

APPROACH FOR OBTAINING ICS ENVIRONMENTAL APPROVALS/PERMITS

		Merced to Fresno HST Section		Fresno to Bakersfield HST Section		
Responsible Regulatory Agency	Approval/Permit Needed	Construction Package #1A	Construction Package #1B	Construction Package #1C	Party to Obtain Approval/Permit	Comments
	Project Limits: Env. Document:	See Note Below * Merced to Fresno	See Note Below ** Merced to Fresno	See Note Below *** Fresno to Bakersfield		
1	USFWS Section 7 Biological Opinion	Required for ROD	Required for ROD	Required for ROD	Authority/RC	Will include construction-related biological mitigation measures
2	NMFS Section 7 Biological Opinion	Required for ROD	Required for ROD	Required for ROD	Authority/RC	Will include construction-related biological mitigation measures
3	CA SHPO Section 106 MOA/Treatment Plan	Required for ROD	Required for ROD	Required for ROD	Authority/RC	MOA/Treatment Plan to be adopted by Authority and City of Fresno; also MOA needed with one or more Native American Tribes
4	FRA/USEPA Air Quality General Conformity Determination	Required for ROD	Required for ROD	Required for ROD	Authority/RC	FRA determination is to be made for the entire Merced to Fresno HST section. Requires coordination with EPA and state air resources board and air quality districts.
5	FRA / USDOJ Section 4(f)/Section 6(f) Determination	Required for ROD	Required for ROD	Required for ROD	Authority/RC	Section 4(f) pertains to potential project impacts to parks and historic resources; Section 6(f) pertains to existing parks that utilized Land and Water Conservation funds for property acquisition or park development
6	CDFG Title 14 Memorandum of Agreement	Required for ROD	N/A	N/A	Authority/RC	Requires agreement with CDFG for impacts to Camp Pashayan and construction of a bridge crossing of the SJ River
7	SWRCB Section 401 - State Water Quality Certification <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	Certificate to be issued by State Water Resources Control Board; needed for Section 404 permit required by the Corps
8	SWRCB Section 402 - NPDES Permit <i>Construction General Permit</i>	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	Pertains to any activity with ground disturbance greater than one acre. Requires preparation of a Storm Water Pollution Prevention Plan (SWPPP).
9	<i>Industrial General Permit</i>	N/A	N/A	N/A	N/A	Pertains to discharges from industrial type activities (e.g., fueling, cleaning, repairing facilities) that would be built under a separate CP at a future date.
10	<i>Municipal Separate Storm Sewer Systems Permit (MS4)</i>	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	Generally pertains to discharges in urbanized areas; requires preparation of a Standard Urban Storm Water Management Plan (SUSMP)
11	USACE Section 404 Clean Water Act - Dredge and Fill Permit <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	For now, assume a single, individual permit needed for both the Merced to Fresno and Fresno to Bakersfield HST sections. Permit requires ROD, 401 Certification, 408 Determination issued by the Corps (see below), Biological Opinion issued by USFWS and NMFS, and Section 401 Certificate from SWRCB.
12	CDFG Section 1602 Streambed Alteration Agreement <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	N/A N/A	N/A N/A	Authority/RC D/B Contractor	Pertains to any activity related to diverting or obstructing the natural flow of any river, stream or lake; change or use of any material from the bed, channel, or bank of any river, stream or lake; deposit or dispose of debris waste or any other material where it may pass into any river, stream or lake.
13	CDFG Section 2081 Incidental Take Permit <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	Under the CA Environmental Species Act (CESA), CDFG is allowed to issue an incidental take (IT) permit for a CESA-listed, threatened, endangered or candidate species if specific criteria are met. To obtain IT authorization for multiple state-listed endangered, threatened and candidate species, preparation of a Natural Community Conservation Plan must be prepared.

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13	CVFPB Encroachment Permits <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	N/A N/A	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	Following initial review by the CVFPB, the Corps will need to issue a 408 Minor Determination acknowledging the proposed project will have little or no impact on Corps' owned/operated/maintained flood control facilities.
14	Caltrans Right-of-Way Encroachment Permits	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	Required for any construction-related activity within the Caltrans right-of-way.
15	State Lands Commission Long-Term Lease	Obtain After ROD	N/A	N/A	Authority/RC	Required for crossing state lands and the San Joaquin River.
16	CPUC CA Public Utilities Commission Approvals/Permits <i>Conditional Permit</i> <i>Final Permit</i>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	CPUC General Order No. 95 requires approval for overhead electric line construction, including overhead catenary construction and the location of power systems. Also, CPUC has approval for closure of existing or construction of new railroad grade crossings.
17	SJVAPCD San Joaquin Valley Air Pollution Control District (SJVAPCD) Construction Permits <i>Rule 201, General Permit Requirements</i> <i>Rule 403, Fugitive Dust Requirements</i> <i>Rule 442, Architectural Coatings Requirements</i> <i>Rule 902, Asbestos Requirements</i>	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	
18		Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	
19		Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	
20		Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	

* CP #1A will consist of construction between Avenue 10 on the UPRR in Madera County south across the SJ River to the north tail track of the Fresno Station, or between Avenue 17 on the BNSF in Madera County south across the SJ River to the north tail track for the Fresno Station.

** CP #1B will consist of construction from the north end of the Fresno Tail Track south to the southern end of the Fresno Station Tail Track

*** CP #1C will consist of construction from the southern end of the Fresno Station Tail Track to East American Way in the city of Fresno

Legend:

Authority - California High-Speed Rail Authority
 Caltrans - California Department of Transportation
 CA SHPO - California State Historic Preservation Officer
 CDFG - California Department of Fish and Game
 CPUC - California Public Utilities Commission
 CVFPB - Central Valley Flood Protection Board
 FRA - Federal Railroad Administration

NMFS - National Marine Fisheries Service
 SJVAPCD - San Joaquin Valley Air Pollution Control District
 SWRCB - California State Water Resources Control Board
 USACE - United States Army Corps of Engineers
 USDO I - United States Department of Interior
 USEPA - United States Environmental Protection Agency
 USFWS - United States Fish and Wildlife Service

Prepared November 8, 2011
 Revised December 8, 2011