

ENVIRONMENTAL REVIEW FACT SHEET

The California Environmental Quality Act and National Environmental Policy Act

California's landmark environmental protection measure, the California Environmental Quality Act (CEQA) requires state and local agencies to thoroughly analyze and disclose to the public the potential environmental impacts of development projects.

This analysis is compiled in an Environmental Impact Report (EIR), which identifies those impacts and proposes measures to avoid, mitigate or offset them where needed and provides the public with many opportunities to learn about and provide input on the project.

The federal government has a similar review process, the National Environmental Policy Act (NEPA), which requires an Environmental Impact Statement (EIS) be prepared. Generally, when a project requires approval by a federal agency or is utilizing federal funds, as does California's high-speed train, compliance with CEQA and NEPA is required and a joint EIR/EIS is prepared.

The California High-Speed Rail Authority (CHSRA) and the Federal Railroad Administration (FRA) are the state and federal agencies responsible for the environmental review of the state's high-speed train system, and together they have implemented a more transparent, collaborative and inclusive approach to the EIR/EIS process than is typical or required, with state and local planning agencies, local communities and the general public integrated into the entire process.

Environmental Review Process

The first level of review is scoping. Initial environmental studies of project alternatives are prepared, circulated and discussed at public meetings, and the alternatives are defined and refined.

Next is an Alternatives Analysis (AA) report. While not legally mandated, an Alternatives Analysis provides a thorough and methodical foundation for the EIR/EIS. Taking alternatives identified during scoping and using conceptual engineering information, a draft AA examines all potential alternatives and compares them for reasonability, feasibility and practicality. It is circulated for public review, and the comments received are incorporated into a final AA report, which recommends which alternatives to carry forward to the EIR/EIS level, which to drop and why.

Reasons for dropping an alternative could include:

- Failing to meet a project's purpose and goals
- Environmental or engineering issues make approval infeasible
- Construction proves impossible or impractical
- Environmental impacts cannot be avoided or mitigated.

Using the alternatives presented in the final AA, a draft EIR/EIS is developed and circulated for more public review and hearings. Comments received and responses to them are incorporated into a final EIR/EIS, which recommends a preferred alternative. The final EIR/EIS is registered and made publicly available, and both the state and federal governments issue final EIR/EIS certification of the project.

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Environmental Review of California's high-speed train

Due to the large scope of the project, the environmental review is being conducted in two parts – a statewide program-level EIR/EIS followed by a more specific project-level EIR/EIS of each of nine sections of the system. The review is further broken down into each of the nine sections, each moving through this process at a different pace.

Program-level EIR/EIS and Project-level EIR/EIS

Program-level review began in 2002 and was completed in 2005. The project-level EIR/EIS began in 2007, and it will lead to decisions on specific track alignments and station locations in each of nine sections: San Francisco-San Jose, San Jose-Merced, Merced-Fresno, Fresno-Bakersfield, Bakersfield-Palmdale, Palmdale-Los Angeles, Los Angeles-Anaheim, Los Angeles-San Diego and Sacramento-Merced.

Alternatives examined came from the final program-level EIR/EIS as well as from public and agency comments provided during scoping meetings and other public review periods. They have been evaluated and compared against a set of criteria – such as meeting the purpose and need of the statewide system – and specific measurements, including travel time, intermodal connectivity and maintenance costs. Also considered are local land use plans, disruption to neighborhoods and communities and impacts to resources and the environment.

All sections have completed scoping, have either completed the alternatives analysis or have it underway, and target dates for state and federal certification of the final environmental reviews for all Phase 1 sections range from September 2011 to October 2012.

