



CALIFORNIA HIGH-SPEED RAIL RESOLUTION #HSRA 21-05

CEQA Certification of the Bakersfield to Palmdale Project Section Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

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 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 high-speed rail (“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 Bakersfield to Palmdale Project Section;

Whereas, the Authority and FRA commenced preparation of a second-tier Bakersfield to Palmdale Project Section EIR/EIS in 2009;

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 Alternatives Analysis reports to explore alignment alternatives in 2010, 2012, and 2016 and the continued refinement of alternatives and development of design options;

Whereas, on October 16, 2018, the Authority Board concurred with the staff recommendation to designate Alternative 2 with the César E. Chávez National Monument (CCNM) Design Option as the Authority’s Preferred Alternative for the Bakersfield to Palmdale Project Section and directed staff to continue to work with key stakeholders, including the Cesar Chavez Foundation, as reflected in Resolution #HSRA 18-18;

Whereas, consistent with Board direction in Resolution #HSRA 18-18, Authority staff developed the Refined CCNM Design Option and included it in the Preferred Alternative because it avoids adverse effects at the CCNM;

Whereas, under 23 U.S. 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 Bakersfield to Palmdale Project Section Draft Environmental Impact Report/Environmental Impact Statement (“Draft EIR/EIS”) for a public review and comment period from February 28, 2020, to April 13, 2020, which designated Alternative 2 with the Refined CCNM Design Option as the Authority’s Preferred Alternative and the CEQA Proposed Project;

Whereas, due to the uncertainty caused by the outbreak of COVID-19, the Authority extended the public review period for the Bakersfield to Palmdale Project Section Draft EIR/EIS for 15 days, to April 28, 2020;

Whereas, the Authority circulated a Revised Draft EIR/Supplemental Draft EIS limited to biological resources for additional public comment between February 26, 2021 and April 12, 2021;

Whereas, the Authority determined it was appropriate to complete the Bakersfield to Palmdale Project Section environmental analysis in the form of a Final EIR/EIS, consistent with both CEQA and NEPA, because none of the circumstances meriting recirculation pursuant to State CEQA Guidelines section 15088.5, and supplementation pursuant to Code of Federal Regulations section 1502.9(c)(1)(ii) existed; and

Whereas, on June 25, 2021, the Authority issued a Bakersfield to Palmdale Project Section Final EIR/EIS and made it publicly available on the Authority website and provided broad public notice thereof.

Therefore, it is resolved:

The Authority hereby certifies that:

- a. The Bakersfield to Palmdale Project Section Final EIR/EIS has been completed in compliance with CEQA;
- b. The Bakersfield to Palmdale Project Section Final EIR/EIS has been presented to the Authority Board as the decision-making body for the Bakersfield to Palmdale Project Section, and the Board has reviewed and considered the information contained in the Final EIR/EIS, prior to considering whether to approve the Preferred Alternative for the Bakersfield to Palmdale Project Section; and,
- c. The Bakersfield to Palmdale Project Section Final EIR/EIS reflects the Authority’s independent judgment and analysis.

Vote: 8-1

Yes: Richards; Miller; Schenk; Perea; Camacho; Williams; Ghielmetti; Escutia

No: Butros

Absent: N/A

Date: August 19, 2021