

3.17 UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS/CEQA CONCLUSIONS

This program EIS/EIR represents the first conceptual planning stage of a tiered environmental evaluation that analyzes a broad range of potential railway improvements and expanded passenger service. Implementation of proposed improvements would require further site-specific environmental analysis once detailed project descriptions and work plans are composed. At the conclusion of the environmental review process, SLOCOG, FRA, other agencies, and the railroad owner (Union Pacific Railroad) are expected to continue discussions and negotiations towards an agreement regarding what, if any, physical improvements are necessary to allow for the proposed expansion of passenger rail service.

Each technical chapter in this document identifies potential environmental impacts that could occur should one or more elements of the Build Alternative be constructed. The **Summary** describes these general findings. The Build Alternative looks at the entire program of proposed physical and rail service improvements. In many cases, one or more individual improvements are the ‘trigger’ for potential environmental impacts, with other improvements having lesser capacity for potentially adverse/significant effects. Careful design of physical improvements can potentially avoid/minimize the vast majority of the effects discussed in this document. Many potentially adverse/significant impacts described in this document can be avoided or minimized by selecting an alignment option that avoids or minimizes impacts on environmental resources through refinement to the design or specific location of various track improvements or station areas or through incorporation of mitigation measures.

Overall, expanded passenger rail service may decrease regional emissions of air pollutants and greenhouse gases, while decreasing transportation-related energy use. However, construction of proposed physical improvements would result in temporary, localized emissions and one-time energy consumption.

New passenger service stations in King City and Soledad may affect circulation on local roadways that may increase congestion, as further discussed below. Additionally, much of the Monterey County within the study area is Prime and protected farmland, as designated by the state. Other land uses include habitat for special-status species, protected forest, or wetlands. New alignment options may

traverse such land use types and alter the designated use. Lastly, several of the alignment options and proposed improvements may potentially displace residences or businesses.

Whether any of these potential effects will occur depends on the type, number, and timing of proposed physical or service improvements. As these improvements move forward for further design or other refinements, the extent to which any of them could result in substantial and/or adverse environmental effects will be analyzed through pertinent requirements of CEQA and/or NEPA.

CEQA and NEPA Significance

Use of the term “significant” differs between NEPA and CEQA. According to the Council on Environmental Quality (CEQ)¹, the NEPA determination of significance is based on context and intensity. Thus the magnitude of the impact is evaluated and described in the environmental document. The EIS reports all impacts and discusses feasible mitigation. Under CEQA, identification on each significant effect on the environment is required, according to the CEQA Guidelines § 15126.2. The discussion should include relevant specifics of the affected area, resources involved, physical changes, significant environmental effects the project might bring, and feasible mitigation.

According to the CEQ, the manner in which the differences between the two processes are addressed must account that NEPA does not compel mandatory findings of significance, and that some impacts determined to be significant under CEQA may not be necessarily be determined significant under NEPA. As such, mitigation strategies outlined in this program-level EIS/EIR may be appropriate under NEPA, but the potential impacts they address may not be considered under CEQA.

3.17.1 UNAVOIDABLE POTENTIALLY SIGNIFICANT IMPACTS

Traffic and Travel

The Build Alternative contemplates two new passenger stations in King City and Soledad. As noted here and in environmental documents adopted/certified by

¹ Council on Environmental Quality, 2013

these cities, buildout of the station areas (which includes the opening of the stations themselves, increased passenger rail activity, and buildout of surrounding planned land uses) would result in increased traffic on local streets.

In addition, one of the proposed curve realignments could result in a new at-grade crossing unless design strategies/solutions can avoid a new crossing. As only conceptual curve realignments have been contemplated to date, further design refinement has strong potential to avoid creating a new at-grade crossing.

Land Use and Planning, Communities and Neighborhoods, Property and Environmental Justice

Curve realignments and siding extensions that require substantial land conversion/acquisition outside of the railroad ROW associated with the Build Alternative would commit the land uses and natural resources for an expanded and realigned railway in some areas. Future implementation of improvements outside the existing right-of-way and in populated areas would have the largest effect on existing land uses and communities. Some of the proposed improvements would involve displacement of existing residents and businesses, many within an environmental justice community, or would convert land uses to be incompatible with the general plan. The proposed design and engineering aspects of each improvement are conceptual at this time and if carried forward in the future, could be refined to avoid some or all potential impacts on existing land uses and communities.

Agricultural and Forest Resources

Improvements requiring land outside of the existing railroad ROW, such as curve realignments, new sidings, and siding extensions associated with the Build Alternative would convert Prime Farmland and other protected types of farmland to nonagricultural uses. Prime Farmlands are protected by the state due to the soil quality and irrigation status of the land. In CEQA, the conversion of Prime Farmland to a non-agricultural use cannot be mitigated below a level of significance. Thus, any conversion of Prime Farmland to a non-agricultural use would be considered an unavoidable impact.

If the proposed second mainline is carried forward for construction and additional right-of-way is needed, some or all of the additional right-of-way (up to 12 acres in all) could include forest land within the Los Padres National Forest.

Biological and Wetland Resources

As further described in **Section 3.13, Biological Resources and Wetlands**, certain proposed curve realignments, new sidings, and siding extensions have the potential to entail the use of lands outside the existing railroad right-of-way that are critical habitat areas for several protected species (including California red-legged frog and vernal pool fairy shrimp), habitat of special-status species, sensitive vegetation communities, and wetlands. The evaluation in this document is based on a review of highly conceptual plans for proposed rail improvements. Design refinements may be able to avoid some or all of the aforementioned potential effects.

Hydrology and Water Quality

As further described in **Section 3.12, Hydrology and Water Resources**, certain proposed new sidings and siding extensions, curve realignments, and the second mainline have the potential to intersect surface waters, potentially resulting in hydrological and/or water quality effects. Design refinements of the conceptual plans used in this evaluation could potentially avoid some or all of these hydrological and/or water quality impacts.

Conclusion

Overall, only general statements of potential impacts can be made at this program level of review, since there is considerable uncertainty as to which if any elements of the Build Alternative will be carried forward for further design, funding, and eventual construction and operation. As noted throughout this document, many of these elements have only conceptual designs to date. Therefore, the analysis herein is based on a review of potential effects to considerably sized “buffer” areas, in only a small portion of which any actual physical improvements might be constructed.

3.17.2 RELATIONSHIP BETWEEN SHORT-TERM USES OF THE ENVIRONMENT AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Implementation of proposed rail improvements may result in property acquisitions, conversion of Prime Farmland, and potential disruption of biological and wetland resources during construction and operation. Future project-level environmental review would consider these factors in more detail if any specific improvements are carried forward. While some of the proposed improvements may disrupt the existing conditions of the area, short- and long-term benefits would also result and should be considered accordingly.

The Coast Corridor region is faced with transportation challenges associated with anticipated population growth, constrained travel options, aging rail infrastructure, safety issues, and a need for increased travel capacity without impacting air quality and natural resources. These challenges are likely to continue in the future as continued growth in population, employment, and tourism activity is expected to generate increased travel demand.

In the short-term, construction activities would likely increase employment opportunities as well as locally purchased materials and services. In the long-term, proposed improvements would likely increase the frequency, speed, and reliability of passenger rail while fostering greater passenger connectivity to the proposed California High-Speed Rail System and enhancing safety with minimal or no disruption to existing and proposed freight rail operations. Implementation of the Build Alternative would help to create an interconnected, multimodal solution allowing for better mobility throughout the Coast Corridor region, providing added capacity in response to increased travel demand between Los Angeles and San Francisco.

3.17.3 SIGNIFICANT UNAVOIDABLE ADVERSE EFFECTS UNDER CEQA

As discussed, this program-level EIS/EIR evaluates the potential for significant effects to occur from any of the proposed Build Alternative improvements. Additionally, if any of the proposed improvements are carried forward, this analysis offers mitigation strategies that could potentially avoid or minimize impacts to resources through project design or other measures. Accordingly, this program-level EIS/EIR only generally identifies potentially significant unavoidable impacts as such consideration would occur during project-level review.

Table S-1, in the **Summary** of this document, describes the environmental resources and potential impacts as a result of the proposed Coast Corridor improvements. Depending on which if any proposed improvements are carried forward, potentially significant and unavoidable impacts may occur at various locations within the corridor. Portions of land immediately adjacent to the Coast Corridor are habitat for several protected species; therefore, some of the proposed improvements could potentially encroach into such land. Additionally, proposed project improvements may require property acquisition and conversion of Prime Farmland. Such occurrences could potentially result in future conclusions of significant and unavoidable impact under CEQA.

The No Build Alternative represents the continuation of existing rail operations and physical components, and assumes the perpetuation of existing freight and passenger service between Salinas and San Luis Obispo. The only physical improvement expected under the No Build Alternative would be the installation of positive train control (PTC) along the Corridor, which would provide increased safety for freight and passenger trains. No specific plans have been identified, but anticipated PTC related improvements outside train-based equipment would most likely take the form of communications apparatus (i.e. antennas, signal upgrades). Such improvements are anticipated to be placed within the existing railroad right-of-way and would thus be assumed to have minimal or no effect upon adjacent areas to the railroad right-of-way. As a result, significant and unavoidable impacts would not likely occur under the No Build Alternative.

3.17.4 CEQA ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA Guidelines §15126.6(e)(2) requires the selection of an environmentally superior alternative. Based on the analysis presented in the Program EIS/EIR (described in **Table S-1** in the **Summary**), the No Build Alternative would be the environmentally superior alternative because it would have no potential to result in any new construction-related effects, or acquisition/incorporation of any agricultural or biologically valuable land into the railroad corridor. However, as further described below, the No Build Alternative does not offer potential air quality and transportation benefits.

CEQA Guidelines §15126.6(e)(2) also states that where the No Build Alternative is considered the environmentally superior alternative, the EIR shall identify another environmentally superior alternative. Accordingly, this Program EIS/EIR also considered the Build Alternative. While the Build Alternative would potentially entail the incorporation of agricultural and/or biologically valuable land into the railroad corridor, various components of the Build Alternative would (individually and collectively) enhance safety and enable greater reliability for both passenger and freight rail traffic.

Additionally, the Build Alternative would provide increased capacity to assist in meeting mobility challenges and travel demand between San Francisco and Los Angeles. Under the No Build Alternative, current and projected future system congestion would continue to result in reduced reliability, slower travel speeds, increased travel times, and deteriorated air quality. The Build Alternative would assist in fostering improved rail connectivity to the proposed California High-Speed Rail system and would augment the highway system, creating an interconnected, multimodal solution, allowing for enhanced mobility throughout the corridor. As

demonstrated in this document, the Build Alternative would offer modest but measurable improvements in regional air quality insofar as increased rail ridership would lead to fewer automotive vehicle miles traveled (VMT) in the corridor. Therefore, the Build Alternative has been identified as the environmentally superior alternative.

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