



RESOLUTION #HSRA 19-06

Staff Recommended Preferred Alternative Identification (NEPA) for the San Jose to Merced Project Section Draft Environmental Impact Report/Environmental Impact Statement

Whereas, pursuant to Section 327 of Title 23 of the United States Code, effective July 23, 2010, a Memorandum of Understanding was signed between the Federal Railroad Administration (FRA) and the State of California that assigned the FRA's responsibilities as lead agency under the National Environmental Policy Act (NEPA) to the Authority (NEPA Assignment);

Whereas, the California High-Speed Rail Authority (Authority) has conducted preliminary engineering and environmental analysis to a level sufficient to describe the comparative benefits and challenges of the four project alternatives (Alternatives 1 – 4) for the San Jose to Merced Project Section;

Whereas, the Authority has briefed the regulatory agencies, local governments, shared the recommendations with the Local Policymaker Group and City/County Staff Coordinating Group, and conducted stakeholder working group meetings and open houses in the cities of San Jose, Morgan Hill, Gilroy, Los Banos and Santa Clara to seek input, which was carefully considered;

Whereas, the preliminary analyses indicate that Alternative 4 appears most likely to best meet the project objectives while also incorporating stakeholder input and minimizing effects to environmental and community resources;

Whereas, the Authority Board has delegated to staff the authority to develop the Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS);

Whereas, the Authority Board has retained authority to identify a preferred alternative in the Draft EIR/EIS;

Whereas, staff has identified the public transparency benefits of identifying a NEPA preferred alternative in the forthcoming San Jose to Merced Project Section Draft EIR/EIS;

Whereas, the identification of a preferred alternative at this time is not an implementation decision by the Authority Board and allows for full consideration of all the effects of the project alternatives considered in the ongoing environmental process; and,

Whereas, the Authority recognizes the function of the forthcoming San Jose to Merced Project Section Draft EIR/EIS is to provide full environmental analysis and to elicit public comments prior to the Authority making any approval or implementation decision regarding any alternative.

Therefore, it is resolved:

The Authority Board concurs with the staff recommendation that Alternative 4 shall be identified as the NEPA Preferred Alternative in the forthcoming joint San Jose to Merced Project Section Draft Environmental Impact Report/Environmental Impact Statement.

In response to public comments made at the September 17, 2019, Board Meeting, staff is directed to consider:

- Coordination with Diridon Station planning;
- Issues related to grade separations in the vicinity of the Gardner neighborhood, Morgan Hill and San Jose; and

- Feasible mitigation through the Grasslands Ecological Area.

Vote: 8-0

Yes: Schenk; Richards; Curtin; Lowenthal; Camacho; Miller; Mendonca; Perea

No: 0

Absent: N/A

Date: September 17, 2019