



California High-Speed Rail **BRIEFING: Central Valley Wye Board Actions Agenda Item #2**

TO: Acting Chairman Richards and Board Members
FROM: Mark A. McLoughlin, Director of Environmental Services
DATE: August 13, 2020
RE: Merced to Fresno Section: Central Valley Wye September Board Actions

Summary

Staff is updating the Board on the release of the Final Supplemental Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) and informing the Board of the process required for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) decisions on the Merced to Fresno: Central Valley Wye EIR/EIS that will be presented at the September Board meeting. No action is needed at this time.

Background

The California High-Speed Rail Merced to Fresno Section: Central Valley Wye Draft Supplemental EIR/EIS is a supplement to the Merced to Fresno Final EIR/EIS. The Authority Board certified the Merced to Fresno Final EIR/EIS in May 2012 and the Federal Railroad Administration (FRA) issued their Record of Decision in September 2012. The Authority Board and FRA approved portions of the Hybrid Alternative for the north-south high-speed rail alignment and the Downtown Merced and Downtown Fresno Mariposa Street station locations. However, they deferred a decision on the area known as the Central Valley Wye to allow for additional environmental analysis.

The “Central Valley Wye,” also referred to as the “wye” or “wye connection,” is the portion of the Merced to Fresno Project Section that provides the east-west high-speed rail connection to the San Jose to Merced Section to the west and to the north-south portion of the Merced to Fresno Section to the east. This intersection is located in Merced and Madera counties near the City of Chowchilla and includes related electrical facilities extending into Fresno and Stanislaus counties.

As the CEQA lead agency, the Authority prepared and released the Draft Supplemental EIR/EIS in May 2019. In July 2019, the Authority received NEPA Assignment from the FRA, and released the Draft Supplemental EIR/EIS (the same CEQA document) as the NEPA lead agency in September 2019.

After publication of the Draft Supplemental EIR/EIS, the Authority learned of a new listing of a bumblebee species, Crotch bumble bee (*Bombus crotchii*), as a candidate for the California Endangered Species Act. This bee was identified as potentially present in the Central Valley Wye resource study area. As a result, pursuant to both CEQA and NEPA, a Revised Draft Supplemental EIR/Second Draft Supplemental EIS (Revised/Second Draft Supplemental EIR/EIS) was recirculated for public comment.

The Merced to Fresno Final EIR/EIS is available on the website and the Final Supplemental EIR/EIS was published on August 7, 2020. The Final Supplemental EIR/EIS is made available prior to making final decisions on the project. Responses to public comments received during the review periods for the Draft Supplemental EIR/EIS, and Revised/Second Draft Supplemental EIR/EIS are part of the Final Supplemental EIR/EIS and are included in Volume IV.

Prior Board Action

Board Resolution 12-19 certified the Merced to Fresno Section Final EIR/EIS for compliance with CEQA.

Board Resolution 12-20 adoption of the Merced to Fresno Section CEQA decision documents, and approved the Hybrid Alternative, Merced and Fresno Station locations.

Board Resolution 17-01 concurred with the identification of SR 152 (North) to Road 11 Wye Alternative as the Staff Recommended Preferred Alternative for the Merced to Fresno Section: Central Valley Wye Draft Supplemental EIR/EIS.

Discussion

During the September Board meeting, staff will present the Final Supplemental EIR/EIS and an update on stakeholder outreach and coordination and public comments. The Board actions to be considered at the Authority's September Board meeting include:

1. Certifying the Final Supplemental EIR/EIS as CEQA Lead Agency
2. Approving the Preferred Alternative and related CEQA decision documents
3. Directing the Authority CEO to issue the Supplemental Record of Decision under the Authority's NEPA Assignment

Prior to the September Board meeting, the Merced to Fresno: Central Valley Wye Final Supplemental EIR/EIS will be available on the HSR website on August 7, 2020. The NEPA and CEQA decision documents will be made available as part of the September Board materials. Pending Board action, the Notice of Determination would be filed pursuant to CEQA and the Supplemental Record of Decision would be published pursuant to NEPA.

Legal Approval

This briefing memorandum and accompanying presentation have been prepared with review and input by the Legal Office.

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: Original Signed August 6, 2020
Reviewer Name and Title: Alicia Fowler, Chief Legal Counsel	Signature verifying legal analysis: Original Signed August 6, 2020

Recommendations

Staff recommends the Board review the materials regarding Merced to Fresno Section: Central Valley Wye prior to the September Board meeting.

The key milestones are:

KEY MILESTONE	DATE
Final Supplemental EIR/EIS Publication	August 7, 2020
Authority Board consideration of the Merced to Fresno Section: Central Valley Wye resolutions	September 10, 2020

Attachments

None.