

ATTACHMENT F: DRAFT NEPA ROD RESOLUTION #HSRA 24-12

This page left intentionally blank.



CALIFORNIA HIGH-SPEED RAIL [DRAFT] RESOLUTION #HSRA 24-12

Palmdale to Burbank Project Section

Direct Authority Chief Executive Officer to Proceed with a Record of Decision for the Palmdale to Burbank Project Section Selecting the Portion of the Preferred Alternative (the SR14A Build Alternative including the Central Subsection and the Burbank Subsection) from Spruce Court in Palmdale to Winona Avenue in Burbank pursuant to NEPA and other Federal Laws

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 (HSR) service that is fully integrated with the state's existing intercity rail and bus network;

Whereas, the Authority has chosen to use a tiered environmental review and decision-making process to select alignments and station locations for the HSR system;

Whereas, the Authority and the Federal Railroad Administration (FRA) completed two first-tier, programmatic environmental documents pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) for the statewide HSR system and approved general alignments and station locations for further study in second-tier, project-level environmental documents;

Whereas, the Authority and FRA divided the statewide HSR system into individual project sections for second-tier environmental analysis, one of which is the Palmdale to Burbank Section;

Whereas, the Authority and the FRA initially commenced preparation of a second-tier Palmdale to Los Angeles Project Section Environmental Impact Report/Environmental Impact Statement (EIR/EIS) in 2007 and subsequently split that section into two parts, leading to their commencing preparation of a Palmdale to Burbank Project Section EIR/EIS in 2014;

Whereas, the Authority engaged in a public scoping process, development and screening of potential alternatives, and public and agency outreach efforts during the preparation of project-level technical studies and the Draft EIR/EIS, including the preparation of Project Scoping and multiple Alternatives Analysis reports to explore alignment alternatives from 2007 through to the selection of the SR14A alternative in 2020;

Whereas, on November 15, 2018, the Authority Board concurred with the staff recommendation to designate the Refined SR14 Alternative as the Authority's Preferred Alternative for the Palmdale to Burbank Project Section, as reflected in Resolution # HSRA 18-19;

Whereas, the Authority refined the Preferred Alternative for the Palmdale to Burbank Project Section to the SR14A Alternative in August of 2020, as reflected in the minutes of the Authority Board of August 13, 2020;

Whereas, under 23 United States Code section 327, the FRA and the State of California executed a NEPA Assignment Memorandum of Understanding, dated July 23, 2019, pursuant to which the State of California, acting through the California State Transportation Agency and the Authority, assumed FRA’s responsibilities under NEPA and other federal environmental laws for projects necessary for the design, construction, and operation of the California HSR System;

Whereas, in its role as CEQA and NEPA lead agency, the Authority circulated the Palmdale to Burbank Project Section Draft EIR/EIS for a public review and comment period from September 2, 2022, to December 1, 2022, which identified SR14A Build Alternative as the Authority’s Preferred Alternative;

Whereas, the Palmdale to Burbank Project Section Final EIR/EIS explains that the Authority previously approved the Burbank Airport Station and related infrastructure (referred to in the Palmdale to Burbank Project Section Final EIR/EIS as the “Burbank Subsection”) as part of the Burbank to Los Angeles Project Section approvals in 2022;

Whereas, this Final EIR/EIS evaluates and compares the impacts and benefits among six Build alternatives between Spruce Court in Palmdale and Winona Avenue in Burbank for both the Central Subsection and the Burbank Subsection, and provides information on the relative differences among physical and operational characteristics and the potential environmental consequences associated with the six Build Alternatives;

Whereas, the Palmdale to Burbank Project Section Final EIR/EIS updates the Burbank to Los Angeles Project Section’s approved analysis on the Burbank Subsection to reflect Authority responses to comments received on this area during the Palmdale to Burbank Draft EIR/EIS comment period and reaffirms the Burbank to Los Angeles Final EIR/EIS approvals, as the design for the Burbank Subsection remains unchanged and as the Burbank to Los Angeles Final EIR/EIS conclusions remain consistent with the Palmdale to Burbank Final EIR/EIS conclusions for the Burbank Subsection;

Whereas, U.S. Army Corps of Engineers and U.S. Environmental Protection Agency preliminarily concurred on January 5, 2024, and January 9, 2024, respectively, with SR14A Build Alternative as the least environmentally damaging practicable alternative, as recommended in the Palmdale to Burbank Project Section Checkpoint C Summary Report;

Whereas, the Authority determined it was appropriate to complete the Palmdale to Burbank Project Section environmental analysis in the form of a Final EIR/EIS, consistent with both CEQA and NEPA, because, following circulation of the Draft EIR/EIS, none of the circumstances meriting preparation of a supplemental EIS pursuant to 40 Code of Federal Regulations section 1502.9(c)(1) (1978) existed;

Whereas, the Authority completed and issued the Palmdale to Burbank Project Section Final EIR/EIS on May 24, 2024, with a Notice of Availability in the Federal Register advising the public that the Authority would consider for approval the Preferred Alternative for the Palmdale to Burbank Project Section and made it publicly available on the Authority website and provide broad public notice thereof;

Whereas, the Final EIR/EIS identifies the SR14A Alternative (including the Central Subsection and the Burbank Subsection) as the Preferred Alternative for the Palmdale to Burbank Project Section, which is depicted on the maps included in the Draft Record of Decision for the Palmdale to Burbank Project Section, attached hereto as Exhibit “A”; and,

Whereas, the Authority has adopted Resolution #HSRA-24-11 selecting the Preferred Alternative (the SR14A alternative including the Central Subsection and the Burbank Subsection) from Spruce Court in Palmdale to Winona Avenue in Burbank, and making related decisions required by CEQA.

Therefore, it is resolved:

- a. The Board approves issuance of a Record of Decision for the Palmdale to Burbank Project Section selecting the Preferred Alternative (SR14A Build Alternative including the Burbank Subsection and the Central Subsection) from Spruce Court in Palmdale to Winona Avenue in Burbank as the Selected Alternative, in compliance with NEPA and related federal laws;
- b. The Board directs the Chief Executive Officer as follows:
 - To proceed with completing, signing and then issuing a Record of Decision for the Palmdale to Burbank Project Section consistent with the Draft Record of Decision in Exhibit B but with allowance for appropriate revisions reflecting the consideration of public comment and the final decision of the Authority Board, including any required notices pursuant to NEPA or other federal laws;
 - To take any other necessary steps to obtain permits, approvals, and rights that would allow for construction and approval, when funding becomes available;
 - To continue to work in partnership with the Cities of Palmdale, Santa Clarita, Los Angeles, and Burbank, the unincorporated areas of Los Angeles County including Acton and Agua Dulce, the County of Los Angeles, and other regional stakeholders as the Palmdale to Burbank Section of the HSR project is implemented;
 - During advanced and final design, to continue to outreach to potentially affected communities and wildlife movement stakeholders to collaboratively identify any additional measures and design refinements that could further reduce potential effects; and
 - During advanced and final design of the project section, consult with concerned officials of jurisdiction such as the City of Santa Clarita to collaboratively identify any additional measures and design refinements that could further reduce effects on the Lang Station Open Space.

Vote:

Yes:

No:

Absent:

Date:

o000o