



CALIFORNIA HIGH-SPEED RAIL BRIEFING: **March 17, 2022, BOARD MEETING AGENDA ITEM #3**

TO: Chairman Richards and Board Members

FROM: Boris Lipkin, Northern California Regional Director
Serge Stanich, Director of Environmental Services

DATE: March 17, 2022

RE: Northern California Regional Update

Summary

The California High-Speed Rail Authority (Authority) has made substantial progress in Northern California during recent months. This update is intended to give the Board of Directors (Board) a preview of upcoming milestones in the San Jose to Merced and San Francisco to San Jose project sections.

The Authority published the San Jose to Merced Project Section Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on February 25, 2022. Staff plans to present to the Board a suite of recommendations on actions related to the review and certification of the Final EIR/EIS, approval of the San Jose to Merced Project Section and its preferred alternative, and approval of related environmental decision documents during a two-day Board meeting to occur April 20 and 21, 2022.

The San Jose to Merced Project Section provides a north-southeast high-speed rail connection linking the Central Valley with the southern San Francisco Bay Area. A figure depicting the project section is included in the attached presentation. To support the Board's preparation for consideration of proposed actions on the San Jose to Merced Project Section Final EIR/EIS at the two-day meeting, this memo provides:

- Information regarding the preparation of the San Jose to Merced Project Section EIR/EIS;
- Information regarding the documents provided for Board consideration of the San Jose to Merced Project Section Final EIR/EIS at the April Board meeting; and
- Next steps to anticipate and assist in your preparation for the April Board meeting.

The San Francisco to San Jose Final EIR/EIS is being completed and will be published later this year before being brought to the Board for consideration.

Prior Board Action

Significant Board Actions related to Northern California include the following:

1. **Resolution #HSRA 12-11**, which established the blended system on the Caltrain corridor as part of the implementation of high-speed rail on the San Francisco Peninsula.
2. **Resolution #HSRA 12-24**, which certified the Bay Area to Central Valley 2010 Revised Final Program EIR and associated actions.
3. **Resolution #HSRA 13-02**, which approved a Memorandum of Understanding with Caltrain for the advancement of the blended system.

4. **Resolution #HSRA 16-21**, which approved an additional funding agreement for the Caltrain Electrification Project.
5. **Resolution #HSRA 16-22**, which approved the Authority's contribution toward the San Mateo Grade Separation Project.
6. **Resolution #HSRA 16-29**, which approved the Peninsula Corridor Funding Plan and Associated Independent Consultant Report.
7. **Resolution #HSRA 17-11**, which approved the Authority becoming a member of the Transbay Joint Powers Authority.
8. **Resolution #HSRA 19-05**, which identified Alternative 4 as the CEQA Preferred Alternative in the San Jose to Merced Project Section for the Draft Environmental Impact Report/Environmental Impact Statement
9. **Resolution #HSRA 19-06**, which identified Alternative 4 as the NEPA Preferred Alternative in the San Jose to Merced Project Section for the Draft Environmental Impact Report/Environmental Impact Statement
10. **Resolution #HSRA 19-07**, which identified Alternative A as the CEQA Preferred Alternative in the San Francisco to San Jose Project Section for the Draft Environmental Impact Report/Environmental Impact Statement
11. **Resolution #HSRA 19-08**, which identified Alternative A as the NEPA Preferred Alternative in the San Francisco to San Jose Project Section for the Draft Environmental Impact Report/Environmental Impact Statement

Discussion

Preparation of the San Jose to Merced Project Section EIR/EIS

The San Jose to Merced Final EIR/EIS evaluates the impacts and benefits of a no project Alternative and four distinct, end-to-end project alternatives (Alternatives 1 through 4) including stations, shown in the attached presentation. The approximately 90-mile project section or "project extent" begins at Scott Boulevard in the City of Santa Clara north of San Jose Diridon Station and runs to Carlucci Road in unincorporated Merced County where it would connect with the already-approved Central Valley Wye project extent. The San Jose to Merced project section is located in the counties of Santa Clara, San Benito and Merced and in or near the cities of Santa Clara, San Jose, Morgan Hill, Gilroy, and Los Banos.

At the September 2019 Authority Board meeting, the Board identified Alternative 4 as the Authority's Preferred Alternative for the San Jose to Merced Project Section. Since that time, the Authority has continued to advance work in the project section including receiving comments on the Draft EIR/EIS and Revised/Supplemental Draft EIR/EIS and responding to those comments. As presented in the Final EIR/EIS, the Preferred Alternative is Alternative 4 which includes the San Jose Diridon Station as modified by the Diridon design variant, upgrades to the existing rail corridor between San Jose to Gilroy, a downtown Gilroy station, the South Gilroy Maintenance of Way Facility (MOWF), dedicated HSR infrastructure through the Pacheco Pass as modified by the tunnel design variant, the maintenance of way siding west of Turner Island Road in the San Joaquin Valley subsection, and dedicated high-speed rail infrastructure continuing across the San Joaquin Valley to connect to the Central Valley Wye.

Public Circulation of the Draft EIR/EIS

The San Jose to Merced Draft EIR/EIS was circulated from April 24, 2020, through June 23, 2020, when the Authority received a total of 4,887 individual delimited comments on the document. Many of the comments related to the following topics:

- Range of alternatives, including adding to or modifying the range of alternatives
- Biological resources, including the Grasslands Ecological Area, wildlife movement, and conserved lands
- Cumulative impacts, including updating the analysis to consider new developments, including the Diridon Integrated Station Concept (DISC) and the Caltrain 2040 Business Plan
- Noise and vibration, including additional details of impacts

- Displacements
- Corridor safety improvements, including effects on emergency vehicle response time and requests for grade separations
- Visual and aesthetic resources, including requests for additional details of impacts
- Traffic and transportation, including request for additional description of site-specific mitigation for congestion and delay
- Parking, including a request for a parking supply/demand analysis

From 2009 to 2022, extensive public and agency outreach, including to potentially affected communities, was conducted throughout the EIR/EIS process. This outreach is summarized in the Final EIR/EIS Chapters 5 and 9.

Most recently in 2019 through 2021, the Authority held multiple meetings with cities and other representative entities regarding environmental justice communities potentially affected by the project, including Santa Clara, San Jose Diridon area, Gardner/Willow Glen, Guadalupe/Washington, South San Jose, Morgan Hill, Gilroy, and the San Joaquin Valley area. The Final EIR/EIS was refined based on input received during this outreach and staff has included offsetting mitigation measures to address environmental justice community impacts.

Public Circulation of the Revised Draft EIR/Supplemental Draft EIS

Following the Authority's publication of the Draft EIR/EIS in April 2020, the Authority learned that the California Fish and Game Commission advanced the Southern California/Central Coast mountain lion (*Puma concolor*) populations to candidacy for listing under the California Endangered Species Act. The monarch butterfly (*Danaus plexippus*) also became a candidate for listing under the federal Endangered Species Act. In addition, based on concerns raised by the California Department of Fish and Wildlife (CDFW), the Authority developed two new mitigation measures to address impacts on wildlife resulting from noise and lighting during construction and project operations.

Given these developments, the Authority recirculated the above new information in the Revised/Supplemental Draft EIR/EIS on April 23, 2021, providing the public with a 45-day comment period until June 9, 2021, to comment on these changes. From this public review, the Authority received 226 individual comments on the revised document covering a range of topics, including:

- Biological resources, including Grasslands Ecological Area, wildlife movement, and conserved lands
- Restatements of Draft EIR/EIS comments
- Displacements and property impacts
- Range of alternatives, including adding to or modifying the range of alternatives

In response to comments received on the Draft EIR/EIS and Revised Draft EIR/Supplemental Draft EIS documents, the Authority incorporated revisions into the EIR/EIS or the project design. The design revisions were determined to be consistent with the project design criteria and to represent a design improvement that would reduce or result in no change to environmental impacts. The Preferred Alternative for the San Jose to Merced Project Section remains Alternative 4.

Board Consideration of the San Jose to Merced Final EIR/EIS for April Meeting

To provide adequate time for the Board to consider the Final EIR/EIS, a printed copy of the Executive Summary and an electronic copy of the entire four-volume document was transmitted to the Board members on February 25, 2022. The Executive Summary provides an overview of the analysis in the Final EIR/EIS. Volume 1 contains the environmental analysis, Volume 2 includes the technical appendices, Volume 3 contains the engineering drawings, and Volume 4 contains the responses to all public comments received on both the Draft EIR/EIS and the Revised Draft EIR/Supplemental Draft EIS.

San Francisco to San Jose Project Section

The Authority is also working to finalize the EIR/EIS for the San Francisco to San Jose project section. This project section covers two alternatives for upgrades to the existing Caltrain corridor in order to facilitate high-speed rail service. In 2019, the Board identified Alternative A as the Preferred Alternative, which includes the preferred location for the light maintenance facility, does not include additional passing tracks, and includes an at-grade approach to Diridon Station (a figure showing the two alternatives is in the attached presentation). Common features between the two alternatives include stations in San Francisco, Millbrae, and San Jose and corridor upgrades for safety and speed including at at-grade crossings.

Staff anticipates publishing the Final EIR/EIS for this project section later this spring and will bring it to the Board for consideration in the summer.

Next Steps

While the Board most recently approved the Bakersfield to Palmdale Final EIR/EIS in August 2021 and the Burbank to Los Angeles Final EIR/EIS in January 2022, consideration of the San Jose to Merced Final EIR/EIS will represent the third time the Authority has considered action on a full project section environmental document since 2014 when the Fresno to Bakersfield Final EIR/EIS was approved.

The San Jose to Merced Project Section documentation for review is voluminous and the steps required for action by the Board at its meeting on April 20 and 21, 2022, are very specific. To ensure that the Board has the tools and support it needs to prepare for the Board meeting, please anticipate the following next steps:

February 25, 2022	The Final EIR/EIS was transmitted to Board members under separate transmittal to allow for your review. The Final EIR/EIS was also be made available to the public for a 30-day waiting period.
March 21-25, 2022	Final EIR/EIS briefings. Staff is available for individual Board member briefings (compliant with open meeting requirements), as schedule allows.
April 8, 2022	The agenda for the Board meeting will be posted.
April 13, 2022	Materials for the Board meeting (including NEPA/CEQA draft decision documents) will be published and delivered to the Board members.
April 14-19, 2022	Board Materials briefings. Staff is available for individual Board member briefings on the proposed NEPA/CEQA decision documents for San Jose to Merced as well as briefings on other agendized Board items.
April 20-21, 2022	Board meeting (2-day).

Legal Approval

The Legal Office has reviewed, and this item complies with Authority policy.

Budget and Fiscal Impact

This is an informational item, and by itself, does not have a budget or fiscal impact.

REVIEWER INFORMATION	SIGNATURE
Reviewer Name and Title: Brian Annis Chief Financial Officer	Signature verifying budget analysis:
Reviewer Name and Title: Alicia Fowler Chief Counsel	Signature verifying legal analysis:

Recommendations

This item is informational only; staff does not recommend any Board action at this time.

Attachments

Presentation

