



CALIFORNIA HIGH-SPEED RAIL **DRAFT RESOLUTION #HSRA 21-06**

Bakersfield to Palmdale Project Section

Adoption of CEQA Findings of Fact and Statement of Overriding Considerations, Adoption of Mitigation Monitoring and Enforcement Plan, Approval of the Preferred Alternative (Alternative 2 with Refined César E. Chávez National Monument Design Option, Avenue M Maintenance Site and Maintenance-of-Way Facility, and Palmdale Station)

Whereas, in 2018, the California High-Speed Rail Authority (“Authority”) certified for compliance with the California Environmental Quality Act (“CEQA”) the Fresno to Bakersfield Project Section Final Supplemental Environmental Impact Report (“Fresno-Bakersfield Final Supplemental EIR”) in Resolution # HSRA 18-16, and approved the F Street Station in Bakersfield Resolution #HSRA 18-17;

Whereas, the Authority has certified the Bakersfield to Palmdale Project Section Final EIR/Environmental Impact Statement (“Final EIR/EIS”) for compliance with CEQA in Resolution #HSRA 21-05, and hereby incorporates by reference the defined terms and statements contained in that Resolution;

Whereas, the Final EIR/EIS incorporates by reference and summarizes the analysis in the Fresno to Bakersfield Final Supplemental EIR for the portion of the alignment between 34th and L Street (immediately southeast of the approved F Street Station) and Oswell Street in Bakersfield, and provides additional analysis in some resource topic areas;

Whereas, the Final EIR/EIS certified by Resolution #HSRA 21-05 evaluates the impacts and benefits of implementing four alternatives for the high-speed rail system for the Bakersfield to Palmdale Project Section, defined as starting at 34th and L Street (immediately southeast of the previously approved F Street Station) and extending south to Spruce Court in Palmdale (approximately 1 mile south of the Palmdale Station), and including design options in the vicinity of César E. Chávez National Monument and maintenance site alternatives; and

Whereas, the Final EIR/EIS certified by Resolution #HSRA 21-05 identifies the Preferred Alternative as Alternative 2 with the Refined César E. Chávez National Monument (“CCNM”) Design Option, the Avenue M maintenance site and maintenance-of-way facility, and Palmdale Station, which is generally depicted on the map attached hereto as Exhibit “A”.

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 high-speed rail system, the Authority Board has reviewed and considered the information contained in the Bakersfield to Palmdale 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 Preferred Alternative. 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 states 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 Bakersfield to Palmdale 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 Exhibit "C", which describes that the mitigation measures the Authority will implement, or will require to be implemented, as part of the Preferred Alternative.

Section 2. Approval of the Preferred Alternative (Alternative 2 with the Refined CCNM Design Option, the Avenue M Maintenance Site with Maintenance-of-Way Facility, and Palmdale Station).

Based on and in consideration of all of the foregoing, the Authority hereby approves all high-speed rail facilities described in the Final EIR/EIS associated with the Preferred Alternative, as generally depicted on the map attached as Exhibit "A" and as described in detail in the Final EIR/EIS, and conditioned on the mitigation measures described in the Findings of Fact attached as Exhibit "B" and reflected in the MMEP attached as Exhibit "C", and which MMEP shall be a condition of the approved project. The Authority affirms that it is deferring a decision on a light maintenance facility at this time.

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 for construction and operation, when funding becomes available;

- c. To continue outreach to potentially affected communities, and no later than two years after funding has been approved for this Project Section's right-of-way acquisitions, report to the Board on measures taken and measures proposed to avoid or address potential disproportionate effects, if any, related to property acquisitions in environmental justice communities, as these communities are defined in the NEPA Record of Decision;
- d. To continue outreach to interested stakeholders on wildlife protection, as project design advances, and to explore the feasibility of advance mitigation, to the extent legally permissible; and
- e. To continue to work in partnership with the City of Bakersfield, the City of Tehachapi, the City of Lancaster, the City of Palmdale, the County of Kern, the County of Los Angeles, and other regional stakeholders as the Bakersfield to Palmdale Project Section of the high-speed rail project is implemented.

Vote:

Yes:

No:

Absent:

Date: