

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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April 13, 2020

Governor's Office of Planning & Research

File No.: 450.13721.14540.Area/20-093

APR 17 2020

STATE CLEARINGHOUSE

State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

RE: SCH #2009091125

I was recently requested to review the Request for Review of the Initial Study and Mitigated Negative Declaration environmental documents related to the proposed continuation of Highspeed Rail Construction through the Madera Area. The California Highway Patrol's (CHP) interest in commenting surrounds our concerns for the sustained ability to provide for the safety, service and security, of those we serve. My review raised the following concerns:

1. Highspeed Rail travel will be new to the people of the Central Valley. Closing rates of the trains at any point of pedestrian or vehicle railway access may be difficult to gauge. Proper grade crossing signage and education can alleviate this concern.
2. The Madera Area is an agricultural community. This means the outdoor workforce is large. Pathogens, such as Valley fever (coccidioidomycosis), carried in construction dust and dust created by fast moving trains, are a concern for all who live, work and travel in the Madera Area.

If there are any questions, please do not hesitate to contact Sergeant Corben Whitney at (559) 675-1025.

Sincerely,

A blue ink signature, likely of H. Madrigal, written in a cursive style.

H. MADRIGAL, Lieutenant
Commander

Attachments

cc: Central Division
Special Projects Section



M e m o r a n d u m

Date: April 1, 2020

To: Central Division (401)

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Special Projects Section


File No.: 063.16331.A18109.Noc.Doc

Subject: ENVIRONMENTAL DOCUMENT REVIEW AND RESPONSE
SCH# 2009091125

Special Projects Section (SPS) recently received the referenced "Notice of Completion" environmental impact document from the State Clearinghouse (SCH).

Due to the project's geographical proximity to Central Division, please use the attached checklist to assess its potential impact to local Area operations and public safety. If it is determined that departmental input is advisable, your written comments referencing the above SCH number must be emailed to state.clearinghouse@opr.ca.gov or mailed to the State Clearinghouse at 1400 Tenth Street, Room 121, Sacramento, CA 95814. Your written comments must be received by SCH no later than **April 27, 2020**. For reference, additional information can be found in General Order 41.2, Environmental Impact Documents.

For project tracking purposes, SPS must be notified of Central Division's assessment of the project (including negative reports). Please e-mail a copy of Area's response to Associate Governmental Program Analyst Blanca Enciso at blanca.enciso@chp.ca.gov. For questions or concerns, please contact Ms. Enciso at (916) 843-3370.



R. A. HATFIELD, Lieutenant
Acting Commander

Attachments: Checklist
Project File



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2009091125

Project Title: California High-Speed Rail Project, Merced to Fresno Section: Central Valley Wye Revised Draft Supplemental EIS

Lead Agency: California High-Speed Rail Authority

Contact Person: Mark A. McLoughlin

Mailing Address: 770 L Street, Suite 620 MS-1

Phone: 916-403-6934

City: Sacramento

Zip: 95814

County: Sacramento

Project Location: County: Merced, Madera, Fresno, Stanislaus City/Nearest Community: Chowchilla, Fairmead, Madera Acres

Cross Streets: Please see attached page

Zip Code: Various

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: Approx. 55 miles

Assessor's Parcel No.: Various

Section: Various

Twp.: Various

Range: Various

Base: _____

Within 2 Miles: State Hwy #: 59, 99, 132, 140, 152, 233

Waterways: Multiple

Airports: Several local airports

Railways: BNSF, UPRR

Schools: Multiple

Document Type:

CEQA: ☐ NOP

☐ Draft EIR

NEPA: ☐ NOI

Other: ☐ Joint Document

☐ Early Cons

☒ Supplement/Subsequent EIR

☐ EA

☐ Final Document

☐ Neg Dec

(Prior SCH No.) 2009091125

☐ Draft EIS

☒ Other: Revised Draft Supplemental EIR/ 2nd Draft SEIS

☐ Mit Neg Dec

Other: _____

☐ FONSI

Local Action Type:

☐ General Plan Update

☐ Specific Plan

☐ Rezone

☐ Annexation

☐ General Plan Amendment

☐ Master Plan

☐ Prezone

☐ Redevelopment

☐ General Plan Element

☐ Planned Unit Development

☐ Use Permit

☐ Coastal Permit

☐ Community Plan

☐ Site Plan

☐ Land Division (Subdivision, etc.)

☒ Other: Public Works

Development Type:

☐ Residential: Units _____ Acres _____

☐ Office: Sq.ft. _____

Acres _____

Employees _____

☒ Transportation: Type Rail (high-speed train)

☐ Commercial: Sq.ft. _____

Acres _____

Employees _____

☐ Mining: Mineral _____

☐ Industrial: Sq.ft. _____

Acres _____

Employees _____

☐ Power: Type _____

MW _____

☐ Educational: _____

☐ Waste Treatment: Type _____

MGD _____

☐ Recreational: _____

☐ Hazardous Waste: Type _____

☐ Water Facilities: Type _____

MGD _____

☐ Other: _____

Project Issues Discussed in Document:

☐ Aesthetic/Visual

☐ Fiscal

☐ Recreation/Parks

☐ Vegetation

☐ Agricultural Land

☐ Flood Plain/Flooding

☐ Schools/Universities

☐ Water Quality

☐ Air Quality

☐ Forest Land/Fire Hazard

☐ Septic Systems

☐ Water Supply/Groundwater

☐ Archeological/Historical

☐ Geologic/Seismic

☐ Sewer Capacity

☐ Wetland/Riparian

☒ Biological Resources

☐ Minerals

☐ Soil Erosion/Compaction/Grading

☐ Growth Inducement

☐ Coastal Zone

☐ Noise

☐ Solid Waste

☐ Land Use

☐ Drainage/Absorption

☐ Population/Housing Balance

☐ Toxic/Hazardous

☒ Cumulative Effects

☐ Economic/Jobs

☐ Public Services/Facilities

☐ Traffic/Circulation

☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Agriculture is the primary land use; other land uses include commercial, industrial, residential, and mixed use.

Project Description: (please use a separate page if necessary)

Please see attached page.

AFTER 12 PM
 Governor's Office of Planning & Research

MAR 11 2020

STATE CLEARINGHOUSE

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input checked="" type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input checked="" type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #6, 10	<input checked="" type="checkbox"/> Public Utilities Commission
<input checked="" type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB #5
<input type="checkbox"/> Caltrans Planning	<input checked="" type="checkbox"/> Resources Agency
<input checked="" type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input checked="" type="checkbox"/> San Joaquin River Conservancy
<input checked="" type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input checked="" type="checkbox"/> Corrections, Department of	<input checked="" type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #4	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input checked="" type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input checked="" type="checkbox"/> Other: Please see attached page.
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date March 13, 2020 Ending Date April 27, 2020

Lead Agency (Complete if applicable):

Consulting Firm: <u>ICF</u>	Applicant: <u>California High-Speed Rail Authority</u>
Address: <u>630 K Street</u>	Address: <u>770 L Street, Suite 620 MS-1</u>
City/State/Zip: <u>Sacramento, CA 95814</u>	City/State/Zip: <u>Sacramento, 95814</u>
Contact: <u>John Cook</u>	Phone: <u>916-824-1541</u>
Phone: <u>415-677-7195</u>	

Signature of Lead Agency Representative: _____

Date: March 11, 2020

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOTICE OF COMPLETION - ATTACHMENT

Project Name

California High-Speed Rail Merced to Fresno Section: Central Valley Wye

Project Location, Cross Streets

The proposed Merced to Fresno Section: Central Valley Wye is located in Merced and Madera Counties near the City of Chowchilla with related electrical facilities extending into Fresno and Stanislaus Counties. The project termini are located at Henry Miller Road/Carlucci Road on the west (lat/long 37° 5'51.46"N - 120°40'48.84"W), Ranch Road/SR 99 on the north (lat/long 37°13'21.29"N - 120°22'40.69"W), and Avenue 19 near Madera Acres on the south (lat/long 37° 1'31.84"N - 120°4'46.61"W). The nearest major state highway intersection is State Route 99 (SR 99) and State Route 152 (SR 152).

Project Description

The California High-Speed Rail Authority (Authority) proposes to construct and operate the Merced to Fresno Section: Central Valley Wye as part of the larger, 800-mile California High-Speed Rail (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. As part of the Merced to Fresno Section of the statewide HSR system, the Central Valley Wye would create the east-west HSR connection between the San Jose to Merced Section to the west and the north-south Merced to Fresno Section to the east.

The Authority is issuing a limited revision of its previously published Draft Supplemental Environmental Impact Report and Environmental Impact Statement (Draft Supplemental EIR/EIS) pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). 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.

This document is entitled "Merced to Fresno Section: Central Valley Wye Revised Draft Supplemental Environmental Impact Report/Second Draft Supplemental Environmental Impact Statement, Biological Resources Analysis" (referred to below as "Revised/Second Draft Supplemental EIR/EIS").

Following the Authority's publication of the Draft Supplemental EIR/EIS for CEQA purposes in May 2019 and subsequent publication of the Draft Supplemental EIR/EIS for NEPA purposes in September 2019, the Authority learned of the new listing by the State of California Department of Fish and Wildlife of a bumble bee species that may be present in the relevant resource study area for the Central Valley Wye alternatives.

The California Fish and Game Commission provided notice on June 18, 2019 that four bumble bee species are candidate species as defined by Section 2068 of the Fish and Game Code. Only one such species, the Crotch bumble bee (*Bombus crotchii*) is assumed to be present in the resource study area for the Central Valley Wye alternatives based on historic records as well as the presence of suitable habitat for the species.

The sections and appendix comprising the Revised/Second Draft Supplemental EIR/EIS are:

1. Section 3.7, Biological Resources and Wetlands
2. Section 3.19.6.6, Cumulative Impacts, Biological Resources and Wetlands, with text as presented in the Draft Supplemental EIR/EIS
3. Appendix 3.7-C-2, Biological Resources and Wetlands Special-Status Wildlife

Within Section 3.7, substantive changes related to the Crotch bumble bee were made in the following subsections:

1. Section 3.7.5.3, Methods for NEPA and CEQA Impact Analysis
2. Section 3.7.6.3, Special-Status Species
3. Section 3.7.7, Environmental Consequences
 - Table 3.7-13 Direct Impacts on Special-Status Wildlife Species Habitat by Central Valley Wye Alternative (acres)
 - Construction Impacts
 - Impact BIO#3 Direct Impacts on Special-Status Wildlife – Invertebrates
 - Impact BIO#4 Indirect Impacts on Special-Status Wildlife – Invertebrates
 - Operations Impacts
 - Impact BIO#27 Direct Impacts on Special-Status Wildlife – Invertebrates
 - Impact BIO#28 Indirect Impacts on Special-Status Wildlife – Invertebrates
4. Section 3.7.8 Mitigation Measures
 - BIO-MM#54: Conduct Surveys and Implement Avoidance Measures for Crotch Bumble Bee
 - BIO-MM#55: Provide Compensatory Mitigation for Impacts on Crotch Bumble Bee

The Authority reviewed other sections of the Draft Supplemental EIR/EIS and found, based on research and a review of the evidence, that no other substantive changes would be required, including Section 3.19, Cumulative Impacts.

Section 3.7 includes new mitigation measures related to the Crotch bumble bee. These will be incorporated into the Mitigation Monitoring and Reporting Program and Enforcement Plan (to be included as part of the CEQA/NEPA decision documents).

The text of Section 3.7.4.1, Coordination with Regulatory Agencies for NEPA and CEQA Compliance, has also been revised to reflect that the United States Fish and Wildlife Service and the National Marine Fisheries Service issued biological opinions for the project, thereby concluding the consultation requirements under Section 7 of the United States Endangered Species Act. At the time of publication of the Draft Supplemental EIR/EIS, the text stated that these biological opinions were anticipated from both federal agencies. In this document, Section 3.7.4.1 has been revised with the dates the Authority received biological opinions from each agency. These biological opinions will be published as appendices with the Record of Decision for the project.

Reviewing Agencies Checklist - Other

California Business, Consumer Services, and Housing Agency, Secretary, Sacramento, CA
California Environmental Protection Agency, Secretary for Environmental Protection, Sacramento, CA
California Geologic Survey
California Health and Human Services Agency
California Office of Environmental Health Hazard Assessment
California Office of Statewide Health Planning and Development
California State Transportation Agency, Secretary, Sacramento, CA
California Transportation Commission, Executive Director, Sacramento, CA
California Governor's Office of Emergency Services, Mather, CA