you won't have the visual impact of the  
26 aerial structures, and you won't have as much of a, much noise

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1 problem.

2 And as somebody else mentioned, that path around the  
3 lake is used day and night early, late, rainy weather. I know  
4 that I like to walk around. I walk through Gomes Park, through  
5 the area between the tracks and then around the lake. If there  
6 is an aerial structure, I don't think I'll walk around the lake  
7 any more. I think, as somebody else said, the Central Park and  
8 that lake are the gem of Fremont, and to blight it, which I  
9 think an aerial structure would be a blight on it, I think  
10 that's just foolish.

11 I also have for you some additions to the bird list  
12 and one correction on it which I'll give you in a few minutes.  
13 I also have one more suggestion and that is if you are going to  
14 mail out such a huge thing as the E.I.R., I really suggest that  
15 you find a cheaper way to get it out. Perhaps you could send it  
16 as printed matter, which it is, rather than as first class and  
17 that might save the taxpayers a little money.

18 Thank you very much.

19 MS. VERHEYEN: Thank you very much, Alice.

20 Now, we'll hear from two repeat speakers,  
21 Dehnert Queen and then Mohinder Singh.

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23

DEHNERT QUEEN

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MR. QUEEN: Thank you. Dehnert Queen. I don't  
think I said I'm from San Francisco, and I wanted to listen to  
this.

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EC-12

1 I go to E.I.R. meetings all the time. And I think  
2 the audience has caught on to the fact that this is essentially  
3 a rubber stamp meeting. You're going to listen to comments.  
4 You may respond to them in the E.I.R. Comments and Responses  
5 section, but you're essentially going to rubber stamp what you  
6 want in the meeting down the road.

7 And at this point in time or at no point in time,  
8 can the public really do too much about it, except if the public  
9 decides they really don't like this plan, or they want to see  
10 alternatives and they put pressure on their local officials and  
11 if necessary, file suit, It's the only way. Okay. I just want  
12 to make that clear. This is, essentially, a rubber stamp  
13 meeting.

14 And I'd just like to also just mention a couple of  
15 other things that you won't get in the E.I.R. And much of this  
16 comes out of a document I prepared not too long ago, and it's  
17 called the Summary and Analysis of How M.T.C.s Bay Area Travel  
18 Forecast, their computer modeling promulgates through city,  
19 county E.I.R. resulting in factors phenomena on assumptions that  
20 are suppressed in the E.I.R.'s public hearings in the media.

21 And just to give a couple of high points here,  
22 essentially ABAG, Association of Bay Area Governments, and  
23 M.T.C. have essentially decided they're going to have  
24 high-density office space in San Francisco and high-density  
25 housing in San Jose and somehow get BART down in San Jose in 30  
26 years to do it. And we've already shown, till I'm blue in the

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1 face, they're going to waste \$2.7 billion alone in transit, and  
2 when they're all done, it's not going to work. It's essentially  
3 going to happen here, too.

4 This isn't my turf; this is your turf.  
5 San Francisco peninsula is my turf. And I'm just trying to say  
6 that the Bay Area residents don't wake up and understand that  
7 the plans that are going on are not in your interest. And in  
8 fact, your sales taxes are being used against you. If you don't  
9 wake up and do something about it now, it's going to happen  
10 because they know there's some real tragic, fatal flaws with  
11 their plans.

12 For example, they know that the way they are going  
13 to increase the density, they're going to create about 880,000  
14 jobs, low-skill jobs for all practical purposes, in the next 15  
15 years, but there's only going to be an increase of about 614,000  
16 people. So there's going to be more jobs than people. That's  
17 going to create a problem. That is a problem.

18 And they haven't said a thing about how they're  
19 going to displace, I think, 187 businesses to make this project  
20 go. You haven't heard one word about how they're going to help  
21 those businesses relocate, how much it's going to cost to do  
22 that, or even if they're going to help them.

23 And what they're really doing is eliminating skilled  
24 jobs that pay a working wage so you can afford to buy a house  
25 here in town, and they're going to replace it with high-density,  
26 probably up-scale office space around the BART stations that

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1 will essentially be minimum wage jobs that the taxpayer is going  
2 to have to provide subsidies for so that they can live here.  
3 You'll have the same problems here in this area as San Francisco  
4 has.

5           And just to give you an idea of how bad it's gotten,  
6 the number of residents in San Francisco has gone from 21 per  
7 acre in 1980, and it's expected to be at about 25 per acre in  
8 the year 2,000. Just to show you how high it is, Santa Clara is  
9 now at 1.5 people per acre. Do you see the density? And  
10 density increases problems and crime and traffic and taxes and  
11 so the thing you've got to watch out for the most is density.

12           And the plan that the M.T.C. has, again, is having  
13 high-density work space in one area, force you to commute or get  
14 on a train, and live in another area. And the best way to do it  
15 is to have a one-to-one ratio for every 1,000 square feet of  
16 office space built, which is roughly four people, you build the  
17 same ratios of houses so people can live and work in the areas  
18 that they live in.

19           Transit will never work. And right out of this  
20 report, which is my final comment, the M.T.C. publishes, which  
21 you'll never see, that they know that the number of people who  
22 are going to use transit is going down over the next 20 years.  
23 They know it's going to go down. In fact, automobiles are going  
24 to go up and they even have a quote in their E.I.R. "The  
25 project," which defines all of the transit and roadway projects  
26 for the Bay Area for the next 20 years, quote:

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1 "The project would require an irreversible  
2 commitment of financial resources to the development  
3 of the project elements."

4 which includes this one.

5 "The project would require an irreversible  
6 commitment to satisfy a mobility needs primarily  
7 through automobile accessibility."

8 So BART's going to build their huge empire, but  
9 everybody knows everybody's going to use cars.

10 That's all I'm going to say.

11 MS. VERHEYEN: Thank you, Mr. Queen.

12 Next, Mr. Singh. I believe he'll be our last  
13 speaker tonight.

14

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MOHINDER SINGH

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MR. SINGH: Thank you for giving me the double  
time.

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First of all, I have a word of good cheer for  
Irvingtonians. Since I've lived at Fremont Station, I've  
noticed that people come from as far away as Concord, Richmond  
and even San Francisco, yeah, San Francisco, too, just to shop  
in our Newpark Mall and to shop at the Fremont Hub. Because they  
all ask me, what bus to take to Fremont Hub, what bus to take  
Newpark Mall, and I say, "29."

25

26

So therefore, if Irvington District has really  
something great, different, pleasant and happy to offer the

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1 shoppers of the Bay Area, I assure you they are going to come.  
2 So put your minds to offering something unique that other  
3 localities around do not have to offer. Now, you have  
4 entertainment for children, come shopping, come everything what  
5 you can think of.

6 The second point is that as a station agent, I've  
7 noticed that our parking lots are getting more and more  
8 dangerous. There is no station which does not have two or three  
9 cars break in almost every day. And this number is only  
10 increasing. It is not decreasing. I believe when the BART was  
11 planned, the people who planned the BART, the leaders who put it  
12 in, had promised the voters, as a general idea, that we will  
13 offer you free parking space because I also realized when I came  
14 to America six years ago, free parking space is not available in  
15 this country. So therefore, it is a very appealing idea. And  
16 now that they make their commitment, they don't want to go back  
17 on it.

18 But I do feel that if not in the stations which have  
19 already been built, at least in the future station they are  
20 going to build here, one, two or three or whatever the voters  
21 want, we should have about 50 percent parking space as secured  
22 paid parking space where we can leave our cars, maybe pay \$1,  
23 maybe pay \$2 for the day, whatever, which will pay for the  
24 person who is engaged to take care of the lot so that we have an  
25 option now. If you don't want to pay money and be unsafe, okay,  
26 park in the free space. But if you want to be safe or park

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1 overnight, get in there and pay the money.

2 I think we should very seriously, BART people  
3 should, please note that we should definitely insert this right  
4 in into our huge plans that we should have some, 50 percent, 25  
5 percent, 20 percent, of the area allocated for paid, secure,  
6 wired-in, parking lot.

7 Okay. Thirdly, I think these two points go hand in  
8 hand. I think we should stop our BART extension at the station  
9 we want to build across the lake. Because right now the other  
10 station or the other two stations are only going to be used by  
11 Santa Clara the most, and they haven't paid us a cent. If they  
12 can pay for it, let's build it. If they don't want to pay for  
13 it and join hands with us, although we live in the same area, we  
14 all use the same facilities together. We live together, and we  
15 work together. Why not join it right now? I say Santa Clara  
16 get out, join now.

17 But if they don't, let's not think of that  
18 extension yet. Save our dollars and have a real good system  
19 going under the lake, save the lake, save the park, and have a  
20 good station as I said earlier either at Durham and Fremont  
21 Boulevard or Durham and Grimmer Boulevard which is still close  
22 to Irvington District.

23 And do I have another point? Let me see. Okay.  
24 That's it, I think. I'm done. And I wish you good luck.

25 Oh, yes, last point. Please, very important. As  
26 you said earlier, there is going to be Board of Directors

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1 meeting in December. And the previous speaker keeps on saying  
2 it's a rubber stamp meeting. And I, in order to make it a  
3 non-rubber stamp meeting, I suggest that the Fremont citizens  
4 get up now, organize a voting on the subject so that we make a  
5 majority view known to the Board of Directors.

6 And I'm sure Mr. John Glenn, who represents us, will  
7 have no other choice but to go with it and the Board of  
8 Directors will have no other choice but to go with it because  
9 this is our city. Extension is being built in our city.  
10 Therefore, it is our vital interest. Let's put the letters to  
11 each other, let's keep calling each other please get a meeting  
12 together, one meeting, two meeting, three meeting, whatever it  
13 takes to get the majority people out, and put the majority voice  
14 up, and put it to the Board in a meeting.

15 Thank you very much. Good night.

16 MS. VERHEYEN: Thank you for all the comments, the  
17 feedback, the input. BART will take it under consideration and  
18 respond to it in the final E.I.R. which will be prepared in  
19 mid-November and then as you know, BART Board of Directors will  
20 make a decision in mid-December. If you have further comments,  
21 I encourage you to fill out one of these comment cards, mail it  
22 back or write a letter to that address and, again, there's still  
23 some time to make your opinions and voice heard.

24 Thank you so much for attending. Good night.

25 (Proceedings adjourned at 9:54 p.m.)  
26

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1 STATE OF CALIFORNIA )  
2 COUNTY OF ALAMEDA ) ss.  
3

4 I, the undersigned, a Shorthand Reporter of the  
5 State of California, hereby certify that these proceedings were  
6 taken at the time and place stated herein; that the testimony of  
7 the parties was stenographically reported by me and was  
8 thereafter transcribed under my direction into typewriting; and  
9 that the foregoing is a full, complete and true record of said  
10 testimony.

11  
12 I further certify that I am not of counsel or an  
13 attorney for any of the parties and witnesses named herein, nor  
14 am I in any way interested in the outcome of the cause named in  
15 these proceedings.

16  
17 IN WITNESS WHEREOF, I have hereunto set my hand on  
18 this *23<sup>rd</sup>* day of *August* 1991.  
19  
20  
21

22  
23 *Susan Kähler*

24 SUSAN KAHLER, Shorthand Reporter  
25 State of California  
26

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