



PUBLIC NOTICE

NOTICE OF AVAILABILITY

California High-Speed Rail Project – San Francisco to San Jose Project Section

REVISED DRAFT ENVIRONMENTAL IMPACT REPORT/ SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

NEW SAN FRANCISCO TO SAN JOSE PROJECT SECTION DOCUMENT FOCUSED ON NEW BIOLOGICAL RESOURCES ANALYSIS CONTENT AND A MILLBRAE STATION REDUCED SITE PLAN DESIGN VARIANT

The California High-Speed Rail Authority (Authority) announces the availability of a limited revision to its previously published Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the San Francisco to San Jose Project Section of the California High-Speed Rail (HSR) Project. This document is entitled *San Francisco to San Jose Project Section Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (Revised/Supplemental Draft EIR/EIS)*. The Revised/Supplemental Draft EIR/EIS has been prepared and is being made available pursuant to both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by the State of California pursuant to 23 United States Code (U.S.C.) Section 327 and a Memorandum of Understanding (MOU) dated July 23, 2019, and executed by the Federal Railroad Administration (FRA) and the State of California. Under that MOU, the Authority is the project's lead agency under NEPA. Prior to the July 23, 2019, MOU, the FRA was the federal lead agency.

The San Francisco to San Jose Project Section Revised/Supplemental Draft EIR/EIS will be available to the public on July 23, 2021.

The San Francisco to San Jose Project Section Revised/Supplemental Draft EIR/EIS is available online as a PDF at the Authority's website (www.hsr.ca.gov), or you can request an electronic copy by calling (800) 435-8670.

This Revised/Supplemental Draft EIR/EIS has been prepared and is being made available pursuant to both CEQA and NEPA and presents a new biological resources analysis for monarch butterfly and an analysis of a design variant for the Millbrae Station, neither of which were included in the *San Francisco to San Jose Project Section Draft EIR/EIS*.

Biological Resources—New Special-Status Species

Following the Authority's publication of the Draft EIR/EIS in July 2020, monarch butterfly (*Danaus plexippus*) became a candidate for listing under the federal Endangered Species Act (FESA) on December 15, 2020 (85 *Federal Register* 81813, December 17, 2020). This action by the U.S. Fish and Wildlife Service makes monarch butterfly subject to the definition of special-status species used by the Authority for analysis: "Plants or wildlife listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (16 U.S.C. § 1531 et seq.)."

Monarch butterfly is assumed to be present in the resource study area for the project alternatives, based on historical records and existence of suitable habitat for the species. As this is a new potential impact not included in the Draft EIR/EIS, the Authority determined that the analysis of this impact should be included in a recirculated document. Accordingly, Section 3.7, Biological and Aquatic Resources, of the Revised/Supplemental Draft EIR/EIS includes additional analysis and revised and new mitigation measures related to monarch butterfly.

Millbrae Station Reduced Site Plan Design Variant

The Authority developed the Millbrae Station Reduced Site Plan Design Variant (RSP Design Variant) to address stakeholder concerns by analyzing a smaller, potentially feasible footprint for the station design at this location. The RSP Design Variant preserves HSR track and platform right-of-way needs but reconfigures station facilities, parking, and station access to reduce impacts on existing and planned development. The RSP Design Variant differs from the design of the Millbrae Station evaluated in the Draft EIR/EIS (Millbrae Station Design) by: eliminating surface parking lots on the west side of the alignment that would have served as replacement parking for displaced Caltrain and Bay Area Rapid Transit parking spaces; relocating the new HSR station entrance hall; eliminating lane modifications to El Camino Real; and eliminating the California Drive extension north of Linden Avenue to El Camino Real from the project. The RSP Design Variant would apply equally to either project alternative—Alternative A or Alternative B. Because the RSP Design Variant is a potentially feasible alternative different from the Millbrae Station Design that would lessen some significant environmental impacts of the project, the Authority determined that the analysis of the RSP Design Variant should be included in a recirculated document. Accordingly, Section 3.20, Millbrae Station Reduced Site Plan Design Variant, in the Revised/Supplemental Draft EIR/EIS evaluates the environmental impacts of the RSP Design Variant.

Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement

Consistent with the guidance provided under CEQA and NEPA,¹ the Authority, as lead CEQA and NEPA agency for the San Francisco to San Jose Project Section, is issuing the Revised/Supplemental Draft EIR/EIS limited to the portions of the Draft EIR/EIS that require revision based on the new information described above. New information includes background information, a description of the RSP Design Variant, methodology, impact analysis, and mitigation measures.

Other information that has not been revised, including the methods for evaluating impacts under NEPA and the methods for determining significance under CEQA, as well as appendices that remain unchanged, can be found in the Draft EIR/EIS. The previously published Draft EIR/EIS, including Sections 3.7 and 3.18, Cumulative Impacts, and Chapter 12, References, is available on the Authority's website (www.hsr.ca.gov).

To the extent practicable, a vertical line in the margin indicates a substantive change in the text since publication of the Draft EIR/EIS; minor editorial changes and clarifications are not identified. The Revised/Supplemental Draft EIR/EIS consists of excerpted text where updates or additions related to monarch butterfly have been made within Section 3.7 and Section 3.18. In these sections, ellipses are used to identify where text from the Draft EIR/EIS remains unchanged and, therefore, is not included in the Revised/Supplemental Draft EIR/EIS. The Revised/Supplemental Draft EIR/EIS also includes a new Section 3.20 that evaluates the environmental impacts of the RSP Design Variant and presents new information not included in the Draft EIR/EIS. All tables in the Revised/Supplemental Draft EIR/EIS present only information related to the new or updated analysis. The sections and appendices comprising the Revised/Supplemental Draft EIR/EIS are:

- Section 3.7, Biological and Aquatic Resources
- Section 3.18, Cumulative Impacts

¹ CEQA Guidelines, Section 15088.5; 40 Code of Federal Regulations (C.F.R.) Section 1502.9(c)(1)(ii) (1978). The Council on Environmental Quality (CEQ) issued new regulations, effective September 14, 2020, updating the NEPA implementing procedures at 40 C.F.R. Parts 1500–1508. However, because this project initiated the NEPA process before September 14, 2020, it is not subject to the new regulations. The Authority is relying on the regulations as they existed prior to September 14, 2020. Therefore, all citations to CEQ regulations in this document refer to the 1978 regulations, pursuant to 40 C.F.R. Section 1506.13 (2020) and the preamble at 85 *Federal Register* 43340.

- Section 3.20, Millbrae Station Reduced Site Plan Design Variant
- Chapter 12, References
- Appendix 3.7-A, Special-Status Species Potentially Affected
- Appendix 3.7-B, Scientific Nomenclature

The Authority reviewed other sections of the Draft EIR/EIS and found, based on research and a review of the evidence, that no other substantive changes would be required for this Revised/Supplemental Draft EIR/EIS. All other appendices to Section 3.7, as well as all technical reports supporting Section 3.7 of the Draft EIR/EIS, remain unchanged.

HAZARDOUS WASTE SITES

As previously noticed in the July 10, 2020, Notice of Availability for the Draft EIR/EIS for the San Francisco to San Jose Project Section of the California HSR project, some of the facilities included in the project alternatives would be located on or near sites or facilities on hazardous materials/contaminated site lists enumerated under Section 65962.5 of the California Government Code (Cortese List).

PUBLIC REVIEW AND COMMENT PERIOD

The Authority is making the Revised/Supplemental Draft EIR/EIS available in accordance with CEQA and NEPA for a minimum 45-day review and comment period. The Authority welcomes comments on the content of the Revised/Supplemental Draft EIR/EIS and requests that such comments be limited to the scope of the Revised/Supplemental Draft EIR/EIS. During the comment period, comments may be submitted in the following ways:

- By mail to Attn: San Francisco to San Jose Project Section: Revised/Supplemental Draft EIR/EIS, 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113
- Through the Authority's website (www.hsr.ca.gov)
- By email to san francisco_san.jose@hsr.ca.gov with the subject line "Revised/Supplemental Draft EIR/EIS Comment"
- Verbal comment on the direct line for the San Francisco to San Jose Project Section at (800) 435-8670.

The comment period is from **July 23, 2021 to September 8, 2021**. Comments must be received verbally, electronically, or be postmarked on or before **September 8, 2021**.

COPIES OF THE REVISED/SUPPLEMENTAL DRAFT EIR/EIS

Visit the Authority website (www.hsr.ca.gov) to view and download the Revised/Supplemental Draft EIR/EIS. You may also request an electronic copy of the Revised/Supplemental Draft EIR/EIS by calling (800) 435-8670. Printed and/or electronic copies of the Revised/Supplemental Draft EIR/EIS will be available at the following locations, during hours the facilities are open (open days/hours may be reduced for compliance with coronavirus public health and safety directives):

- San Francisco—100 Larkin Street, San Francisco, CA 94102 (San Francisco Library, Main Branch)
- Brisbane—250 Visitacion Avenue, Brisbane, CA 94005 (Brisbane Library)
- South San Francisco—840 West Orange Avenue, South San Francisco, CA 94080 (South San Francisco Library)
- San Bruno—701 Angus Avenue West, San Bruno, CA 94066 (San Bruno Library)
- Millbrae—1 Library Avenue, Millbrae, CA 94030 (Millbrae Library)
- Burlingame—480 Primrose Road, Burlingame, CA 94010 (Burlingame Library)
- San Mateo—55 West Third Avenue, San Mateo, CA 94402 (San Mateo Library, Main Branch)

- Belmont—1110 Alameda de las Pulgas, Belmont, CA 94002 (Belmont Library)
- San Carlos—610 Elm Street, San Carlos, CA 94070 (San Carlos Library)
- Redwood City—1044 Middlefield Road, Redwood City, CA 94063 (Redwood City Library, Downtown Branch)
- Atherton—150 Watkins Avenue, Atherton, CA 94027 (Town Government Building)
- Menlo Park—800 Alma Street, Menlo Park, CA 94025 (Menlo Park Library)
- Palo Alto—270 Forest Avenue, Palo Alto, CA 94301 (Palo Alto Library, Downtown Branch)
- Mountain View—585 Franklin Street, Mountain View, CA 94041 (Mountain View Library)
- Sunnyvale—665 West Olive Avenue, Sunnyvale, CA 94086 (Sunnyvale Library)
- Santa Clara—2635 Homestead Road, Santa Clara, CA 95051 (Central Park Branch, Santa Clara County Library)
- San Jose—150 East San Fernando Street, San Jose, CA 95112 (Dr. Martin Luther King, Jr. Library)

Printed and/or electronic copies of the Revised/Supplemental Draft EIR/EIS are also available for review during business hours at the Authority's Northern California Regional Office at 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113 and the Authority's Headquarters at 770 L Street, Suite 620 MS-1, Sacramento, CA 95814. Please contact the Authority at (800) 435-8670 to make arrangements to view the Revised/Supplemental Draft EIR/EIS.

Technical reports can be requested by calling (800) 435-8670. Electronic copies of the Tier 1 EIR/EISs are available by calling the Authority at (800) 435-8670 and can also be viewed, in printed and/or electronic format, during business hours at the Authority's Northern California Regional Office at 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113 and the Authority's Headquarters at 770 L Street, Suite 620 MS-1, Sacramento, CA 95814. These documents are not currently part of the public review and comment process; however, they are available for review and reference. Authority offices may have reduced open days/hours, as required by coronavirus public health and safety directives. Please consult www.hsr.ca.gov for up-to-date information.

The Authority does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. People with sensory disabilities may contact the Authority by phone or via the Authority website to request accessibility support.

NEXT STEPS

The Authority anticipates publishing the Final EIR/EIS in spring 2022. The Final EIR/EIS will include the Authority's responses to the comments received on the previously circulated Draft EIR/EIS, in addition to responses to comments received on the content of the Revised/Supplemental Draft EIR/EIS. Section 3.7 includes new mitigation measures that will be incorporated into the Mitigation Monitoring and Enforcement Plan to be included as part of the CEQA/NEPA decision documents. After publishing the Final EIR/EIS, the Authority Board of Directors will consider whether to certify the Final EIR and approve the preferred alternative pursuant to CEQA. The Authority, as NEPA lead agency, will also consider whether to issue a Record of Decision approving the preferred alternative.