



## DRAFT RESOLUTION #HSRA 22-20

### San Francisco to San Jose Project Section

#### Adoption of CEQA Findings of Fact and Statement of Overriding Considerations

#### Adoption of Mitigation Monitoring and Enforcement Plan

#### Approval of the Portion of the Preferred Alternative (Alternative A with Caltrain stations modified for HSR at 4th and King Streets and Millbrae, an East Brisbane Light Maintenance Facility, the Millbrae Station Design, and associated facilities) from 4<sup>th</sup> and King Streets in San Francisco to Scott Boulevard in Santa Clara

**Whereas**, the Authority has certified the San Francisco to San Jose Project Section Final Environmental Impact Report/Environmental Impact Statement (“Final EIR/EIS”) for compliance with the California Environmental Quality Act (“CEQA”) in Resolution #HSRA 22-19, and hereby incorporates by reference the defined terms and statements contained in that Resolution;

**Whereas**, the Final EIR/EIS certified by Resolution #HSRA 22-19 evaluates the impacts and the benefits of implementing two project alternatives (Alternative A and Alternative B) and two station design options (the Millbrae Station Design and the Millbrae Reduced Site Plan Design Variant) for the high-speed rail (“HSR”) system for the San Francisco to San Jose Project Section, which extended from the 4th and King Street Station in San Francisco to West Alma Avenue in San Jose;

**Whereas**, the Final EIR/EIS certified by Resolution #HSRA 22-19 identifies the Preferred Alternative as Alternative A with modified Caltrain stations for HSR at the 4th and King Street, Millbrae, and San Jose Stations, the East Brisbane Light Maintenance Facility (“LMF”), the Millbrae Station Design, and associated project elements from the 4th and King Street Station in San Francisco to West Alma Avenue in San Jose;

**Whereas**, the portion of the Preferred Alternative from Scott Boulevard in Santa Clara to West Alma Avenue in San Jose, including the San Jose Diridon Station, was also evaluated as part of the San Jose to Merced Project Section Final EIR/EIS, which the Authority Board of Directors certified for compliance with CEQA on April 28, 2022, through Resolution #HSRA 22-10;

**Whereas**, the Authority Board of Directors approved the portion of the Preferred Alternative from Scott Boulevard in Santa Clara to West Alma Avenue in San Jose, including the San Jose Diridon Station, as part of the San Jose to Merced Project Section on April 28, 2022, through Resolution #HSRA 22-11;

**Whereas**, considering the Authority Board of Director’s prior actions in Resolution #HSRA 22-10 and #HSRA 22-11, only that portion of the San Francisco to San Jose Project Section Preferred Alternative extending from 4th and King Street in San Francisco to Scott Boulevard in Santa Clara (and associated project elements, including the East Brisbane LMF and the Millbrae Station Design), as depicted on the map attached as Exhibit “A,” is being considered as part of this Board action.

**Therefore, it is resolved:**

Section 1. Adoption of CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Enforcement Plan

- a. As the decision-making body for the HSR system, the Authority Board of Directors has reviewed and considered the information contained in the San Francisco to San Jose Project Section Final EIR/EIS and in the CEQA Findings of Fact attached hereto as Exhibit “B” and supporting documentation. The Authority determines that the CEQA Findings of Fact document identifies the significant environmental impacts and mitigation measures associated with the portion of the Preferred Alternative being considered for approval. The Authority further finds that the CEQA Findings of Fact have been completed in compliance with CEQA and the State CEQA Guidelines. The Authority hereby approves and adopts the CEQA Findings of Fact attached hereto as Exhibit “B”.
- b. The Authority hereby finds that the Statement of Overriding Considerations was completed in accordance with Public Resources Code section 21081 and State CEQA Guidelines section 15093, subdivision (a), which state that CEQA requires the lead agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the project. The Statement of Overriding Considerations is included in the Findings of Fact attached hereto as Exhibit “B” and sets forth significant environmental effects that are found to be unavoidable, but are acceptable due to the overriding considerations associated with, and benefits expected to result from, implementing the San Francisco to San Jose Project Section Preferred Alternative. The Authority hereby approves and adopts the Statement of Overriding Considerations included in the Findings of Fact attached hereto as Exhibit “B”.
- c. Pursuant to Public Resources Code section 21081.6 and State CEQA Guidelines section 15091, subdivision (d), the Authority hereby adopts the Mitigation Monitoring and Enforcement Plan (MMEP) attached hereto as an Attachment “A” to Exhibit “B”, which describes the mitigation measures the Authority will implement, or will require to be implemented, as part of the Preferred Alternative.

Section 2. Approval of the Portion of the Preferred Alternative (Alternative A with Caltrain stations modified for HSR at 4th and King Streets and Millbrae, the East Brisbane LMF, the Millbrae Station Design, and associated project elements) from the 4th and King Street Station in San Francisco to Scott Boulevard in Santa Clara).

Based on and in consideration of all of the foregoing, the Authority hereby approves all HSR facilities described in the Final EIR/EIS associated with the portion of the Preferred Alternative, extending to Scott Boulevard in Santa Clara, as generally depicted on the map attached hereto as Exhibit “A” and as described in more detail in the Final EIR/EIS, and conditioned on the mitigation measures described in the Findings of Fact attached hereto as Exhibit “B” and reflected in the MMEP attached hereto as Attachment “A” to Exhibit “B”, and which MMEP shall be a condition of the approved project.

Section 3. Next Steps.

**The Authority hereby directs staff as follows:**

- a. To promptly file a CEQA Notice of Determination with the State Clearinghouse;

- b. To take any other necessary steps to obtain permits, approvals, and rights that would allow construction and operations of HSR infrastructure and service in the Caltrain corridor, when funding becomes available, including pursuing agreements with the Peninsula Corridor Joint Powers Board (Caltrain) to implement the blended system;
- c. To continue to actively engage and coordinate with partners in the project section with interfacing or adjacent rail or transit projects or plans such as the capital projects necessary for the Caltrain 2040 Service Vision, the Transbay Joint Powers Authority's (TJPA) Downtown Extension project, planning for the San Francisco Railyards, BART/Capital Corridor Joint Powers Authority (CCJPA)'s Link-21 project, freight operations in the corridor, and others;
- d. To continue to support the region's, Caltrain's, and local cities' efforts to plan, prioritize and advance community grade separation projects that are part of the Caltrain 2040 Service Vision, Metropolitan Transportation Commission's Plan Bay Area 2050, and other local/regional plans;
- e. To continue to work in partnership with relevant cities and counties and other regional stakeholders as the San Francisco to San Jose Project Section of the high-speed rail project is implemented; this includes continued engagement with Caltrain's Local Policymaker Group and the City/County Staff Coordinating Group, which are comprised of the jurisdictions along the Caltrain corridor;
- f. To explore joint design and planning opportunities with the City of Millbrae when advancing from preliminary station design to final station design, in order to concurrently advance the two important statewide priorities of high-speed rail and transit-oriented development in the San Francisco to San Jose project section broadly and around the Millbrae station specifically; and
- g. To explore joint design and planning opportunities with the City of Brisbane when advancing from preliminary design for the light maintenance facility to final design, in order to concurrently advance the two important statewide priorities of high-speed rail and transit-oriented development in the San Francisco to San Jose project section broadly and at the Brisbane Baylands site specifically.

Vote:  
Yes:  
No:  
Absent:  
Date:

**Exhibit A: Map of Preferred Alternative**

**Exhibit B: Findings of Fact and Statement of Overriding Considerations (inclusive of Attachment “A” , the Mitigation Monitoring and Enforcement Plan (MMEP))**

