

## PREFACE

### What are the Project Changes that Require an Environmental Document?

The *Fresno to Bakersfield Section California High-Speed Train Final Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS)* (Authority and FRA, 2014) considered several alternatives between the cities of Fresno and Bakersfield and ultimately identified a Preferred Alternative from the Fresno High-Speed Rail (HSR) Station to the Bakersfield HSR Station to Oswell Street in Bakersfield. The Preferred Alternative identified in the Final EIR/EIS consists of the BNSF Alternative with the Kings/Tulare – East Station in combination with the Corcoran Bypass, Allensworth Bypass, Bakersfield Hybrid alternatives, and the Truxtun Avenue Station. In this Draft Supplemental EIR/EIS, approximately 24 miles of the Preferred Alternative is referred to as the “May 2014 Project,” which consists of a portion of the BNSF Alternative (from Poplar Avenue to Hageman Road) and the Bakersfield Hybrid Alternative (from Hageman Road to Oswell Street). The May 2014 Project included a station that would be constructed at the corner of Truxtun and Union Avenues/State Route (SR) 204 as well as a maintenance of infrastructure facility (MOIF) that would be located along the alignment just north of the City of Bakersfield and 7th Standard Road. For the purposes of this Draft Supplemental EIR/EIS, the “May 2014 Project” refers to the portion of the Preferred Alternative alignment from north of Poplar Avenue in Shafter to Oswell Street in Bakersfield.

Following publication of the Final EIR/EIS, in May 2014, the California High-Speed Rail Authority (Authority) Board of Directors (Board) certified the Fresno to Bakersfield Section Final EIR/EIS and approved the Preferred Alternative from the southern limit of the Fresno Station to the north side of 7th Standard Road, the city limit of the City of Bakersfield.

In June 2014, the Federal Railroad Administration (FRA) issued a Record of Decision (ROD), which considered the information and analysis contained in the 2011 Draft EIS, the 2012 Supplemental Draft EIS, and the 2014 Final EIS, and substantive public and agency comments, including comments filed after the issuance of the Final EIS. Through the ROD, the FRA approved the Preferred Alternative in its entirety from the Fresno Station to the Bakersfield Station at Truxtun Avenue.

As a result of coordination by the Authority with local agencies and stakeholders, a new alternative was identified for the Fresno to Bakersfield project. The Locally Generated Alternative includes an alternative alignment from Poplar Avenue north of Shafter to Oswell Street south of Bakersfield. An alternative HSR Station would be located at the intersection of F Street and SR 204 (Golden State Avenue). The new alternative, the Fresno to Bakersfield Locally Generated Alternative (F-B LGA), includes an MOIF in Shafter.

Since the release of the Fresno to Bakersfield Section Final EIR/EIS, the United States Fish and Wildlife Service issued an amended Biological Opinion (USFWS 2017a)<sup>1</sup> for the Fresno to Bakersfield Section from East American Avenue in Fresno County (the northern terminus of Construction Package 2/3) to Poplar Avenue in Kern County (the southern terminus for Construction Package 4). The amended Biological Opinion addresses effects on the federally endangered Buena Vista Lake ornate shrew (*Sorex ornatus relictus*). The amended Biological Opinion for the Fresno to Bakersfield Section also removed the valley elderberry longhorn beetle from further consideration in the Fresno to Bakersfield Section due to the reduced species range; revised effects to include additional activities for the Tipton kangaroo rat and blunt-nosed leopard lizard; addressed the effects of additional activities on the Central California Distinct Population Segment of the California tiger salamander; and revised effects due to increased disturbance acreage for the blunt-nosed leopard lizard, San Joaquin kit fox, Tipton kangaroo rat, Kern mallow, San Joaquin woolly threads, and Hoover's spurge. The potential effects associated with the

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<sup>1</sup> It should be noted that the Fresno to Bakersfield Biological Opinion approved in 2014 covered the entire length of the Fresno to Bakersfield Section of the HSR System from the City of Fresno to the City of Bakersfield (a 117-mile segment of the HSR alignment).

federally endangered Buena Vista Lake ornate shrew were not documented in the Fresno to Bakersfield Section Final EIR/EIS because, at the time of approval, the range of the species did not extend into the proposed Fresno to Bakersfield Section study area. New studies have been conducted since the certification of the Fresno to Bakersfield Section Final EIR/EIS, indicating that the range of the species includes portions of the Fresno to Bakersfield Section of the HSR System. Therefore, pursuant to CEQA Guidelines Section 15163, this Draft Supplemental EIR/EIS accounts for the expansion of the range of species and considers potential effects to the Buena Vista Lake ornate shrew for the Fresno to Bakersfield Section from East American Avenue in Fresno County to Oswell Street in the City of Bakersfield.

## What is this Document?

This document is a draft combined Supplemental Environmental Impact Report/Environmental Impact Statement (Draft Supplemental EIR/EIS) to the Fresno to Bakersfield Section Final EIR/EIS. This document evaluates the potential environmental impacts from a new project alternative and compares those alternative-specific environmental impacts with the environmental impacts from the portion of the Preferred Alternative south of Poplar Avenue in the Fresno to Bakersfield Section Final EIR/EIS (i.e., May 2014 Project).

This Draft Supplemental EIR/EIS provides the following environmental information to assist the Authority and the FRA in understanding the potential impacts of the F-B LGA:

- Describes the new alternative, the F-B LGA and analyzes its potential environmental impacts
- Identifies feasible avoidance and minimization measures and mitigation including, where appropriate, compensation for adverse impacts, for the potential impacts of the F-B LGA
- Considers cumulative impacts of the F-B LGA
- Supports the FRA's Air Quality Conformity Determination, Section 4(f) determinations, and environmental justice considerations

## Why is this Document a Supplemental EIR/EIS?

The Authority is preparing a CEQA Supplemental EIR to evaluate the F-B LGA, pursuant to CEQA Guidelines sections 15162 and 15163. As described above, the area of the F-B LGA and the May 2014 Project extends south from Poplar Avenue in Kern County into downtown Bakersfield, and thus represents a geographically discrete subsection of the Fresno to Bakersfield Section.

Under regulations implementing the National Environmental Protection Act (NEPA) (40 C.F.R. 1502.9), a supplement to a draft or final Environmental Impact Statement (EIS) may be prepared "when the agency determines that the purposes of NEPA would be furthered by doing so" or if "1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns, or 2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed actions or its impacts".

The FRA has determined that NEPA requires preparation of a Supplemental EIS because the consideration of an additional alignment (i.e., the F-B LGA) that was not included in the Fresno to Bakersfield Section Final EIR/EIS is a substantial change in the proposed action or a significant new circumstance that is relevant to environmental concerns.

## What else is happening on the Fresno to Bakersfield Project?

The Authority is currently advancing project activities within the approved portion of the Fresno to Bakersfield section between the Fresno station and Poplar Avenue in Kern County. These activities are consistent with the Authority's May 2014 approval and the FRA's June 2014 ROD, and the Mitigation Monitoring and Enforcement Plan (MMEP) for this section. Key milestones include:

### **Acquire Right-of-Way**

- Acquire right-of-way for Fresno/Bakersfield section north of Poplar Avenue
- Conduct property maintenance activities (e.g., fencing, mowing, establishing fire breaks, etc.)
- Demolish structures and capping wells to maintain public health, safety, and welfare
- Close real estate transactions
- Acquire additional property in excess of right-of-way
- Resolve severed access issues, consistent with MMEP
- Implement Farmland Consolidation Program

### **Retain Design-Build Contractors, Develop Design, Begin Construction, Work with Stakeholders and Public as Project is Implemented**

- Retain design-build contractors to construct Fresno to Bakersfield section alignment between Fresno and Poplar Avenue in Kern County
- Refine project electrical interconnection facilities
- Adopt Design Criteria Manual (May 2015)
- Advance project design to final design, including some refinements such as:
  - Utility relocations and other early work
  - Closing some roadways and opening others
  - Refining the vertical profile of the track
  - Shifting the alignment to avoid major infrastructure
  - Adding drainage basins
  - Column placement based on refined bridge design
- Implement impact avoidance and minimization measures and mitigation measures
- Engage with stakeholders and public as project is implemented

### **Implement Habitat Mitigation**

- Retain habitat mitigation services firm
- Proceed with real estate transactions
- Establishing fencing and habitat restoration
- Implement mitigation strategies identified in the amended Fresno to Bakersfield Biological Opinion (USFWS 2017a) for the Buena Vista Lake ornate shrew

### **Ongoing Collaboration with Local Agencies**

- Develop and implement early works for Tulare County
- Final design of grade separation of BNSF railway
- Eliminate an over crossing at the request of local residents
- Coordinate with Ponderosa Pines neighborhood

### **Study Electrical Interconnections and Network Upgrades**

- Project changes to electrical interconnection facilities resulting from further design include:
  - Minor movement of traction power supply stations, switching stations, and electrical tie-lines
  - Expansion of the existing substation to accommodate HSR equipment
  - New utility switching stations and HSR traction power supply station
- Completion of the Pacific Gas & Electric 2015 Technical Study Report, reviewed by the Authority and its technical consultant, determined what network upgrades would be required to existing Pacific Gas & Electric infrastructure to meet the projected power demands of the

HSR system. Within the geographic limits of the F-B LGA, it was determined that PG&E network upgrades would not be immediately needed.

As part of the design/build process, contractors may propose project design refinements as project engineering advances. In response to these refinements, the Authority and FRA determine whether a subsequent or supplemental environmental document should be prepared and circulated. Both agencies have determined the project design refinements incorporated to date do not result in any new or substantially more severe impacts than previously identified in the Fresno to Bakersfield Section Final EIR/EIS.

## **How will the Authority and FRA use this Document?**

The Authority is the State Lead Agency and the FRA is federal Lead Agency. The purpose of this Fresno to Bakersfield Section LGA Supplemental EIR/EIS is to inform the Authority's project approval into the City of Bakersfield and to present FRA with the potential impacts of the F-B LGA so that FRA may consider whether it is appropriate to modify to its June 2014 ROD. There are three cooperating agencies included in the NEPA review process: the United States Army Corps of Engineers (USACE), the United States Bureau of Reclamation (BOR), and the Surface Transportation Board (STB).

### **California High-Speed Rail Authority**

Although the Authority Board certified the Fresno to Bakersfield Section Final EIR/EIS, which evaluated the alignment from the Fresno HSR Station to the Bakersfield Truxtun Avenue HSR Station, the Authority Board only approved the project from the Fresno HSR Station to 7th Standard Road (7th Standard Road is the northern city limit of the City of Bakersfield). In May 2016, the Authority Board determined that the F-B LGA is the Preliminary Preferred Alternative between 7th Standard Road and Oswell Street. The Authority Board will determine if it will approve the F-B LGA, the comparable segment of the May 2014 Project, or no project at all based on the analysis in this Draft Supplemental EIR/EIS, agency comments, public comments and testimony, and a Findings of Fact and Statement of Overriding Consideration.

### **Federal Railroad Administration**

The FRA issued a ROD in June 2014 based on the environmental analysis in the Fresno to Bakersfield Section Final EIR/EIS. Its decision extends from the Fresno HSR Station through the Bakersfield Truxtun Avenue HSR Station to Oswell Street. The Authority requested the FRA prepare a joint Draft Supplemental EIR/EIS to evaluate the potential impacts of the F-B LGA.

## **How Do I Use this Document?**

The purpose of environmental documents prepared under NEPA and CEQA is to disclose information to decision makers and the public as part of the decision making process for project approval, denial, or approval with conditions. Although the science and analysis that supports this Draft Supplemental EIR/EIS is complex, this document is intended for the general public. Every attempt has been made to limit technical terms and the use of acronyms. Where this cannot be avoided, the terms and acronyms are defined the first time they are used in each chapter, and a list of acronyms and abbreviations is provided (please refer to Chapter 15 of this Draft Supplemental EIR/EIS). This Draft Supplemental EIR/EIS has been prepared in compliance with Americans with Disabilities Act (Section 508) Standards for Electronic and Information Technology and can be found on the Authority website and FRA website.

Volume I of this Draft Supplemental EIR/EIS is organized into 15 chapters and a Summary. Volume II contains the technical appendices. Volume III shows the F-B LGA alignment and other F-B LGA design plans.

For a reader with only a short time to devote to this document, the Summary is the place to start. It provides an overview of all of the substantive chapters in this document and includes a table listing the potential environmental impacts at the project level for each environmental resource topic. If more information is desired, the Summary directs the reader to the place in the document where more details are available. Readers interested in a direct comparison between the May

2014 Project and F-B LGA should turn to Chapter 8, Comparison of Alternatives and Identification of the Preferred Alternative, and, for more detail related to the May 2014 Project, to Technical Appendix 8-A in Volume II of this Draft Supplemental EIR/EIS.

**Chapter 1.0, Project Purpose, Need, and Objectives**, explains why the F-B LGA alignment is proposed and provides a history of the planning process.

**Chapter 2.0, F-B LGA Description**, describes the California HSR Project Background, Fresno to Bakersfield Section Final EIR/EIS Background, and development of the F-B LGA and F-B LGA F Street Station. This chapter explains that the F-B LGA will be compared to the May 2014 Project that was evaluated in the certified Fresno to Bakersfield Section Final EIR/EIS. The F-B LGA and its design options are described in Chapter 2 with visual representations (illustrations and maps) for the reader. Chapter 2 also describes modifications of Caltrans/State Facilities; travel demand and ridership forecasts; operations and service plans; additional HSR development considerations; construction plan and phased implementation strategies; and permits and approvals.

**Chapter 3.0, Affected Environment, Environmental Consequences, and Mitigation Measures**, is where the reader can find information about the existing transportation, environmental, and social conditions in the area of the F-B LGA. This chapter provides the findings of the analysis of potential environmental impacts, along with methods to reduce these impacts (called mitigation measures). Chapter 3 is divided into environmental resource topics subsections including:

- Transportation
- Air Quality and Global Climate Change
- Noise and Vibration
- Electromagnetic Fields and Electromagnetic Interference
- Public Utilities and Energy
- Biological Resources and Wetlands
- Hydrology and Water Resources
- Geology, Soils, Seismicity, and Paleontological Resources
- Hazardous Materials and Waste
- Safety and Security
- Socioeconomics and Communities
- Station Planning, Land Use, and Development
- Agricultural Lands
- Parks, Recreation, and Open Space
- Aesthetics and Visual Resources
- Cultural Resources
- Regional Growth
- Cumulative Impacts

**Chapter 4.0, Section 4(f)/Section 6(f) Evaluation**, provides the analysis to support FRA's determinations under Section 4(f) of the Department of Transportation Act of 1966 and Section 6(f) of the Land and Water Conservation Fund Act.

**Chapter 5.0, Environmental Justice**, summarizes how federal agencies to the greatest extent practicable and permitted by law, are required to achieve environmental justice by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental impacts, including interrelated social and economic effects, of their programs, policies, and activities on minority and low-income populations.

**Chapter 6.0, Cost and Operations**, summarizes the estimated capital, operations, and maintenance cost for the F-B LGA evaluated in the Draft Supplemental EIR/EIS, including funding and financial risk.

**Chapter 7.0, Other CEQA/NEPA Considerations**, summarizes the F-B LGA's significant adverse environmental effects of the F-B LGA, the significant adverse environmental effects that

cannot be avoided if the F-B LGA is implemented, and the significant irreversible environmental changes that would occur as a result of F-B LGA implementation or irretrievable commitments of resources or foreclosure of future options.

**Chapter 8.0, Comparison of Alternatives and Identification of the Preferred Alternatives**, identifies the Authority's and FRA's Preferred Alternative for the segment of the Fresno to Bakersfield Section just north of Poplar Avenue in the City of Shafter and Oswell Street in the City of Bakersfield. This chapter provides the comparative data (between the May 2014 Project and the F-B LGA) related to the Authority's and FRA's Preferred Alternative.

**Chapter 9.0, Public and Agency Involvement**, contains summaries of coordination and outreach activities with agencies and the general public.

**Chapter 10.0, Draft Supplemental EIR/EIS Distribution**, identifies the individuals and organizations informed about the availability of this Draft Supplemental EIR/EIS.

**Chapter 11.0, List of Preparers**, provides the names and responsibilities of the authors of this Draft Supplemental EIR/EIS.

**Chapter 12.0, References/Sources Used in Document Preparation**, cites the references and contacts used in writing this Draft Supplemental EIR/EIS.

**Chapter 13.0, Glossary of Terms**, provides a definition of certain terms used in this Draft Supplemental EIR/EIS.

**Chapter 14.0, Index**, provides a tool to cross-reference major topics used in this Draft Supplemental EIR/EIS.

**Chapter 15.0, Acronyms and Abbreviations**, defines the acronyms and abbreviations used in this Draft Supplemental EIR/EIS.

**Appendices and Technical Reports** provide additional details on the F-B LGA and Draft Supplemental EIR/EIS process. The technical appendices, included in Volume II, are related to the affected environment and environmental consequences analyses. These appendices are numbered to match their corresponding environmental elements in Chapter 3, as well as in Chapters 1, 2, and 5 of the Draft Supplemental EIR/EIS. It should be noted that only technical appendices from the Fresno to Bakersfield Section Final EIR/EIS that needed to be updated to be consistent with the F-B LGA were revised. The new and revised technical appendices for this Draft Supplemental EIR/EIS include:

- **Appendix 1-B Benefits**, introduces benefits of the HSR system, the Fresno to Bakersfield Project, and F-B LGA as they relate to the 2016 Business Plan (approved May 1, 2016).
- **Appendix 2-A Road Crossings**, provides a list of roads that the F-B LGA crosses over and under.
- **Appendix 2-B Railroad Crossings**, provides a list of railroad tracks that are overcrossed by the F-B LGA.
- **Appendix 2-G Mitigation Monitoring and Enforcement Plan (as amended)**, provides avoidance, minimization measures, and mitigation measures from the May 2014 Project that are applicable to the F-B LGA. This appendix also includes newly identified mitigation measures that would be applicable only to the F-B LGA.
- **Appendix 2-H Functions of Avoidance and Minimization Measures**, provides a description of how the avoidance and minimization measures incorporated into the F-B LGA would reduce the severity of impacts.
- **Appendix 3.4-B Noise and Vibration**, provides a summary of long-term and short-term noise level measurements, vibration level measurements, and operational noise levels and contours.

- **Appendix 3.4-C Noise and Vibration Mitigation Guidelines**, provides noise mitigation that must be considered when noise impacts are identified.
- **Appendix 3.7-B Comparison of Impacts on Biological Resources by Alternatives**, summarizes and compares impacts of biological resources from implementation of the May 2014 Project and F-B LGA.
- **Appendix 3.8-A Water Bodies Crossed by Project Alternatives**, summarizes and compares the water bodies that are crossed by the May 2014 Project and F-B LGA.
- **Appendix 3.12-B Effects on School District Funding and Transportation Bus Routes**, summarizes the effects the F-B LGA would have on school district funding and transportation bus routes.
- **Appendix 3.12-C Effects on Children’s Health and Safety**, summarizes the effects the F-B LGA would have on children’s health and safety.
- **Appendix 3.13-A Land Use Plans, Goals, and Policies**, presents land use plans, goals, and policies of local jurisdictions that are applicable to implementation of the F-B LGA.
- **Appendix 3.14-A Results and Findings of Land Evaluation and Site Assessment Pursuant to the Farmland Protection Act**, presents the Land Evaluation and Site Assessment Model and process that was used to determine effects of on Important Farmland (Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance) from implementation of the F-B LGA and May 2014 Project.
- **Appendix 3.14-B Remnant Parcel Analysis**, summarizes the results of the remnant parcel analysis for the F-B LGA and the corresponding section of the May 2014 Project.
- **Appendix 3.19-A Planned and Potential Projects**, provides a list of land development projects that were considered during cumulative analysis of the F-B LGA.
- **Appendix 3.19-B Planned Transportation Projects**, provides a list of transportation projects that were considered during cumulative analysis of the F-B LGA.
- **Appendix 8-A Analysis of the Comparable Section (May 2014 Project)**, provides a comparable level of detail and analysis for the May 2014 Project to help facilitate the comparison with the F-B LGA.

Detailed technical reports prepared for: transportation; air quality and global climate change; noise and vibration; biological resources and wetlands; hazardous materials and wastes; community impact assessment and relocation impacts; cultural resources; and Section 4(f) and 6(f) methodology are available at the Authority’s website and at locations identified in Chapter 10, EIR/EIS Distribution.

## What is the Analysis Based On?

The methods used to collect data and evaluate potential impacts in this Draft Supplemental EIR/EIS are similar and consistent to the data collection and impact evaluation methods used in the Fresno to Bakersfield Section Final EIR/EIS. The resource study areas presented in the Fresno to Bakersfield Section Final EIR/EIS are used to evaluate resources in this Draft Supplemental EIR/EIS, as appropriate. Where applicable, data collected for the Fresno to Bakersfield Section Final EIR/EIS (including data from 2010) has been used to evaluate impacts associated with development of the F-B LGA.

The types of data sets that were used for the Fresno to Bakersfield Section Final EIR/EIS have been used for the evaluation of the F-B LGA so that a direct comparison between the May 2014 Project and the F-B LGA could be made. Any data sets updated for the analysis of the F-B LGA were also updated for the May 2014 Project to account for any changes that have occurred since circulation of the Fresno to Bakersfield Section Final EIR/EIS, to reflect the most current conditions in the project area, and to provide an accurate and equivalent comparison with the F-B LGA. For example, analysis of the F-B LGA station (proposed F Street Station) required current

traffic counts, so updated traffic counts were taken for study area roadways and intersections in the vicinity of the F-Street Station and the Truxtun Station to accurately reflect roadway modifications not yet developed nor planned when the Fresno to Bakersfield Section Final EIR/EIS was approved. Data sets for socioeconomics and communities and agricultural lands were also updated for the May 2014 Project analyses.

## What Happens Next?

This Draft Supplemental EIR/EIS will be circulated for a 60-day public review period consistent with the requirements of CEQA and NEPA. The public and public agencies will have the chance to provide comments on environmental issues and the project. At the close of the 60-day public review period, the Authority and FRA will develop the F-B LGA Final Supplemental EIR/EIS. This document will contain the information that was revised from the F-B LGA Draft Supplemental EIR/EIS following consideration of the comments received during the public review period. The F-B LGA Final Supplemental EIR/EIS will also contain responses to the comments received during the public review period. Once the F-B LGA Final Supplemental EIR/EIS is prepared, the document will be considered by the Authority and FRA for approval decisions.

As permitted under the Surface Transportation Project Delivery Program (STPD Program), the State of California has requested that the FRA assign its responsibilities under NEPA and related Federal environmental laws to the Authority. The STPD Program is authorized by 23 U.S.C. § 327 and has been implemented by the Federal Highway Administration, FRA, and the Federal Transit Administration through joint regulations defining project and applicant eligibility, the application requirements, and the requirements for a written Memorandum of Understanding (MOU) approving the assignment.

During the application process, the public will be given two opportunities to review application materials and provide comments: one opportunity to review a draft application as part of a state public comment process, and another opportunity provided by FRA to review the final application and a draft MOU. These comment periods do not substitute for, or duplicate, the comment period for this Draft Supplemental EIR/EIS for the F-B LGA.

Since the Authority is still developing its application, FRA remains the NEPA lead agency under NEPA for this Draft Supplemental EIR/EIS. However, if the Authority formally submits an application and FRA approves the application prior to the ROD, the Authority may issue the ROD and finalize any related environmental reviews in lieu of FRA.