

RESOLUTION #HSRA 18-16

Certification of the Fresno to Bakersfield Section Final Supplemental Environmental Impact Report (EIR)

Whereas, pursuant to the California High-Speed Rail Act, Public Utilities Code section 185000, et seq., the California High-Speed Rail Authority (“Authority”) was created in 1996 to direct the development and implementation of intercity high-speed rail service that is fully integrated with the state’s existing intercity rail and bus network;

Whereas, the Authority has chosen to use under the California Environmental Quality Act (“CEQA”) a tiered environmental review and decision making process to identify preferred alignments and station locations for the high-speed train system;

Whereas, the Authority together with the Federal Railroad Administration (FRA) completed a first-tier, program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the statewide high-speed train (HSR) system in 2005 and approved general alignments and station locations for further study in second-tier, project-level environmental documents;

Whereas, the Authority commenced preparation of a second-tier Fresno to Bakersfield Section Project EIR/EIS in 2009, releasing for public comment a Draft EIR/EIS in August 2011 and a Revised Draft EIR/Supplemental Draft EIS in July 2012, and subsequently releasing a Fresno to Bakersfield Section Final EIR/EIS (“Final (2014) EIR/EIS”) on April 18, 2014, which documents evaluate construction and operations impacts of the 114-mile Fresno to Bakersfield Section of the high-speed rail system;

Whereas, on May 7, 2014 the Authority certified, as compliant with CEQA, the Final (2014) EIR/EIS that identified a Preferred Alternative for the entire 114-mile Fresno to Bakersfield Section;

Whereas, on May 7, 2014, the Authority approved only that portion of the 114-mile Preferred Alternative from the Fresno Station to 7th Standard Road (approximately the northerly city limit of Bakersfield) and reserved for a future decision that portion of the HSR alignment south of 7th Standard Road;

Whereas, on May 7, 2014, the Authority directed staff to continue to work with the City of Bakersfield and Bakersfield stakeholders regarding that portion of the high-speed rail alignment south of 7th Standard Road;

Whereas, following the Authority’s approval, the FRA issued a Record of Decision (“ROD”) for the Fresno to Bakersfield Section in June 2014 in which the FRA approved the same Preferred Alternative up to 7th Standard Road, and also approved the Preferred Alternative’s Bakersfield Hybrid alignment up to and including a station in downtown Bakersfield at Truxtun Avenue;

Whereas, in a Settlement Agreement signed December 19, 2014 between the City of Bakersfield and the Authority, the two agencies agreed to work together to develop and study an alternative that would be acceptable to the City of Bakersfield while meeting the Authority’s design requirements, and this process lead to the development of a new alternative in Bakersfield called the Fresno to Bakersfield Locally Generated Alternative (F-B LGA);

Whereas, the Authority and the FRA determined it was appropriate to evaluate the F-B LGA through a Draft Supplemental EIR/EIS, consistent with State CEQA Guidelines sections 15162 and 15163 and with the regulations implementing the National Environmental Policy Act (NEPA), specifically 40 C.F.R. 1502.9;

Whereas, the Authority also continued to work with Kern County and the City of Shafter, and together with the FRA determined to incorporate alignment refinements in Shafter into the F-B LGA to be evaluated in the Draft Supplemental EIR/EIS;

Whereas, the Authority and local agencies and stakeholders including the City of Bakersfield, the City of Shafter, and Kern County cooperated on technical aspects of the F-B LGA design in those agencies' jurisdiction as part of development of the Draft Supplemental EIR/EIS;

Whereas, the Authority and the FRA circulated for public review and comment the Fresno to Bakersfield Section Draft Supplemental EIR/EIS between November 9, 2017 and January 16, 2018;

Whereas, in order to meet its goals and objectives for the high-speed rail system, the Authority determined that the most effective and expeditious approach for the F-B LGA would be to complete and issue a Final Supplemental EIR, separate from a Final Supplemental EIS, for Board consideration, and to continue to collaborate with the FRA in the subsequent preparation of a Final Supplemental EIS and Supplemental Record of Decision in compliance with NEPA;

Whereas, the Authority determined it was appropriate to complete the Fresno to Bakersfield environmental analysis in the form of a Final Supplemental EIR because none of the circumstances meriting recirculation pursuant to State CEQA Guidelines section 15088.5 exist; and,

Whereas, on October 5, 2018, the Authority issued the Fresno to Bakersfield Section Final Supplemental EIR (Final Supplemental EIR) and made it publicly available on the Authority website and provided broad public notice, and the Final Supplemental EIR is defined further to incorporate by reference the Fresno to Bakersfield Section Draft Supplemental EIR/EIS, and any additional volumes and/or errata issued subsequent to October 5, 2018.

Therefore, it is resolved:

The Authority hereby certifies that:

- (a) the California High-Speed Train Final Supplemental EIR for the Fresno to Bakersfield Section has been completed in compliance with CEQA;
- (b) the California High-Speed Train Final Supplemental EIR for the Fresno to Bakersfield Section has been presented to the Authority Board and the Board has reviewed and considered the information contained in the Final Supplemental EIR for the Fresno to Bakersfield Section and has also considered the certified Final (2014) EIR/EIS; and,
- (c) the Final Supplemental EIR for the Fresno to Bakersfield Section reflects the Authority's independent judgment and analysis.

Vote: 5 – 0

Yes: Camacho; Curtin; Miller; Richard; Richards

No: N/A

Absent: Lowenthal; Rossi; Schenk

Date: 10/16/18

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