

California High-Speed Rail Authority

Palmdale to Burbank Project Section

Draft Environmental Impact Report/
Environmental Impact Statement

Appendix 9.0-A Consultation with
Authorities with Jurisdiction

August 2022



The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by the State of California pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 23, 2019, and executed by the Federal Railroad Administration and the State of California.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

December 16, 2020

Serge Stanich
Director Environmental Services
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, California 95814

Subject: Checkpoint B Summary Report – Request for Agreement on Range of Alternatives for California High-Speed Rail Project Palmdale to Burbank Section

Dear Mr. Stanich:

Thank you for the opportunity to provide recommendations prior to publication of the Draft Environmental Impact Statement for the Palmdale to Burbank Section of the California High-Speed Rail System. This letter provides EPA's agreement with California High-Speed Rail Authority's proposed Range of Alternatives.

The EPA, U.S. Army Corps of Engineers (USACE), and California High-Speed Rail Authority (CHSRA) are participating in the early coordination process outlined in the *National Environmental Policy Act / Clean Water Act Section 404 / Rivers and Harbors Act Section 14 (33 U.S.C. 408) Integration Process for the California High-Speed Train Program Memorandum of Understanding*, dated December 2010. This MOU defines Checkpoint B as a milestone to document participating agency agreement or disagreement with the proposed Range of Alternatives to be evaluated in the EIS. This early coordination promotes efficient integration of NEPA and CWA Section 404 within the environmental review process, provides certainty for future permitting, and facilitates upfront identification and resolution of potential issues.

CHSRA first proposed a Range of Alternatives for this section in a 2010 Preliminary Alternatives Analysis. In response to public and agency feedback, the alternatives were revised and refined several times and integrated into 2011, 2012, 2014, 2015, and 2016 Supplemental Alternatives Analyses. Following publication of the 2016 Supplemental Alternatives Analysis, the EPA and USACE expressed continued concerns regarding the large projected impacts to Una Lake, a rare natural lake within an otherwise arid ecosystem. In response, CHSRA identified new alignments that run to the east of Una Lake, thereby avoiding this important aquatic resource. These alignments form the basis for three of the six Build Alternatives evaluated in the current Checkpoint B Summary Report, submitted on Oct 21, 2020. We appreciate the extensive effort and coordination that has taken place in order to develop and finalize the range of alternatives. The EPA believes that the proposed range of alternatives likely contains the least environmentally damaging practicable alternative and, as such, we agree that the following alignments should be carried forward for analysis in the Palmdale to Burbank Draft EIS:

- Refined SR14 Build Alternative
- SR14A Build Alternative
- E1 Build Alternative
- E1A Build Alternative
- E2 Build Alternative
- E2A Build Alternative

Aquatic Resource Comments for Future Consideration - Draft EIS and Mitigation Planning

At this stage of project design, the goal of the Checkpoint B milestone is to establish agreement with the Range of Alternatives to be considered through the Draft EIS process. While the EPA provides agreement with the identified range of alternatives listed above, we anticipate further refinements and reductions to estimates of acreages of aquatic resource impacts reported within Checkpoint B materials. The EPA provides the following recommendations for your consideration for the development of the Draft EIS and mitigation planning:

- Coordinate with the USACE to receive final jurisdictional determination and ensure those impact values are presented consistently in the Draft EIS and Checkpoint C.
- Further refine the alignments to avoid and minimize impact to aquatic resources.
- Coordinate closely with the USACE and the EPA to identify avoidance and minimization measures for direct and indirect impacts.
- In the Draft EIS:
 - Provide estimates of direct and indirect impacts to aquatic resources.
 - Describe the type, location, and ecological condition of aquatic resources that may be directly or indirectly impacted.
 - Fully describe any ecologically sensitive regions impacted by the proposed alignments as well as any specific high-value resources that may be impacted.
- Begin advance planning for compensatory mitigation for the Palmdale to Burbank section, and ensure mitigation opportunities are available to fully offset project impacts. Early planning for compensatory mitigation may reveal that there is limited opportunity for compensatory mitigation in the project watershed area(s), which would further the need to identify refinements and management practices to avoid and minimize impacts.

Thank you for requesting the EPA's agreement on the Range of Alternatives. We look forward to further collaboration to reduce impacts and maximize benefits from this project. The EPA will ultimately review EISs for each section of the California HSR System pursuant to NEPA, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The EPA will also review the CWA Section 404 permit applications for each HSR section for compliance with the EPA's 404(b)(1) Guidelines (40 CFR 230.10). If you have any questions or comments please contact the NEPA lead for this project, Clifton Meek, at (415) 972-3370 (meek.clifton@epa.gov) or the aquatic resources lead for this project, Sarvy Mahdavi, at (213) 244-1830 (mahdavi.sarvy@epa.gov).

Sincerely,

CONNELL

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Date: 2020.12.16
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Transportation Team Lead, Environmental Review Branch

CC Via Email: Sue Meyer, California High Speed Rail Authority
Stephanie Roberts, California High Speed Rail Authority
Crystal Huerta, U.S. Army Corps of Engineers
Susan A. Meyer Gayagas, U.S. Army Corps of Engineers
Veronica Li, U.S. Army Corps of Engineers
Spencer MacNeil, U.S. Army Corps of Engineers
Cliff Harvey, State Water Resources Control Board
Sally Brown, U.S. Fish and Wildlife Service



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT
60 SOUTH CALIFORNIA STREET, SUITE 201
VENTURA, CA 93001-2598

December 17, 2020

Serge M. Stanich
Director of Environmental Services
California High-Speed Rail Authority
770 L Street, Suite 800
Sacramento, California 95814

Dear Mr. Stanich:

I am writing in response to your November 10, 2020 Checkpoint B letter and the final revised Checkpoint B Summary Report, dated December 2020, for the California High-Speed Rail Authority's (Authority) proposed Palmdale to Burbank (P-B) Project Section range of alternatives. In accordance with our *National Environmental Policy Act/Clean Water Act Section 404/Rivers and Harbors Act Section 14 Integration Process for the California High-Speed Train Program Memorandum of Understanding* dated November 2010 (NEPA/404/408 MOU), this letter is our formal response to your request for agreement on the reasonable range of alternatives to be evaluated in the P-B Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

As a cooperating agency on the preparation of the EIR/EIS and in fulfillment of our responsibilities under the NEPA/404/408 MOU, the U.S. Army Corps of Engineers (Corps), offered verbal and written feedback to the Authority on prior draft versions of the Checkpoint B Summary Report to ensure the range of alternatives is likely to contain an alternative that is the least environmentally damaging practicable alternative. After reviewing the final Checkpoint B summary report, including supporting information, we agree that the following alternatives should be carried forward for evaluation in the EIR/EIS:

1. SR-14 Build Alternatives
 - a) Refined SR14 Build Alternative
 - b) SR14A Build Alternative
2. E1 Build Alternatives
 - a) E1 Build Alternative
 - b) E1A Build Alternative
3. E2 Build Alternatives
 - a) E2 Build Alternative
 - b) E2A Build Alternative

Additionally, to assist in compliance with the *Rivers and Harbors Act Section 14* (Section 408) the Authority will need to provide the Corps with sufficient engineering analysis to ensure the proposed tunneling near the dams identified in the Checkpoint B Summary Report would have no adverse impacts to these Section 408 facilities nor be injurious to the public. In addition, the Authority will need to identify any protective measures to be integrated into the P-B project for the dam infrastructure; otherwise, surface options/alternatives should also be evaluated in the EIR/EIS in addition to the tunneling near the dams that the Authority has proposed.

We look forward to continued dialogue and coordination with your office on this project section. If you have any questions, contact Crystal Huerta at (213) 359-9662 or via e-mail at crystal.huerta@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

A handwritten signature in blue ink that reads "David J. Castanon". The signature is fluid and cursive, with a long horizontal stroke at the end.

David J. Castanon
Chief, Regulatory Division

cc:

Ms. Sarvy Mahdavi, U.S. Environmental Protection Agency, Mahdavi.Sarvy@epa.gov
Mr. Clifton Meek, U.S. Environmental Protection Agency Meek, meek.clifton@epa.gov
Rafiqul Talukder, P.E., U.S. Army Corps of Engineers, Los Angeles District, Engineering Division, Rafiqul.I.Talukder@usace.amry.mil

**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000 FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

April 22, 2019

In reply refer to: FRA_2018_0418_001

Mr. Brett Rushing
Cultural Resources Program Manager
California High-Speed Rail Authority
770 L Street, Suite 620
Sacramento, CA 95814

Subject: High Speed Rail Program, Palmdale to Burbank Project Review and Comment on Revised Archaeological Survey Report

Dear Mr. Rushing:

The California State Historic Preservation Officer (SHPO) received your letter on April 12, 2019 continuing consultation regarding the Palmdale to Burbank Section of the High-Speed Rail project. The High Speed Rail Authority (Authority) and Federal Railroad Administration (FRA) are consulting with the SHPO in accordance with the June 2011, *Programmatic Agreement Among the Federal Railroad Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California High-Speed Rail Authority (Authority) regarding Compliance with Section 106 of the National Historic Preservation Act, as it pertains to the California High-Speed Train Project (PA)*. Along with the consultation letter, the following document was provided to document the Authority and FRA's efforts to identify historic properties:

- *California High Speed Rail Authority Palmdale to Burbank Project Section Archaeological Survey Report* (April 2019).

The provided archaeological survey report (ASR) documents the results of historic property identification efforts that have occurred to date for resources that may be affected by the California High-Speed Rail's Palmdale to Burbank Project Section. The Authority and FRA previously submitted the ASR on April 11, 2018 and received comments from the SHPO on May 16, 2018. Comments were also received from the Gabrieleño Band of Mission Indians – Kizh Nation, Angeles National Forest, and County of Los Angeles Department of Parks and Recreation. The revised ASR has been provided to address consulting parties' comments, pursuant to Stipulation VI.C.3 of the PA.

The revised ASR documents subsequent modification to the Area of Potential Effects (APE) that have occurred since the last submittal due to changes in the undertaking. The overall project footprint has been reduced from 5655 to 5470.6 acres. The ASR

documents that 526.08 acres have been subjected to pedestrian archaeological survey to date. Records and literature searches and pedestrian surveys led to the identification of 73 archaeological resources in the APE. Of these, 12 resources have previously been determined ineligible for the listing on the National Register of Historic Places (NRHP), two resources have been determined eligible for listing on the NRHP, one resource is currently considered eligible for listing by the US Forest Service but has not been formally evaluated, one resource is no longer extant, 25 resources are considered exempt from evaluation under the PA, and 32 resources are unevaluated and will be considered eligible for listing on the NRHP for project planning purposes. The Authority and FRA will continue phased identification as access is granted and the project design is refined in accordance with Stipulation VIII.A.1 of the PA and the future Memorandum of Agreement (MOA) and Archaeological Treatment Plan (ATP) that will be developed for this project section.

In addition, the revised ASR addresses the SHPO's May 16, 2018 comments as follows:

- A revised evaluation has been provided for site P-19-004479. The Authority and FRA have determined that this site is not eligible for listing on the National Register of Historic Places (NRHP) because it falls outside of the period of significance of the larger Blum Ranch Property. **I concur, pursuant to 36 CFR 800.4(c)(2) and Stipulation VI.C.3 of the PA.**
- The Authority and FRA are proposing to treat site P-19-002415 as eligible for listing on the NRHP for the purposes of the undertaking until it can be fully evaluated. **I do not object to treating the site as eligible.**
- The DPR 523 site records were not updated for site P-19-002415 because the site has not been revisited. The DPR 523 site forms for P-19-004194 have been updated to reflect the site's current condition. Aerial imagery research was used to confirm that the site was destroyed in recent years. The Authority and FRA have therefore determined that the site is not eligible for listing on the NRHP. **I concur, pursuant to 36 CFR 800.4(c)(2) and Stipulation VI.C.3 of the PA.**

For more information or if you have any questions, please contact Koren Tippett, Archaeologist, at (916) 445-7017 or koren.tippett@parks.ca.gov or Kathleen Forrest, Historian, at (916) 445-7022 or kathleen.forrest@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

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August 30, 2019

Reply in Reference To: FRA_2018_0418_001

Brett Rushing
WSP-Parsons Brinkerhoff
Rail Delivery Partners to the Authority
770 L Street, Suite 700
Sacramento, CA 95814

Re: High-Speed Rail Program, Palmdale to Burbank Section, Request for Review and Concurrence on Historic Architectural Survey Report

Dear Mr. Rushing:

Thank you for your letter of July 29, 2019, regarding the above-referenced report. You are consulting pursuant to Stipulation VIII of the *Programmatic Agreement among the Federal Railroad Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California High-Speed Rail Authority regarding Compliance with Section 106 of the National Historic Preservation Act, as it pertains to the California High-Speed Train Project (PA)*.

The California High-Speed Rail Authority (the Authority), on behalf of the Federal Railroad Administration (FRA), requests SHPO review on the following document, included with the letter:

- *California High-Speed Rail Authority, Palmdale to Burbank Project Section, Historic Architectural Survey Report, July 2019*

The Historic Architectural Survey Report (HASR) documents the historic properties identification efforts within the Palmdale to Burbank section Area of Potential Effect (APE). The HASR identified 348 built environment resources. Resources identified include:

- 12 historic properties
- 334 built resources ineligible for listing on the NRHP or California Register of Historical Resources
- Two built resources previously determined ineligible for listing on the NRHP with SHPO concurrence

The 12 historic properties include the following resources listed in Tables 1, 2, and 3:

Table 1. Properties Listed in the NRHP

Map ID	Historic Name	Address	City	Year Built	Primary Number (if applicable)	OHP Status Code	NRHP/CRHR Criteria
3862	Vincent Transmission Line (Big Creek Hydroelectric System Historic District)	Multiple APNs	Multiple	1927	N/A	1D	A/1 and C/3

ID = identification

OHP = Office of Historic Preservation

NRHP = National Register of Historic Places

CRHR = California Register of Historical Resources

N/A = not applicable

1D = Contributor to a district or multiple resource property listed in the NRHP by the Keeper. Listed in the CRHR.

Table 2. Properties Previously Determined Eligible for the NRHP with SHPO Concurrence

Map ID	Historic Name	Address	City	Year Built	Primary Number (if applicable)	Previously Assigned CHRIS Code	NRHP/CRHR Criteria
152	Los Pinetos Nike Missile Site	Forest Road 3N 17	N/A	1955–1956	No P#; HAER No. CA-56	2S2	A/1 and C/3
3421	East Branch of the California Aqueduct	N/A	Palmdale vicinity	1966–1973	19-004154	2S2	A/1 and C/3, Consideration G
3480	Palmdale Ditch (CA-LAN-1534H)	N/A	Palmdale vicinity	1895–1896	19-001534	2D2	A/1

ID = identification

APN = Assessor's Parcel Number

CHRIS = California Historical Resource Inventory System

NRHP = National Register of Historic Places

CRHR = California Register of Historical Resources

N/A = not applicable

2S2 = Individual Property determined eligible for NRHP by a consensus through Section 106 process. Listed in the CRHR.

2D2 = Contributor to a district determined eligible for NRHP by consensus through Section 106 process. Listed in the CRHR.

Table 3. New Properties Determined Eligible for the NRHP

Map ID	Historic Name	Address	City	Year Built	Primary Number (if applicable)	Current CHRIS Code	NRHP/CRHR Criteria
1044	Pink Motel and Café	9457–9475 San Fernando Rd	Los Angeles	1946-1949, 1958	N/A	2S2	A/1 and C/3
1504	N/A	10004 Clybourn Ave	Los Angeles	Circa 1922	N/A	2S2	C/3
2500	LADWP Boulder Transmission Line 3	N/A – resource is multi-state	N/A – resource is multi-state	1939–1940	19-150047; HAER No. NV-27-M	2D2	A/1 and C/3

Map ID	Historic Name	Address	City	Year Built	Primary Number (if applicable)	Current CHRIS Code	NRHP/CRHR Criteria
2593	Eagle and Last Chance Mine Road	FS 05-01-55-45	Angeles National Forest	Circa 1880s	P-19-002-009	2D2	A/1, B/2; C/3
2920	1890s Acton Ford Road	FS 05-01-55-216	Angeles National Forest	Circa 1890s	19-188484	2D2	A/1
2990/ 3000/ 3002	Monte Cristo Wagon Road System (including Monte Cristo Mining District Road, Aliso Creek Wagon Road, Forest Road 4N32 – Aliso Arrastre Cutoff)	FS 05-01-55-116, FS 05-01-55-158, FS: 05-01-55-189	Angeles National Forest	Late 19 C.	19-186545	2D2	A/1
2947	Blum Ranch	31880 Aliso Canyon Rd	Acton vicinity	1891–ca. 1924	N/A	2S2	A/1 and C/3
3768	Blum Ranch Farmhouse	31880 Aliso Canyon Rd	Acton vicinity	1916	N/A	2S2; 2D2	C/3

ID = identification
APN = Assessor's Parcel Number
CHRIS = California Historical Resource Inventory System

The following fourteen properties were evaluated and determined ineligible for listing on the NRHP:

Table 4. New Properties Determined Ineligible for the NRHP – Documented on DPR forms

Map ID	Resource Name	Address	City	Primary Number (if any)	Year Built	CHRIS Status
302	Charles Maclay Junior High School	12540 Pierce Street	Los Angeles	N/A	1960	6Z
154	Key Burger	10971 Glenoaks Boulevard	Los Angeles	N/A	1961	6Z
190	Shelter Isle Mobile Estates Office	10965 Glenoaks Boulevard	Los Angeles	N/A	1961	6Z
1113	LADWP Valley Generating Station	11801 Sheldon Street	Los Angeles	N/A	1953–1957	6Z
1180	Pacoima Canyon Trail	FS 05-01-55-46	Angeles National Forest	P-19-187823	Unknown	6Z
1366	Republic Services, Inc.	9200 Glenoaks Blvd	Los Angeles	N/A	1964	6Z
1620	Mt. View Motel	8065 San Fernando Rd	Los Angeles	N/A	1939	6Z
1653	Santa Clara Divide Road	FS 05-01-55-102	Angeles National Forest	19-186921	c. 1930s	6Z

Map ID	Resource Name	Address	City	Primary Number (if any)	Year Built	CHRIS Status
1689	Little Tujunga Canyon Road	FS 05-01-55-213	Angeles National Forest	P-19-187823	Unknown	6Z
1777	Mendenhall Ridge Road	FS 05-01-55-110	Angeles National Forest	P-19-186902	Unknown	6Z
1781	Glenwood Elementary School	8001 Ledge Ave	Los Angeles	N/A	1945	6Z
1846	San Fernando Road (Segment B: Welden Canyon to Glendale Junction)	N/A	Los Angeles	19-188007	1924	6Z
2083	Oak Springs Trail	FS 05-01 55-31	Angeles National Forest	P-19-180668	Unknown	6Z
3185	Angeles Forest Highway, aka County Road N-3	FS 05-01-55-185	Angeles National Forest	P-19-187713	1941	6Z

ID = identification

APN = Assessor's Parcel Number

CHRIS = California Historical Resource Inventory System

6Z = Found ineligible for NRHP, CRHR, or Local designation through survey evaluation.

N/A = not applicable

ID = identification

APN = Assessor's Parcel Number

CHRIS = California Historical Resource Inventory System

6Y = Determined ineligible for the NRHP by consensus through Section 106 process – Not evaluated for CRHR or Local Listing

After reviewing the information submitted with your letter, I offer the following comments:

- I concur that identification efforts are sufficient for the undertaking at this time, per 36 CFR § 800.4(b).
- I concur that the eight properties listed in Tables 3 are eligible for the NRHP, per 36 CFR § 800.4(c)(2).
- I concur that the fourteen properties listed in Tables 4 are ineligible for the NRHP, per 36 CFR § 800.4(c)(2).
- I concur that the 320 properties evaluated using streamlined methodology documented in Appendix F of the HASR are ineligible for the NRHP, per 36 CFR § 800.4(c)(2).

If the Authority has any questions or comments, please contact State Historian Tristan Tozer at (916) 445-7027 at Tristan.Tozer@parks.ca.gov.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer

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