

Preface

What Is This Document?

The California High-Speed Rail Authority (Authority) proposes to construct, operate, and maintain an electric-powered high-speed rail (HSR) system in California. When completed, the 800-mile HSR system will provide new passenger rail service to California’s major metropolitan areas and through the counties that are home to more than 90 percent of the state’s population. The approximately 145-mile-long San Jose to Merced Project Section (Project Section) would provide the public with electric-powered HSR service that provides predictable and consistent travel times between major urban centers and connectivity to airports, mass transit systems, and the highway network stretching from Santa Clara County in the San Francisco Bay Area to the Central Valley. It would help connect the northern and southern portions of the statewide HSR system. The Project Section would provide HSR service between Diridon Station in downtown San Jose and a station in downtown Merced. The Project Section comprises three project extents:

- From Scott Boulevard in Santa Clara to Carlucci Road in Merced County, at the western terminus of the Central Valley Wye (the project evaluated in this document)
- The Central Valley Wye, which connects the east-west portion of HSR from the Bay Area to the Central Valley, beginning at Carlucci Road in Merced County, with the north-south portion from Merced to Fresno (evaluated in the 2019 *Merced to Fresno Section: Central Valley Wye, Draft Supplemental Environmental Impact Report [EIR]/Environmental Impact Statement [EIS]* (Authority 2019); the Final Supplemental EIR/EIS is anticipated for completion in 2020)
- The northernmost portion of the Merced to Fresno Project Section, from the northern limit of the Central Valley Wye (Ranch Road) to the Merced Station (evaluated in the 2012 *Merced to Fresno Section Final EIR/EIS* [Authority and FRA 2012])

The portion of the Project Section analyzed in this *San Jose to Merced Project Section Draft EIR/EIS* (Draft EIR/EIS) is from Scott Boulevard, just north of San Jose Diridon Station, to Carlucci Road. This is referred to as the San Jose to Central Valley Wye Project Extent (project or project extent). It would extend approximately 90 miles, passing through Santa Clara, San Benito, and Merced Counties and in or near the cities of Santa Clara, San Jose, Morgan Hill, Gilroy, and Los Banos. Four project alternatives and the no project alternative are analyzed in this joint California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) document.

The Council on Environmental Quality provides for NEPA decision making through a phased process (42 United States Code [U.S.C.] § 4321 et seq.) known as *tiering*. This phased process supports a broad-level programmatic decision using a first-tier EIS. The first-tier process is followed by more specific decisions at the second tier, with one or more second-tier EISs. The NEPA tiering process allows incremental decision making for large projects that would be too extensive and cumbersome to analyze in one traditional project EIS. CEQA (Public Resources Code § 21000 et seq.) also encourages tiering and provides for first-tier and second-tier EIRs.

The San Jose to Merced Project Section EIR/EIS is a second-tier EIR/EIS that tiers off of first-tier program EIR/EIS documents and provides project-level information for decision making on this portion of the HSR system. The Authority and the

Sequence of California HSR Tiered Environmental Documents

Tier 1/Program Documents

- Final Program EIR/EIS for the Proposed California High-Speed Train System (2005)
- San Francisco Bay Area to Central Valley High-Speed Train Final Program EIR/EIS (2008)
- Bay Area to Central Valley High-Speed Train Partially Revised Final Program EIR (2012)

Tier 2/Project Documents

- Merced to Fresno Section Final EIR/EIS (2012)
- Merced to Fresno Section: Central Valley Wye Draft Supplemental EIR/EIS (2019)
- San Francisco to San Jose Section Draft EIR/EIS (2020)
- San Jose to Merced Project Section Draft EIR/EIS (this document)

Federal Railroad Administration (FRA) prepared the 2005 *Final Program EIR/EIS for the Proposed California High-Speed Train System* (Authority and FRA 2005), which provided a first-tier analysis of the general effects of implementing the HSR system across two-thirds of the state. The 2008 *Bay Area to Central Valley High-Speed Train Final Program EIR/EIS* (Authority and FRA 2008) and the Authority's 2012 *Bay Area to Central Valley High-Speed Train Partially Revised Final Program EIR* (Authority 2012) were also first-tier programmatic documents, but they focused on the Bay Area to Central Valley region. These first-tier EIR/EIS documents provided the Authority and FRA with the environmental analyses necessary to evaluate the overall HSR system and make broad decisions about general HSR alignments and station locations for further study in the second-tier EIR/EISs. Between San Jose and Merced, the corridor advanced for Tier 2 study was the Pacheco Pass via Henry Miller Road from San Jose to the Central Valley. The station locations advanced for Tier 2 study were in San Jose and Gilroy with no station between Gilroy and Merced.

The San Jose to Merced Project Section EIR/EIS analyzes the environmental impacts and benefits of implementing the HSR in the more geographically limited area between San Jose Diridon Station and Carlucci Road and is based on more detailed project planning and engineering. The analysis therefore builds on the earlier decisions and program EIR/EISs and provides more site-specific and detailed analysis.

This Draft EIR/EIS does the following:

- Describes four project alternatives and their potential impacts
- Provides environmental information to assist decision makers in selecting the project alternative to be built
- Identifies measures to avoid and minimize impacts and, when necessary, to compensate for adverse impacts
- Considers cumulative impacts as part of the environmental review process

The Authority has widely circulated this Draft EIR/EIS to affected local jurisdictions, state and federal agencies, tribes, community organizations, other interest groups, and interested individuals. The document is also available at Authority offices, public libraries, and county clerk offices (refer to Chapter 10, Distribution List, for a complete list of repository locations). The Draft EIR/EIS is being made available to the public by the Authority in accordance with its responsibility as the federal lead agency for review and comment, as required, for a minimum of 45 days pursuant to CEQA and NEPA. During this period, the Authority will host a public hearing and community open houses. The public hearing will provide an opportunity for the public to submit verbal comments on the Draft EIR/EIS and the alternatives under consideration. Written comments may also be submitted at the open houses and the hearing.

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 (MOU) dated July 23, 2019, and executed by the FRA and the State of California. Pursuant to the MOU, the Authority is the federal lead agency. The Authority is also the lead agency for CEQA compliance. Prior to the July 23, 2019 MOU, the FRA was the federal lead agency.

How Do I Use This Document?

The purpose of environmental documents prepared under NEPA and CEQA is to disclose information about a proposed project to decision makers and the public. While the science and analysis that supports this Draft EIR/EIS are complex, this document is intended for the general public. Every attempt has been made to limit the use of technical terms and acronyms. Where this cannot be avoided, the terms and acronyms are defined the first time they are used in each chapter.

Volume 1 of this Draft EIR/EIS is organized into 15 chapters and an Executive Summary. Volume 2 contains technical appendices, and Volume 3 provides plans and other relevant engineering drawings. For a reader with limited time to devote to this document, the Executive 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 for each environmental resource topic. If the reader begins here but wants more information, the Executive Summary directs the reader to more detailed discussion elsewhere in the document. Below is a list of the chapters and a short summary of each.

Chapter 1, Project Purpose, Need, and Objectives, explains the project purpose and need for the San Jose to Merced Project Section, provides a history of the planning process, and describes the project’s relationship to other plans, programs, and transportation projects.

Chapter 2, Alternatives, describes in detail the four project alternatives and the no project alternative that the Authority is considering in this Draft EIR/EIS. It contains illustrations and maps and provides a review of construction activities. These first two chapters help the reader understand what is being analyzed in the remainder of the document.

Chapter 3, Affected Environment, Environmental Consequences, and Mitigation Measures, is where the reader can find information about the existing transportation, environmental, and social conditions in the project area. 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 the following sections:

- Section 3.1, Introduction
- Section 3.2, Transportation*
- Section 3.3, Air Quality and Greenhouse Gases*
- Section 3.4, Noise and Vibration*
- Section 3.5, Electromagnetic Fields and Electromagnetic Interference
- Section 3.6, Public Utilities and Energy
- Section 3.7, Biological and Aquatic Resources *
- Section 3.8, Hydrology and Water Resources*
- Section 3.9, Geology, Soils, Seismicity, and Paleontological Resources*
- Section 3.10, Hazardous Materials and Wastes*
- Section 3.11, Safety and Security
- Section 3.12, Socioeconomics and Communities*
- Section 3.13, Station Planning, Land Use, and Development
- Section 3.14, Agricultural Farmland*
- Section 3.15, Parks, Recreation, and Open Space
- Section 3.16, Aesthetics and Visual Quality*
- Section 3.17, Cultural Resources*
- Section 3.18, Regional Growth
- Section 3.19, Cumulative Impacts
- Section 3.20, Design Variants to Optimize Speed

*separate technical report available

Chapter 4, Section 4(f)/6(f) Evaluation, provides the analysis to support the Authority’s preliminary determinations to comply with the provisions of Section 4(f) of the Department of Transportation Act of 1966 and Section 6(f) of the Land and Water Conservation Funds Act.

Chapter 5, Environmental Justice, discusses whether the project alternatives would have a disproportionately high and adverse effect on minority or low-income populations.

Chapter 6, Project Costs and Operations, summarizes the estimated costs for building, operating, and maintaining each of the project alternatives evaluated in this Draft EIR/EIS.

Chapter 7, Other CEQA/NEPA Considerations, summarizes the unavoidable adverse effects under NEPA, the significant and unavoidable impacts under CEQA, the relationship between

short-term uses of the environment and long-term productivity, and the significant irreversible or irretrievable commitments of resources that would result from the project alternatives.

Chapter 8, Preferred Alternative, describes the Preferred Alternative and the basis for identifying it.

Chapter 9, Public and Agency Involvement, describes the public and agency involvement efforts conducted for the preparation of this Draft EIR/EIS.

Chapter 10, Distribution List, identifies the public agencies, tribes, and organizations that were informed of the availability of, and locations to review, this Draft EIR/EIS.

Chapter 11, List of Preparers, provides the names and roles of the preparers of this Draft EIR/EIS.

Chapter 12, References, lists the references used in writing this document.

Chapter 13, Glossary of Terms, provides a definition of certain terms used in this Draft EIR/EIS.

Chapter 14, Index, provides a tool to cross-reference major topics in this Draft EIR/EIS.

Chapter 15, Acronyms and Abbreviations, defines the acronyms and abbreviations used in this document.

Volume 2, Technical Appendices, provides additional details on the project alternatives; the Draft EIR/EIS process; and resource-specific background information, data, and other evidence supporting the analyses. Technical appendices are primarily related to the affected environment and environmental consequences analyses. These appendices are numbered to match their corresponding section in Chapter 3, as well as Chapter 2, of this Draft EIR/EIS (e.g., 3.7-A is the first appendix for Section 3.7, Biological and Aquatic Resources).

Volume 3, Preliminary Engineering Plans, presents the design drawings, including trackway and roadway crossing designs.

Technical Reports provide more detailed technical analyses and data than those included in Chapter 3 of the Draft EIR/EIS. The asterisks (*) in the list of Chapter 3 sections indicate topics for which a separate technical report has been prepared. Technical reports are not included in the Draft EIR/EIS with the exception of the technical reports for Air Quality and Greenhouse Gases and Noise and Vibration, which are included in Volume 2. You may request electronic copies of the EIR/EIS and the technical reports by calling (800) 455-8166. Printed copies of the Executive Summary and Volume 1 of the Draft EIR/EIS and/or electronic versions of the entire EIR/EIS (Volumes 1–3) and the associated technical reports are also available for review during business hours at the following locations:

- Authority's Northern California Regional Office: 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113
- Authority's Headquarters: 770 L Street, Suite 620 MS-1, Sacramento, CA
- Central Park Library: 2635 Homestead Road, Santa Clara, CA 95051
- Dr. Martin Luther King, Jr. Library: 150 E. San Fernando Street, San Jose, CA 95112
- Gilroy Library: 350 W. 6th Street, Gilroy, CA 95020
- Los Banos Branch Library: 1312 7th Street, Los Banos, CA 93635
- Merced County Library: 2100 O Street, Merced, CA 95340
- Merced County Clerk: 2222 M Street, Merced, CA 95340
- Morgan Hill City Hall, Development Services Department, 17575 Peak Avenue, Morgan Hill, CA 95037
- Morgan Hill Library: 660 W. Main Ave, Morgan Hill, CA 95037

- San Benito County Recorder: 440 5th Street #206, Hollister, CA 95023

What Happens Next?

Comments received during the public comment period on this Draft EIR/EIS will be used to develop a Final EIR/EIS. The Final EIR/EIS will include responses to comments on the Draft EIR/EIS. Following completion of the Final EIR/EIS, the Authority will consider certifying the Final EIR/EIS for compliance with CEQA and making a final decision on selecting the Preferred Alternative. If the Authority certifies the Final EIR/EIS and makes a decision on the Preferred Alternative, it will file a Notice of Determination with the State Clearinghouse. As the federal lead agency, pursuant to the NEPA Assignment MOU, the Authority would also issue a Record of Decision, documenting any decision it may make in selecting an alternative as part of the NEPA process.