



Resolution # HSRA 16-13

Concurrence with the Staff Recommended Preliminary Preferred Alternative for the Fresno to Bakersfield Supplemental Draft EIR/EIS in the Bakersfield Area

Whereas, on May 7, 2014, the Authority adopted resolution #HSRA 14-10 approving the Fresno/Bakersfield Final EIR/EIS Preferred Alternative to Seventh Standard Road (in Kern County, just outside Bakersfield City limits);

Whereas, in resolution #HSRA 14-10, the Authority directed staff to continue to work with the City of Bakersfield and Bakersfield stakeholders regarding a high-speed rail alignment south of Seventh Standard Road;

Whereas, the Authority and the City of Bakersfield reached a settlement of a California Environmental Quality Act lawsuit (Sacramento Superior Court No. 34-2014080001866) challenging the Fresno/Bakersfield Final EIR in December 2014 resulting in a stipulated judgment and dismissal of the lawsuit;

Whereas, in the lawsuit settlement the City of Bakersfield agreed to collaborate with the Authority to examine a Bakersfield favored “locally generated alternative” (“LGA”) for high-speed rail south of Seventh Standard Road to be studied in a supplement to the Fresno/Bakersfield Final EIR/EIS (2014 Project Alternative),

Whereas, in resolution # HSRA 15-04, the Authority amended resolution # HSRA 14-10 in certain respects not relevant here;

Whereas, the Authority and the City examined the LGA and held public meetings in Bakersfield and Shafter regarding the proposed LGA;

Whereas, based on additional design and public input, the Authority refined the LGA to extend from Poplar Avenue in Shafter to Oswell Street in Bakersfield, following an alignment that enters the City of Bakersfield along the UPRR corridor with a station location at F Street and State Route 204, as shown on the attached map;

Whereas, the Authority has conducted environmental evaluation to a level sufficient to describe the comparative differences between the LGA and the Authority’s previously approved 2014 Project Alternative to Seventh Standard Road and the fully studied but not approved Bakersfield Hybrid alternative south of Seventh Standard Road;

Whereas, the Board has delegated to staff the authority to develop draft environmental documents;

Whereas, the Board has retained authority to identify a preferred alternative in a draft environmental document;

Whereas, staff has identified the public transparency benefits of sharing the analysis that has been conducted to this point, and of identifying a preliminary preferred alternative in the Draft Supplement to the Fresno/Bakersfield Final EIR/EIS;

Whereas, as defined by federal guidance, the selection of the preliminary preferred alternative at this time is not a final decision by this Board and allows for full consideration of all the impacts of the alternatives considered in the environmental process; and,

Whereas, the Authority recognizes the function of the Draft Supplement to the Fresno/Bakersfield Final EIR/EIS is to elicit public comments prior to the Authority making any final decision.

Therefore, it is resolved:

The Authority finds that including a preliminary preferred alternative in the Draft Supplement to the Fresno/Bakersfield Final EIR/EIS will facilitate public comments on the document.

The Authority Board concurs with the staff recommendation that the Refined LGA shall be designated the Preliminary Preferred Alternative in the Draft Supplement to the Fresno/Bakersfield Final EIR/EIS.

The Authority Board directs staff to complete preparation of and circulate the Draft Supplement to the Fresno/Bakersfield Final EIR/EIS for public comment.

The Authority Board directs staff to work with our federal partners, including the Federal Railroad Administration, U.S. Army Corps of Engineers, and U.S. Environmental Protection Agency to facilitate their preliminary identification of the Least Environmentally Damaging Practicable Alternative (LEDPA) for the portion of the Fresno/Bakersfield section between Poplar Avenue in Shafter and Oswell Street in Bakersfield, consistent with the Board's direction in this Resolution.

The Authority Board further directs staff to continue to collaborate with the City of Shafter and with Kern County to seek a reasonable resolution to these local governments' concerns about high-speed rail within their jurisdictions.

Vote: 5 – 0
Yes: Curtin; Lowenthal; Richard; Richards; Schenk
No: N/A
Absent: Correa; Paskett; Rossi
Date: 05/10/2016

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