

## Fact Sheet

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Since publication of the Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS), the following substantive changes have been made to this section.

- This section was updated to reflect publication of the Merced to Fresno Section: Central Valley Wye Final Supplemental EIR/EIS.
- The Project Description section was updated to describe the California High-Speed Rail Authority's (Authority) mitigation for impacts on emergency vehicle response time. It was also updated to describe the Final EIR/EIS certification and Record of Decision processes.
- The Document Availability section was updated to reflect that summaries of the purpose and scope of the EIR/EIS were made available online in English, Spanish, Vietnamese, and Mandarin.
- The Permits, Approvals, and Consultations section was corrected to state that the Federal Railroad Administration (FRA) is responsible for the General Conformity Determination and regulatory authority over railroad safety.
- Sections on Contact Information and Public Review Period and Next Steps applicable to the Draft EIR/EIS were deleted from the Final EIR/EIS. A Subsequent Steps section was added to the Public Release of the Final EIR/EIS section to describe steps following issuance of the Final EIR/EIS.

### Project Name

California High-Speed Rail Project, San Jose to Merced Project Section

### Project Description

The Authority certified a Statewide Program EIR/EIS (Tier 1) in November 2005 as the first phase of a tiered environmental review process for the proposed California High-Speed Rail (HSR) System planned to provide a reliable, high-speed, electric-powered rail system that links the major metropolitan areas of the state and that delivers predictable and consistent travel times. A further objective is to provide an interface with commercial airports, mass transit, and the highway network and to relieve capacity constraints of the existing transportation system as increases in intercity travel demand in California occur, in a manner sensitive to and protective of California's unique natural resources. A second program-level (Tier 1) EIR/EIS was completed in 2008 focusing on the connection between the Bay Area and Central Valley; the Authority revised this document under California Environmental Quality Act (CEQA) and completed in 2012. Based on the Program EIR/EISs, the Authority selected preferred corridors and station locations to advance for further study.

The Authority has prepared a project-level (Tier 2) EIR/EIS that further examines the California HSR San Jose to Merced Project Section as part of the larger, 800-mile HSR system planned throughout California. The HSR system will connect the major population centers of Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, the Inland Empire, Orange County, and San Diego. The HSR system will use state-of-the-art, electrically powered, high-speed, steel-wheel-on-steel-rail technology, including contemporary safety, signaling, and automated train-control systems, with trains capable of operating at up to 220 miles per hour (mph) over a dedicated track alignment.

The San Jose to Merced Project Section would provide HSR service between San Jose Diridon Station in downtown San Jose and a station in downtown Merced, with a Gilroy station either in downtown Gilroy or east of Gilroy. The Project Section would allow trains in the San Francisco Bay Area to transition smoothly via the Central Valley Wye to and from the Central Valley portion of the HSR system that runs north to Merced and south to Fresno and Southern California. 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 beginning at Carlucci Road in Merced County, which connects the east-west portion of HSR from the Bay Area to the Central Valley with the north-south portion from Merced to Fresno (evaluated in the 2020 *Merced to Fresno Section: Central Valley Wye Final Supplemental EIR/EIS* (Authority 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 extent of the Project Section analyzed in this *San Jose to Merced Project Section Final EIR/EIS* (Final 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). The project extent is located in Santa Clara, San Benito, and Merced Counties, in or near the cities of Santa Clara, San Jose, Morgan Hill, Gilroy, and Los Banos.

The approximately 90-mile project extent of the 145-mile-long Project Section comprises mostly dedicated HSR system infrastructure, HSR station locations at San Jose Diridon and Gilroy, a maintenance of way facility (MOWF) either south or southeast of Gilroy, and a maintenance of way siding (MOWS) west of Turner Island Road in the Central Valley. HSR stations at San Jose Diridon and Gilroy would provide links with regional and local mass transit services as well as connectivity to the Santa Clara County and Central Valley highway network.

The project extent comprises the following five subsections:

- **San Jose Diridon Station Approach**—Extends approximately 6 miles from north of San Jose Diridon Station at Scott Boulevard in Santa Clara to West Alma Avenue in San Jose. This subsection includes the San Jose Diridon Station.
- **Monterey Corridor**—Extends approximately 9 miles from West Alma Avenue to Bernal Way in the community of South San Jose. This subsection is entirely within the city of San Jose.
- **Morgan Hill and Gilroy**—Extends approximately 30 miles from Bernal Way in the community of South San Jose to Casa de Fruta Parkway/State Route (SR) 152 in Santa Clara County.
- **Pacheco Pass**—Extends approximately 25 miles from Casa de Fruta Parkway/SR 152 to east of Interstate (I-) 5 in unincorporated Merced County.
- **San Joaquin Valley**—Extends approximately 20 miles from I-5 to Carlucci Road in unincorporated Merced County.

The Authority has developed four end-to-end alternatives for the project (Alternatives 1 to 4), as illustrated on Figure 1. Table 1 shows the design options of each alternative by subsection.

**Table 1 San Jose to Central Valley Wye Design Options by Subsection**

Subsection/Design Options	Alternative 1	Alternative 2	Alternative 3	Alternative 4
<b>San Jose Diridon Station Approach<sup>1</sup></b>				
Viaduct to Scott Blvd	–	X	X	–
Viaduct to I-880	X	–	–	–
Blended, At-Grade	X <sup>2</sup>	–	–	X

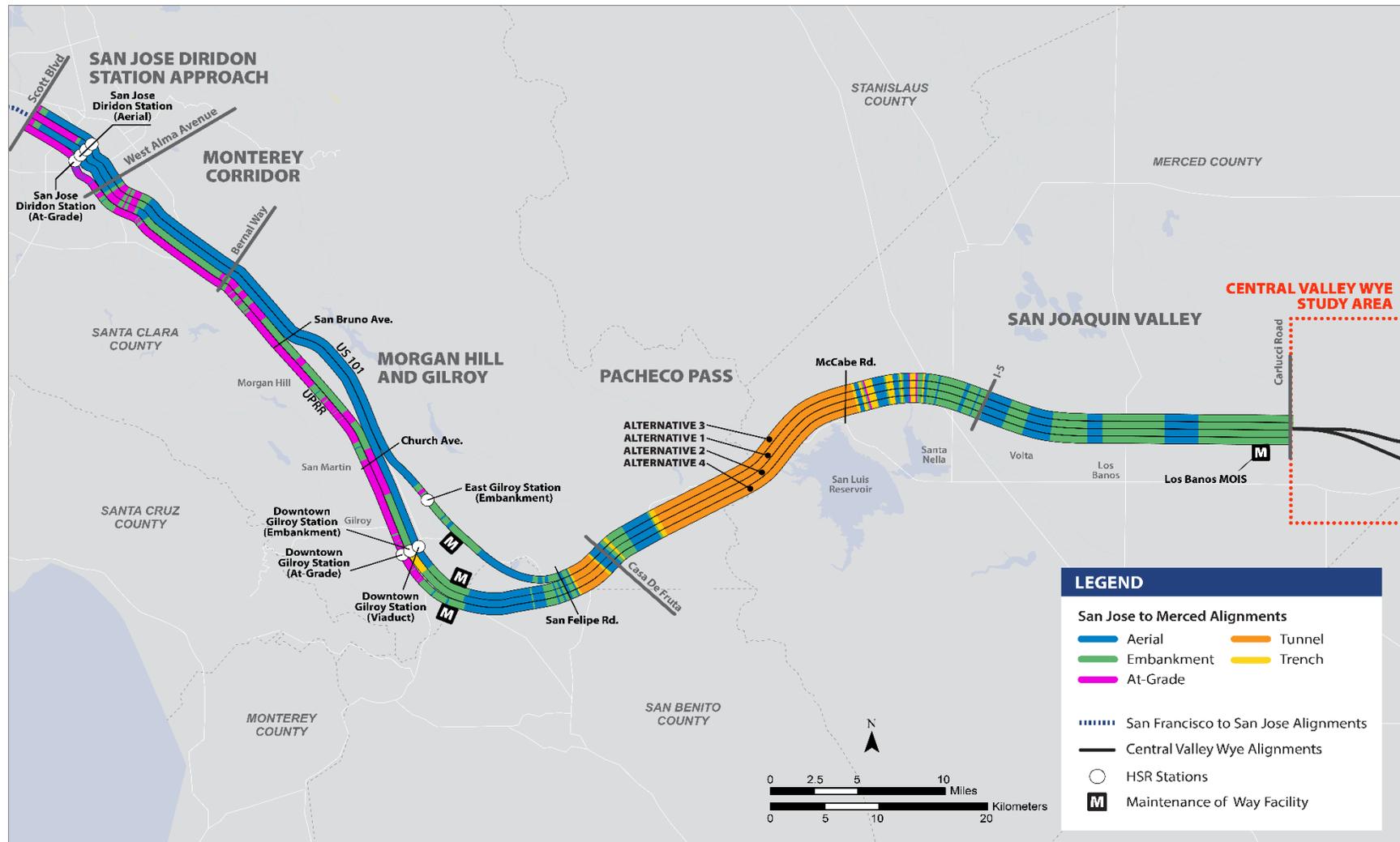
Subsection/Design Options	Alternative 1	Alternative 2	Alternative 3	Alternative 4
<b>Monterey Corridor</b>				
Viaduct	X	–	X	–
At-Grade	–	X	–	–
Blended, At-Grade	–	–	–	X
<b>Morgan Hill and Gilroy</b>				
Embankment to downtown Gilroy <sup>3</sup>	–	X	–	–
Viaduct to downtown Gilroy <sup>3</sup>	X	–	–	–
Viaduct to east Gilroy <sup>4</sup>	–	–	X	–
Blended, At-Grade to downtown Gilroy <sup>3</sup>	–	–	–	X
<b>Pacheco Pass</b>				
Tunnel	X	X	X	X
<b>San Joaquin Valley</b>				
Henry Miller Rd	X	X	X	X

<sup>1</sup> All four alternatives include the San Jose Diridon Station; Alternatives 1, 2, and 3 would use an elevated station; Alternative 4 would use an at-grade station.

<sup>2</sup> Alternative 1 is blended, at-grade from Scott Boulevard to I-880 only.

<sup>3</sup> Would use Downtown Gilroy Station.

<sup>4</sup> Would use East Gilroy Station.



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Figure 1 San Jose to Merced Project Section

This Final EIR/EIS evaluates the impacts and benefits of the four project alternatives (including stations and maintenance facilities) and the no project alternative. The four project alternatives were developed through extensive local and agency involvement, stakeholder meetings, and public and agency comments, and were subjected to a thorough screening process that considered the impacts of the alternatives on the social, natural, and built environment. Mitigation measures are proposed to reduce the severity of potential significant, adverse impacts.

The Authority's Preferred Alternative under NEPA, which serves as the proposed project for CEQA, is Alternative 4 with the inclusion of the Diridon design variant (DDV) and the tunnel design variant (TDV). The Preferred Alternative includes two stations (San Jose Diridon Station and Downtown Gilroy Station), an MOWF, an MOWS, two tunnels, the DDV and TDV, and traction power facilities. The Authority identified this alternative on the basis of a balanced consideration of the environmental information presented in the Final EIR/EIS in the context of Purpose and Need; project objectives; CEQA, the National Environmental Policy Act (NEPA), and Clean Water Act Section 404(b)(1) requirements; Section 4(f) of the Department of Transportation Act (49 U.S.C. § 303) requirements; local and regional land use plans; community preferences; and cost.

The Preferred Alternative would have lower overall impacts on community resources than the other alternatives, although it would have the most noise impacts (with noise barrier mitigation only). While the Preferred Alternative would potentially have the greatest impact on emergency vehicle response times, this could be mitigated by the Authority working with local jurisdictions to install emergency vehicle priority at traffic lights (where not already present), emergency vehicle queue bypass lanes, improvement to parallel routes, new responder equipment at existing stations to expand ability to respond to multiple calls, increase in contracted ambulance services to reduce response time, and/or construct and operate new fire stations where necessary to reduce delays above the threshold value. The Authority would also partner with local jurisdictions with significant emergency vehicle response effects to install an independent at-grade railroad crossing monitoring system connected to local police and fire dispatch to improve real-time response planning. This alternative would also result in the lowest impacts of the four project alternatives on key natural environmental factors, such as wetlands and other aquatic habitats that provide high-value habitat for a diverse array of species, and it is the alternative most likely to receive support for permitting by the U.S. Army Corps of Engineers under the Clean Water Act. The Preferred Alternative would also result in the lowest impacts from permanent use of Section 4(f) parks and built environment historic resources that are listed or eligible for listing the National Register of Historic Places. The Preferred Alternative is estimated to cost approximately \$16.5 billion (in 2018 dollars)—the lowest capital cost of the four project alternatives. The Authority's Board of Directors will consider whether to formally adopt the Preferred Alternative or another project alternative as the selected alternative for the project after consideration of comments on the Draft EIR/EIS and review of and decision on certification of this Final EIR/EIS pursuant to CEQA. The Authority's Board of Directors will also consider whether to direct the Authority Chief Executive Officer to issue a Record of Decision selecting the Preferred Alternative in the Authority's role as NEPA lead agency.

### **NEPA Lead Agency**

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. Prior to the July 23, 2019 MOU, the FRA was the federal lead agency.

### **Responsible NEPA Official**

Brian P. Kelly, Chief Executive Officer  
California High-Speed Rail Authority  
770 L Street, Suite 620 MS-1  
Sacramento, CA 95814

## CEQA Lead Agency

The Authority is the lead agency for CEQA compliance.

## Responsible CEQA Official

Brian P. Kelly, Chief Executive Officer  
California High-Speed Rail Authority  
770 L Street, Suite 620 MS-1  
Sacramento, CA 95814

## Document Availability

Visit the Authority website ([www.hsr.ca.gov](http://www.hsr.ca.gov)) to view and download the Final EIR/EIS. You may also request an electronic copy of the Final EIR/EIS by calling (800) 455-8166. In addition, the Authority published materials online (in English, Spanish, Vietnamese, and Mandarin) summarizing the purpose and contents of the document. More details about availability of the Final EIR/EIS and associated technical reports can be found in the Preface of this Final EIR/EIS and in the Notice of Availability at [www.hsr.ca.gov](http://www.hsr.ca.gov).

The San Jose to Merced Project Section EIR/EIS is a second-tier EIR/EIS that tiers off of two 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 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. The 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.

Electronic copies of the Tier 1 documents are available on request by calling the Authority office at (800) 455-8166. The Tier 1 documents may also be reviewed at the Authority's offices during business hours at 770 L Street, Suite 620 MS-1, Sacramento, CA 95814 and 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113.

Electronic copies of the Merced to Fresno Final EIR/EIS and the Merced to Fresno Central Valley Wye Final Supplemental EIR/EIS are available on request to the Authority by calling (800) 455-8166. The Merced to Fresno Central Valley Wye Final Supplemental EIR/EIS is also available on the Authority website at [www.hsr.ca.gov](http://www.hsr.ca.gov). These documents are not currently part of the public review; however, they are available for review and reference and can also be viewed during business hours at 770 L Street, Suite 620 MS-1, Sacramento, CA 95814 and 100 Paseo de San Antonio, Suite 300, San Jose, CA 95113.

## Permits, Approvals, and Consultations

### Federal

- **U.S. Army Corps of Engineers**—Clean Water Act Section 404 permit for discharge of dredge or fill materials into waters of the U.S., including wetlands. Also, Section 14 of the Rivers and Harbors Act of 1899 (Section 408) permission to alter or modify a facility or feature of any federally regulated flood control system.
- **U.S. Department of the Interior, Bureau of Reclamation**—Encroachment permit; use permit.
- **U.S. Department of Transportation/Federal Railroad Administration**—(acting through the Authority under the July 23, 2019 NEPA Assignment MOU): Section 4(f) of the U.S.

- Transportation Act of 1966 evaluation; General Conformity Determination under the Clean Air Act; regulatory authority over railroad safety.
- **U.S. Department of the Interior/National Park Service**—Section 6(f) of the Land and Water Conservation Fund Act of 1965 evaluation.
  - **U.S. Advisory Council on Historic Preservation and the California State Historic Preservation Office**—Section 106 consultation (National Historic Preservation Act of 1966) and memorandum of agreement.
  - **U.S. Environmental Protection Agency**—Review of the EIS under Clean Air Act Section 309; review of Environmental Justice conclusions.
  - **U.S. Fish and Wildlife Service**—Section 7 consultation and biological opinion/incidental take statement pursuant to the Endangered Species Act of 1973.
  - **National Marine Fisheries Service**—Section 7 consultation and biological opinion/incidental take statement pursuant to the Endangered Species Act of 1973.
  - **Surface Transportation Board**—Authority to construct and operate a new rail line.
  - **Federal Emergency Management Agency**—Conditional Letter of Map Revision; Letter of Map Revision; No-Rise Certification for floodways.
  - **Natural Resources Conservation Service**—Watershed and Flood Prevention Operations Program review for modifications to levees along Llagas Creek (Alternative 3 only).

## State

- **California Department of Fish and Wildlife**—Incidental take permit under Section 2081 of the California Fish and Game Code; California Fish and Game Code Section 1600 et seq. lake and streambed alteration agreement.
- **California Department of Transportation**—Encroachment permits.
- **California Public Utilities Commission**—Approval for construction and operation of railroad crossing of public roads and ministerial Notice of Construction or discretionary Permit to Construct associated with network upgrades to PG&E facilities.
- **California State Historic Preservation Office**—Section 106 consultation (National Historic Preservation Act of 1966).
- **California State Lands Commission**—Lease for crossing state sovereign lands.
- **State Water Resources Control Board, Central Valley Regional Water Quality Control Board and San Francisco Bay Regional Water Quality Control Board** —Section 401 Water Quality Certification under the Clean Water Act of 1972; Construction General Permit (Order No. Order 2009-0009-DWQ); Industrial General Permit (Order No. 2014-0057-DWQ); Caltrans Statewide MS4 Permit (Order No. 2012-0011-DWQ); Phase I Municipal Separate Storm Sewer System (MS4)/Municipal Regional Permit (Order No. R2-2015-0049); Phase II MS4 Permit (Order No. 2013-0001-DWQ); VOC and Fuel General Permit (Order No. R2-2012-0012); Groundwater General Permit (Order No. R2-2012-0060); Discharges with Low Threat to Water Quality (Order No. R3-2011-0223); Dewatering and Other Low Threat Discharges (Order No. R5-2013-0074); spill prevention, control, and countermeasure (SPCC) plan (part of Section 402 process); stormwater construction and operation permit.
- **California Department of Water Resources**—Encroachment permit.

## Regional

- **San Joaquin Valley Air Pollution Control District**—Permits under Rule 201 General Permit Requirements, Rule 403 Fugitive Dust, Rule 442 Architectural Coatings, Rule 902 Asbestos, and Rule 9510 Indirect Source Review.

- **Bay Area Air Quality Management District**—Permits under Rule 201 General Permit Requirements, Rule 403 Fugitive Dust, Rule 442 Architectural Coatings, Rule 902 Asbestos, and Rule 9510 Indirect Source Review.
- **Monterey Bay Air Resources District**—Permits under Rule 201 General Permit Requirements, Rule 403 Fugitive Dust, Rule 442 Architectural Coatings, Rule 902 Asbestos, and Rule 9510 Indirect Source Review.

### **Authors and Principal Contributors**

Chapter 11, List of Preparers, contains a complete list of the persons involved in preparation of the Final EIR/EIS.

### **Public Release of Final EIR/EIS**

**February 11, 2022**

### **Subsequent Steps**

Following issuance of this Final EIR/EIS, the Authority's Board of Directors will hold a board meeting to consider whether to certify the Final EIR/EIS and approve the Preferred Alternative pursuant to CEQA. The Authority's Board of Directors will also consider whether to direct the Authority Chief Executive Officer to issue a Record of Decision for the San Jose to Merced Project Section selecting the Preferred Alternative in the Authority's role as NEPA lead agency.