



California Native Plant Society

East Bay Chapter
Conservation Committee

October 26, 2007

Mr. Mehdi Morshed, Executive Director

Mr. Dan Leavitt, Deputy Director

California High-Speed Rail Authority, EIR/EIS Comments

925 L Street, Suite 1425

Sacramento, CA 95814

RE: Comments on Draft Bay Area to Central Valley High Speed Train (HST) Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Dear Mr. Morshed and Mr. Leavitt:

The East Bay Chapter of the California Native Plant Society (EBCNPS) appreciates the opportunity to comment on the *Draft Bay Area to Central Valley High Speed Train (HST) Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS)*. The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons and professional and academic botanists organized into 32 chapters throughout California. The mission of CNPS is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation.

Pursuant to the mission of protecting California's native flora and vegetation, EBCNPS submits the following comments to the DEIR:

General Comments

The proposed high speed rail project presents an enticing and exciting solution for intercity travel from the Bay Area to the Central Valley. While EBCNPS is supportive of a low-emissions public transit system, we find the HST project presented in the DEIR, with its goal of developing thousands of miles of high speed rail track on thousands of acres of open land, to be extremely troubling for a number of reasons.

First and foremost, we are concerned that this project is likely not to gain the public support necessary to make it viable. A project of this magnitude requires overwhelming public support for its economic requirements and goals to be realized. The average price of tickets, estimated ridership, and costs of maintenance and marketing must all be revealed for public analysis. The July 2007 paper entitled *Bay Area/California High-Speed Rail Ridership and Revenue Forecasting Study* (Cambridge Systematics, Inc.) offers some information about assumptions, yet the paper notably becomes confusing where the information is the most critical. One notable obfuscation is presenting *no project alternative* ridership data in riders/day, whereas most

estimates for the HST ridership are in riders/year. We feel this paper fails to graphically illustrate how costs and ridership are calculated, therefore requiring readers to flip back and forth through the document to try to understand its essential points. Our best assumption is that this document was not designed for the layperson.

The worst possible scenario EBCNPS foresees is failure of the project due to lack of public support after construction of thousands of miles of track but before the first train ever hits the steel. Given the way the information is presented, we believe this is a highly probable outcome of this visionary project.

We also find that fire is notably omitted from the EIR analysis. We live in a fire-adapted, fire-prone landscape. Over 100,000 acres have burned in recent fires just in the month of October. It is impossible to imagine that a train moving at speeds of over 200 miles per hour with direct metal-on-metal contact would not increase fire danger. Vegetation maintenance is essential for minimizing wildfire risk, but there is little mention of this cost and how the HSR will address increased fire risk created by this project in a fire-prone environment.

We consider the air travel estimates extrapolated from the year 2000 to be both **inappropriate and inadequate**. The above referenced *Ridership and Revenue Forecasting Study* (Table 4.1) shows a 16% **decrease** in annual intrastate airline passengers. The DEIR document fails to consider this downturn in intrastate airline travel (Table 1.2-2). Instead, the DEIR shows an enormous increase in intrastate air travel—about 77% over a 15-year period—based on two data points for intrastate air travel in 1992 and 2000. From a statistical point of view, fitting a line (in this case the air travel estimate) from just two points is absolutely unacceptable. It is regrettable that any “authority” that prides itself on science and analysis would use two data points eight years apart to extrapolate use for the next 20 years.

S-1.2.3 Regional Need Comments

- A. Regional Growth - Population growth assumptions can be reasonably modeled with the current dataset. Growth projections show that the population of California will increase in the next thirty years. But the advancement of computers, the internet, and telecommuting, coupled with the long-term pressure of rising fuel costs, might lead consumers and employees to work and make purchases from home rather than take public transit to work or to shop. How are these factors calculated into the ridership model? Are the assumptions realistic considering that telecommuting is becoming easier and more widespread with time? An analysis for increased telecommuting is essential to avoid overestimating ridership numbers.
- B. Regional Congestion – It is well documented that with increased congestion and high density infrastructure, there are greater opportunities for economically successful public transit systems. The core questions are: How much regional congestion is caused by local traffic, and how can improvements in local transit systems ameliorate traffic by regional travelers? For instance, the Bay Area’s BART system is commonly noted as one of the

most economically profitable transit systems, probably due to the high population density of the area. EBCNPS believes the HSR authority might be sending a confused message about the HST's target ridership, because the proposed HST system is intended to move riders longer distances rather than deal with localized traffic problems. If the heaviest traffic is caused by drivers traveling less than the distance between two HST stops, the proposed high-speed rail system will not rectify regional traffic problems.

- C. Economic Implications – It is not clear that employers will move jobs out of regions with increased traffic congestion. Smart employers typically maintain business in an area where they can attract good employees. With additional work communication options such as telecommuting, the employer may well favor employee base and proximity to consumers over traffic congestion as factors for determining the location of an office.
- D. Environmental Implications - EBCNPS commends the idea of transit-oriented development, but mixed use development is ultimately the best choice. Living and working locally is a more sustainable long-term solution than providing resources by which people can easily commute 100+ miles a day. Again, the assumption that regional transit will be more important than local transit is not well explained or analyzed.

S-1.4.12 Growth Impacts

This section claims that the growth inducing impact of the Altamont Pass network is a mere 2.2% population increase. EBCNPS is not convinced that growth impacts can be determined accurately given that there is no model community with a recently developed HST system. It would be more instructive to give examples that span a range of least effect to greatest effect on growth. For example, the city of Manteca is reasonably affordable and growing at an unprecedented rate. The way the HST would affect this community versus a developed Oakland or a less-developed Livermore is extremely important towards understanding the rider community and anticipated environmental impacts from the project.

3.15 Biological Resources and Wetlands

East Bay to Central Valley Corridor

Special Status Species

Special Status Plants

A number of plant species that are considered rare have not been included in the Altamont Pass species list. Some of these species are so rare they do not have status yet (for example, *Deinandra bacigalupii* – Livermore tarplant), while others are locally rare and their populations serve as important range extensions for the species. The preservation of a species at the edge of its natural range is extremely important for conservation botany and these species need to be included in the EIR and project impacts. Attached to these comments is a list of rare and unusual plants from the Livermore Valley that should be included in the EIR.

The draft EIR misspells the common name of Diablo helianthelia (sic); the correct spelling is Diablo helianthella.

Special Management Areas

A certain broad scale of analysis is appropriate for this initial document given its programmatic nature, but the exclusion of the East Bay Regional Park District (EBRPD) in this section of the report is notable. EBRPD manages over 96,000 acres in the two-county “East Bay.” EBRPD manages sensitive lands for plants and animals, yet the consultant only mentions the Nature Conservancy (TNC) in this regard. Other large landowners and managers of significant environments in this area include California State Parks, Lawrence Livermore National Laboratory, the Livermore Area Recreation and Park District, and the Tri-Valley Conservancy. EBCNPS notes that the document is inadequate because it presents incorrect information by not including pertinent landowners and partners.

In addition, the DEIR fails to address most of the significant ongoing open space planning projects for the region that will be impacted. For instance, the cities of eastern Alameda County are initiating a conservation strategies program and the Bay Area Open Space Council’s *Upland Habitat Goals Project* is looking at important conservation targets for the nine-county area. These projects plus others should be included in order to satisfy the environmental reviews due diligence requirement.

Concluding remarks

EBCNPS does not support this project because of the false assumptions and extrapolations made in estimating ridership, expenses, and benefits of building the system. We are also opposed to the concept of “linking” two geographic areas through undeveloped lands. The East Bay landscapes under consideration contain relatively unfragmented patches of high quality habitat and the existence and maintenance of these landscapes is a public good. The project EIR does not make its case that the proposed high-speed rail system would provide the benefits that it claims.

Thank you for your consideration of the above comments. Please do not hesitate to contact me with questions at (510) 734 0335.

Sincerely,

Lech Naumovich
Conservation Analyst
California Native Plant Society
East Bay Chapter
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**CEQA-Protected Rare and Unusual Plants
of the Livermore Valley and Altamont Pass Regions
2005
(Statewide Rare Plants in Upper Case)**

| Rank in East Bay | Species | Common Name | Habitat |
|---------------------------------|--|-----------------------------|--|
| A2 | <i>Allenrolfea occidentalis</i> | iodine bush | Alkali areas |
| A1 | <i>Allium crispum</i> | crinkled onion | Dry Open Slopes; Serpentine; Misc. habitats |
| A2 | <i>Amsinckia eastwoodiae</i> | Eastwood's fiddleneck | Grassland; Misc. habitats |
| *A1 | AMSINCKIA GRANDIFLORA | large-flowered fiddleneck | Grassland; Sand or Sandstone; Misc. habitats |
| *A2 | AMSINCKIA LUNARIS | bent-flowered fiddleneck | Grassland; Woodland; Misc. habitats |
| A1 | <i>Astragalus didymocarpus</i> var. <i>didymocarpus</i> (<i>A. gambelianus</i> is more common) | two-seeded milkvetch | Grassland |
| *A1 | ASTRAGALUS TENER VAR. TENER | alkali milk-vetch | Alkali areas; Grassland; Vernal Pools; Misc. Wetlands |
| A2 | <i>Atriplex argentea</i> var. <i>mohavensis</i> | silverscale | Alkali areas |
| *A2 | ATRIPLEX CORDULATA | heartscale | Alkali areas; Grassland; Misc. Wetlands |
| *A2 | ATRIPLEX CORONATA VAR. CORONATA | crownscale | Alkali areas; Grassland; Vernal Pools |
| *A2 | ATRIPLEX DEPRESSA | brittlescale | Alkali areas; Grassland; Misc. Wetlands |
| *A2 | ATRIPLEX JOAQUINIANA | San Joaquin saltbush | Alkali areas; Grassland; Misc. Wetlands |
| A1 | <i>Atriplex subspicata</i> | saltbush | Alkali areas |
| *A1 | BALSAMORHIZA MACROLEPIS VAR. MACROLEPIS | big-scale balsamroot | Grassland; Serpentine |
| A1 | <i>Bidens laevis</i> | bur-marigold | Freshwater Marsh; Misc. Wetlands |
| *A2 | BLEPHARIZONIA PLUMOSA | big tarplant | Grassland; Scrub |
| A2 | <i>Carex nudata</i> | torrent sedge | Rock, Tallus or Scree; Riparian; Sand or Sandstone areas |
| A2 | <i>Carex senta</i> | rough sedge | Riparian areas; Misc. Wetlands |
| *A2 | CENTROMADIA PARRYI SSP. CONGDONII (<i>Hemizonia parryi</i> ssp. <i>congdonii</i> in Jepson Manual) | Congdon's tarplant | Alkali areas; Grassland |
| A2 | <i>Chamaesyce ocellata</i> ssp. <i>ocellata</i> | valley spurge | Sand or Sandstone |
| A1x | <i>Chamomilla occidentalis</i> (historical-1938) (<i>C. suaveolens</i> is more common) | valley pineapple weed | Alkali areas; Salt Marsh; Vernal Pools |
| A1 | <i>Collinsia bartsiiifolia</i> var. <i>bartsiiifolia</i> | white Chinese houses | Sand or Sandstone |
| *A1 | CORDYLANTHUS MOLLIS SSP. HISPIDUS | hispid bird's-beak | Alkali areas; Grassland |
| *A1 | CORDYLANTHUS PALMATUS | palmate-bracted bird's-beak | Alkali areas; Grassland |
| A1 | <i>Cryptantha intermedia</i> | common cryptantha | Forest; Rock, Tallus or Scree; Sand |

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| | | | or Sandstone; Woodland |
| A1 | <i>Cucurbita foetidissima</i> | calabazilla | Gravel; Rock, Tallus or Scree; Sand or Sandstone |
| A2 | <i>Cuscuta californica</i> var. <i>californica</i> | California dodder | Chaparral; Grassland; Misc. habitats |
| A1 | <i>Cuscuta indecora</i> var. <i>indecora</i> | pretty dodder | Misc. habitats |
| *A1 | DEINANDRA BACIGALUPII | Livermore tarplant | Alkali areas |
| A1 | <i>Downingia bella</i> | Hoover's downingia | Vernal Pools |
| A2 | <i>Downingia cuspidata</i> | cuspidate downingia | Vernal Pools |
| A2 | <i>Downingia insignis</i> | cupped downingia | Vernal Pools |
| A2 | <i>Elymus elymoides</i> ssp. <i>elymoides</i> | squirreltail | Grassland |
| A2 | <i>Ericameria arborescens</i> | golden-fleece | Chaparral; Forest; Woodland |
| A2 | <i>Eriogonum angulosum</i> | angle-stemmed eriogonum | Sand or Sandstone; Misc. habitats |
| A2 | <i>Eriogonum luteolum</i> var. <i>luteolum</i> | golden carpet | Gravel; Sand or Sandstone; Serpentine |
| *A2 | ERODIUM MACROPHYLLUM | round-leaved filaree | Grassland; Scrub |
| *A2 | FRITILLARIA AGRESTIS | stinkbells | Alkali areas; Grassland |
| *A2 | HESPEREVAX CAULESCENS (<i>H. sparsiflora</i> is more common) | hogwallow starfish | Vernal Pools |
| A1 | <i>Heterodraba unilateralis</i> | heterodraba | Grassland |
| A2 | <i>Hordeum depressum</i> | low barley | Alkali areas; Vernal Pools; Misc. Wetlands |
| A2 | <i>Hordeum jubatum</i> | foxtail barley | Misc. habitats |
| A1 | <i>Hutchinsia procumbens</i> | prostrate hutchinsia | Alkali areas |
| A1 | <i>Juncus ambiguus</i> | toad-rush | Alkali areas; Brackish Marsh; Salt Marsh |
| A2 | <i>Juncus articulatus</i> | jointed rush | Misc. habitats |
| A1 | <i>Lagophylla ramosissima</i> ssp. <i>congesta</i> (ssp. <i>ramosissima</i> is more common) | hare's-ear | Misc. habitats |
| *A2 | LASTHENIA FERRISIAE | Ferris's goldfields | Alkali areas; Vernal Pools |
| A2 | <i>Lasthenia fremontii</i> | Fremont's goldfields | Vernal Pools; Misc. Wetlands |
| A2 | <i>Lasthenia minor</i> | woolly goldfields | Grassland |
| A2 | <i>Layia chrysanthemoides</i> | smooth layia | Grassland |
| A2 | <i>Lepidium dictyotum</i> var. <i>acutidens</i> | sharp-toothed pepper-grass | Alkali areas |
| A1 | <i>Lepidium nitidum</i> var. <i>oreganum</i> (var. <i>nitidum</i> is more common) | shining pepper-grass | Alkali areas; Vernal Pools; Misc. habitats |
| A2 | <i>Leptochloa fascicularis</i> | bearded sprangletop | Misc. Wetlands |
| A1 | <i>Leptochloa uninervia</i> | dense-flowered sprangle-top | Misc. Wetlands |
| *A1 | LINANTHUS ACICULARIS | bristly linanthus | Chaparral; Grassland; Woodland |
| *A1 | LINANTHUS GRANDIFLORUS | large-flowered linanthus | Grassland; Gravel; Sand or Sandstone; Scrub |
| A1 | <i>Linanthus liniflorus</i> | flax-flowered linanthus | Scrub; Serpentine; Woodland; Misc. habitats |
| A2 | <i>Lithophragma parviflorum</i> var. <i>parviflorum</i> | prairie star | Misc. habitats |
| A2 | <i>Lotus strigosus</i> | strigose trefoil | Chaparral; Scrub |
| A1 | <i>Lupinus affinis</i> | lupine | Misc. habitats |
| A2 | <i>Madia elegans</i> ssp. <i>vernalis</i> (ssp. <i>densifolia</i> is more common) | common madia | Grassland |
| A2 | <i>Mentzelia affinis</i> | Hydra stick-leaf | Grassland; Sand or Sandstone; Woodland |

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| A1x | <i>Mentzelia laevicaulis</i> (historical-1969) | blazing star | Dry Washes; Rock, Tallus or Scree; Sand or Sandstone |
| A2 | <i>Microseris campestris</i> | San Joaquin microseris | Grassland; Vernal Pools |
| A2 | <i>Microseris elegans</i> | elegant microseris | Grassland; Vernal Pools |
| A2 | <i>Mimulus pilosus</i> | downy monkeyflower | Dry Washes; Gravel; Riparian; Sand or Sandstone |
| A2 | <i>Minuartia californica</i> | California sandwort | Chaparral; Dry Open Slopes; Grassland; Rock, Tallus or Scree; Sand or Sandstone; Serpentine |
| A1x | <i>Monolopia lanceolata</i> (historical-1941) | common monolopia | Chaparral; Dry Open Slopes; Grassland; Woodland |
| *A1 | MYOSURUS MINIMUS SSP. APUS | little mousetail | Alkali areas; Freshwater Marsh; Vernal Pool |
| A2 | <i>Myosurus minimus</i> ssp. <i>minimus</i> | common mouse-tail | Freshwater Marsh; Vernal Pools |
| A2 | <i>Myosurus sessilis</i> | sessile mouse-tail | Grassland; Vernal Pools |
| *A2 | NAVARRETIA COTULIFOLIA | cotula navarretia | Misc. Wetlands |
| A1 | <i>Nicotiana attenuata</i> | coyote tobacco | Dry Open Slopes |
| A2 | <i>Nicotiana quadrivalvis</i> | Indian tobacco | Dry Open Slopes; Dry Washes |
| A1 | <i>Nitrophila occidentalis</i> | nitrophila | Alkali areas |
| A2 | <i>Orobanche bulbosa</i> | bulbous broom-rape | Chaparral |
| A2 | <i>Orobanche vallicola</i> | California broom-rape | Forest; Woodland |
| A2 | <i>Penstemon heterophyllus</i> var. <i>purdyi</i> | foothill penstemon | Chaparral; Forest; Grassland |
| A2 | <i>Petunia parviflora</i> | wild petunia | Dry Washes |
| A2 | <i>Phacelia ramosissima</i> var. <i>ramosissima</i> | branching phacelia | Dry Open Slopes; Dry Washes; Grassland; Misc. habitats |
| A2 | <i>Phacelia tanacetifolia</i> | tansy phacelia | Gravel; Sand or Sandstone |
| A1 | <i>Phyla nodiflora</i> var. <i>incisa</i> (var. <i>nodiflora</i> is more common) | narrow-leaved fog-fruit | Misc. Wetlands |
| A2 | <i>Pilularia americana</i> | pillwort | Vernal Pools; Misc. Wetlands |
| *A1 | PLAGIOBOTHRYIS GLABER | hairless popcorn flower | Alkali areas; Vernal Pools; Misc. Wetlands |
| A2 | <i>Plagiobothrys leptocladus</i> | alkali plagiobothrys | Alkali areas |
| A2 | <i>Pleuropogon californicus</i> | semaphore grass | Riparian areas; Misc. Wetlands |
| A1 | <i>Puccinellia nuttalliana</i> | Nuttall alkali grass | Alkali areas |
| A2 | <i>Puccinellia simplex</i> | little alkali grass | Alkali areas |
| A1x | <i>Pyrocoma racemosa</i> var. <i>racemosa</i> (historical-1959) | racemose pyrrocoma | Alkali areas; Grassland; Salt Marsh; Misc. habitats |
| A2 | <i>Rumex salicifolius</i> var. <i>denticulatus</i> | willow dock | Misc. Wetlands |
| A2 | <i>Salicornia subterminalis</i> | Parish's glasswort | Alkali areas; Salt Marsh |
| A1 | <i>Scirpus fluviatilis</i> | river bulrush | Misc. Wetlands |
| A2 | <i>Senecio flaccidus</i> var. <i>douglasii</i> | shrubby butterweed | Dry Washes; Rock, Tallus or Scree; Sand or Sandstone |
| A2 | <i>Sesuvium verrucosum</i> | sea-purslane | Alkali areas |
| A2 | <i>Spergularia macrotheca</i> var. <i>leucantha</i> | large-flowered sand spurry | Alkali areas; Vernal Pools |
| A2 | <i>Spergularia macrotheca</i> var. <i>macrotheca</i> | large-flowered sand spurry | Alkali areas; Coastal Bluff; Rock, Tallus or Scree; Misc. Wetlands |
| A2 | <i>Sporobolus airoides</i> | alkali sacaton | Alkali areas |
| A2 | <i>Tonella tenella</i> | small-flowered tonella | Riparian areas; Misc. habitats |
| A1 | <i>Torreyochloa pallida</i> var. <i>pauciflora</i> | weak mannagrass | Freshwater Marsh; Riparian |
| A1? | <i>Trifolium barbigerum</i> var. | Gray's clover | Misc. habitats |

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| | andrewsii(?) | | |
| A2 | Trifolium barbigerum var. barbigerum | bearded clover | Misc. habitats |
| *A1x | TRIFOLIUM DEPAUPERATUM VAR. HYDROPHILUM (Vars. amplexens and truncatum are more common) | saline clover | Alkali areas; Salt Marsh |
| A2 | Trifolium flavulum (Included within T. fucatum in Jepson Manual) | bull clover | Alkali areas; Grassland; Serpentine; Misc. Wetlands |
| A1 | Trifolium gambelii (Included within T. fucatum in Jepson Manual) | bull clover | Alkali areas; Grassland; Serpentine; Misc. Wetlands |
| A2 | Trifolium lilacinum (Included within T. barbigerum var. andrewsii in Jepson Manual) | Gray's clover | Misc. habitats |
| *A1x | TROPIDOCARPUM CAPPARIDEUM (HISTORICAL-1981 BUT NOT SEEN SINCE THEN) | caper-fruited tropidocarpum | Alkali areas; Grassland |
| A2 | Vicia hassei | slender vetch | Grassland; Scrub |
| A2 | Vulpia microstachys var. microstachys (var. pauciflora is more common) | Nuttall's fescue | Dry Open Slopes; Rock, Tallus or Scree; Sand or Sandstone; Serpentine; Woodland |

NOTE: Plant species followed by “(?)” have taxonomic or distribution problems and it is not clear if they occur here.

Dates indicated for historical species refer to last known record in the Alameda-Contra Costa Counties area.

Explanation of Ranks

***A1 or *A2:** Species in Alameda and Contra Costa counties listed as rare, threatened or endangered statewide by federal or state agencies or by the state level of CNPS.

A1x: Species previously known from Alameda or Contra Costa Counties, but now believed to have been extirpated, and no longer occurring here.

A1: Species currently known from 2 or less regions in Alameda and Contra Costa Counties.

A2: Species currently known from 3 to 5 regions in the two counties, or, if more, meeting other important criteria such as small populations, stressed or declining populations, small geographical range, limited or threatened habitat, etc.