

## Finding of No Significant Impact

**Grant Applicant:** Tri-Valley – San Joaquin Valley Regional Rail Authority (TVSJVRRA)

**Project:** Valley Link Rail Project: Dublin/Pleasanton to Mountain House Community

**Location:** Cities of Dublin, Pleasanton, Livermore, and Mountain House; Alameda and San Joaquin Counties, California

This Finding of No Significant Impact (FONSI) hereby incorporates the Environmental Assessment (EA) by reference. The EA for the Valley Link Rail Project (Project) was prepared in cooperation with the Federal Transit Administration (FTA) pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 United States Code [U.S.C.] Section [§] 4321 *et seq.*); the Federal Public Transportation Law (49 U.S.C § 53); the Clean Air Act (42 U.S.C § 7401 *et seq.*); 49 U.S.C. § 303 (formerly Department of Transportation Act of 1966, Section 4[f]); the Clean Water Act (33 U.S.C. § 1250 *et seq.*); National Historic Preservation Act of 1966, Section 106 (54 U.S.C. § 306108 and 36 Code of Federal Regulations [CFR] Part 800); the Endangered Species Act of 1973 (16 U.S.C. § 1531–1544); Executive Order (EO) 11988 (Floodplain Management); and EO 11990 (Protection of Wetlands).

The EA included analysis under EO 14096 (Revitalizing Our Nation’s Commitment to Environmental Justice for All), EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), and EO 13990 (Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis), which were revoked by EO 14173 (Ending Illegal Discrimination and Restoring Merit-Based Opportunity) and EO 14148 (Initial Rescissions of Harmful Executive Orders and Actions) on January 21, 2025. On February 25, 2025, the Council on Environmental Quality (CEQ) published an interim final rule in the *Federal Register* removing the CEQ regulations implementing NEPA (40 CFR Parts 1500–1508). The considerations under any of the rescinded EOs and CEQ regulations are no longer required. Accordingly, the analysis under the rescinded EOs and CEQ regulations does not inform the determination reached in this FONSI.

### Description

The Project is located within part of the California Department of Transportation (Caltrans) right-of-way along Interstate 580 (I-580) from the existing Dublin/Pleasanton Bay Area Rapid Transit (BART) Station in Alameda County until Greenville Road in Livermore, where the alignment leaves the Caltrans right-of-way and continues along Altamont Pass Road and the Alameda County Transportation Corridor through the terrain north of I-580. The Area of Potential Effects (APE) gets closer to I-580 again in the Mountain House Creek area and follows I-580 to its immediate north, crossing the California Aqueduct and the Delta-Mendota Canal and maintains its position north of Interstate 205 (I-205) into the Mountain House/Tracy area where it ends east of Mountain House Parkway in San Joaquin County. There is also a non-contiguous portion of the Area of Potential Effects south of West Schulte Road in Tracy that would be the site of the proposed Operations and Maintenance Facility / Operations Support Site (OMF/OSS).

The TVSJVRRRA proposes to construct a new passenger rail service along a 22-mile corridor in Northern California between the existing Dublin/Pleasanton BART Station in Alameda County and the proposed Mountain House Community Station in San Joaquin County. The Build Alternative would provide an all-day bi-directional passenger rail service at frequent intervals using zero-emission multiple unit vehicles.

### *Rail Alignment*

The proposed 22-mile new rail line would be constructed within a combination of the existing I-580 freeway median, the existing Alameda County Transportation Corridor owned by Alameda County (formerly Southern Pacific Transcontinental Railroad), existing Caltrans right-of-way adjacent to westbound I-580, and new right-of-way to be acquired for the Project.

The new rail line would operate at grade in the median of I-580 for approximately 11 miles from east of the existing Dublin/Pleasanton BART Station to Greenville Road in Livermore. I-580 would be modified throughout this section to provide adequate space within the freeway median for the accommodation of the new rail line and station platforms. In some locations, these modifications would require the shifting of the freeway lanes and frontage roads and minor realignment of on- and off-ramps at interchanges. Existing freeway lane and interchange ramp configurations, including existing express lane facilities, would be maintained during and after construction. The majority of the new rail line within the I-580 corridor would be single-track to minimize impacts on the existing freeway configuration. Sidings would be constructed at the proposed stations to facilitate the passing of opposing trains.

East of Greenville Road, the new rail line would transition from the median of I-580 to the Alameda County Transportation Corridor via an elevated viaduct. From the Greenville Road Viaduct the new rail line would then operate across the Altamont Pass for approximately 5.25 miles mostly at-grade (varying between single-track and sections of double-track to facilitate the passing of opposing trains) within the Alameda County Transportation Corridor right-of-way, then proceed east for approximately 0.75 miles, followed by approximately 5 miles of primarily double-track along the north side of I-580 and I-205. The proposed new rail line would terminate at the Mountain House Community Station.

The new rail line across the Altamont Pass would include the following project elements:

- Two grade separations over Altamont Pass Road
- One grade separation over Dyer Road
- Concrete retaining walls of varying heights and lengths
- New railroad viaducts across Grant Line Road and Midway Road
- Ten additional railroad viaducts of varying lengths
- New steel truss bridges across the California Aqueduct and the Delta-Mendota Canal
- Rail undercrossing of Mountain House Parkway

The new rail line may also include new crossover tracks in the vicinity of the Altamont Maintenance of Way (MOW) staging area to provide interoperability with the Union Pacific Railroad (UPRR) trackway during construction.

The UPRR crossover tracks would allow for a connection between the UPRR and Valley Link rail alignments for the potential delivery of construction materials by the construction contractor; for the potential delivery of rail vehicles by the vehicle supplier; and for potential transport of Valley Link rail vehicles to off-site facilities, including the San Joaquin Regional Rail Commission (SJRRRC) maintenance facility in Stockton, California. Construction of the crossover track and their use would be subject to agreement with UPRR; for the purposes of the EA, these crossover tracks are included in the Build Alternative.

### *Stations*

The Build Alternative includes the construction and operation of four stations, summarized as follows, from west to east.

#### *Dublin/Pleasanton Station*

The proposed Dublin/Pleasanton Station would be constructed south of the eastbound I-580 freeway lanes away from the existing Dublin/Pleasanton BART Station. Use of the station would be designed to provide seamless intermodal passenger service among Valley Link, BART, and local bus transit providers that currently serve the Dublin/Pleasanton BART Station. Improvements for the Dublin/Pleasanton Station would include:

- A 642-foot-long by 30-foot-wide, double-track Valley Link aerial station platform approximately 34 feet above ground with shade canopies
- Stairs, escalators, and elevators for vertical circulation within the station

Valley Link passengers wishing to transfer from BART trains at the existing Dublin/Pleasanton BART Station would travel down to the station concourse level (via stairs, escalators, or elevators), exit the BART station, cross under I-580 for 250 feet using the existing BART station access walkway, and then travel to the platform for the proposed Dublin/Pleasanton Station (via stairs, escalator, or elevator). If transferring from the proposed Dublin/Pleasanton Station to the existing Dublin/Pleasanton BART Station, patrons would do the reverse. The TVSJVRRRA will coordinate with BART on the final operating plan for the proposed Dublin/Pleasanton Station.

The existing Dublin/Pleasanton BART Station has two designated parking lots for passengers, one on the north side of I-580 and one on the south side. The Build Alternative does not include the construction of additional parking for the new station.

#### *Isabel Station*

The proposed Isabel Station would be 5 miles east of the proposed Dublin/Pleasanton Station and constructed within Caltrans right-of-way (the I-580 median) with adjacent parking on a 24-acre site along East Airway Boulevard, south of I-580 and east of the Isabel Avenue I-580 bridge in Livermore. Vehicular access to the station would be provided from three driveways along East Airway Boulevard, which would be restriped for left-turn lanes. A traffic signal would be constructed at the East Airway Boulevard/Rutan Drive intersection. Improvements for the Isabel Station would include:

- A 642-foot-long by 30-foot-wide, double-track, at-grade Valley Link station platform with shade canopies in the median of I-580
- An 11-acre paved surface parking lot providing 850 parking spaces (including accessible spaces), kiss-and-ride, and bus bays
- A pedestrian bridge from the parking lot over Arroyo Las Positas and eastbound I-580 to the station platform, as well as a potential pedestrian bridge over westbound I-580 (construction depending on available funding and participation from the City of Livermore), including elevators and stairs to the station platform and at both ends of the bridge

### Southfront Road Station

The proposed Southfront Road Station in Livermore would be 4 miles east of the Isabel Station and constructed within Caltrans right-of-way (the I-580 median) with adjacent parking located south of I-580 on a 7-acre site along Southfront Road between McGraw Avenue and Franklin Lane. Vehicular access to the station would be provided from Southfront Road. Approximately 0.8 miles of Southfront Road would be realigned to the south to accommodate shifting of the I-580 median, the relocation of the eastbound I-580 lanes farther south to the land currently used for Southfront Road, and new driveways for buses and vehicles to access the station parking lot. Improvements for the Southfront Road Station would include:

- A 642-foot-long by 30-foot-wide, double-track, at-grade Valley Link station platform with shade canopies in the median of I-580
- A paved surface parking lot providing 680 parking spaces (including accessible spaces), kiss-and-ride, and bus bays on the 7-acre parcel
- A pedestrian bridge from the parking lot over Southfront Road and eastbound I-580 to the median station platform, including elevators and stairs to the station platform and at both ends of the bridge

### Mountain House Community Station

The proposed Mountain House Community Station would be constructed north of I-205 on an approximately 54-acre site west of Mountain House Parkway near the I-205/Mountain House Parkway interchange. Access to the station would be provided from a new four-way intersection with turning lanes along Mountain House Parkway that would also provide access to the Mountain House Layover Facility (LF) to the east. An approximately 3-acre drainage basin would be constructed south of the station platform. Improvements for the Mountain House Community Station would include:

- A 642-foot-long by 30-foot-wide, at-grade, double-track Valley Link station platform with shade canopies
- A 25-acre paved surface parking lot north of the tracks providing 2,990 parking spaces (including accessible spaces), kiss-and-ride, and bus bays
- Two grade-separated pedestrian crossings from the parking lot to the platform, including stairs, ramps, and elevators

- To meet anticipated 2040 parking demand, a future additional parking level over the surface parking lot within the 54-acre site for a total of up to 5,980 parking spaces

### *Operation and Maintenance Facilities*

#### *Altamont Maintenance of Way and Staging Area*

The Altamont Maintenance of Way (MOW) facility would be constructed on a 10-acre portion of the Alameda County Transportation Corridor right-of-way, approximately 2,250 feet east of Dyer Road, between the Southfront Road and Mountain House Community Stations. The MOW may be used as a contractor staging area during construction and ultimately be designed to support the short-term storage of Valley Link trains, maintenance vehicles, and maintenance materials.

The site would include a small office building, employee parking, yard tracks for equipment storage, and waste capture and disposal features. Expected functions of this site would include track and systems personnel reporting when required. The Altamont MOW would be access controlled with perimeter fencing and automatic entrance gates for Valley Link and employee vehicles. Access would be off Altamont Pass Road with a new entrance gate and driveway. Other than the new driveway connection, no modifications to Altamont Pass Road are proposed.

#### *Mountain House Layover Facility*

The proposed Mountain House Layover Facility (LF) would be constructed on an approximately 75-acre site east of Mountain House Parkway and the proposed Mountain House Community Station on the north side of I-205. Valley Link trains would access the Mountain House LF from the Mountain House Community Station. The proposed rail line would leave the station and cross under Mountain House Parkway into the proposed LF site. The Mountain House LF would support train layovers, storage, and light maintenance. Vehicular access to the LF would be provided from Mountain House Parkway at a proposed four-way intersection that would also provide access to the Mountain House Community Station to the west. An approximately 7-acre drainage basin would be constructed on the southern portion of the site.

The Mountain House LF would include an administrative and operations building. The operations building would be used for cleaning, fueling, light maintenance, and periodic preventive maintenance, and would include two tracks for preventive maintenance and one track for repairs. The Mountain House LF would also include yard tracks with enough capacity for the following:

- Two service and inspections tracks (one with an inspection pit)
- Storage tracks (18 vehicles for initial operations with ability to expand by 28 to 46 vehicles)
- One train wash rack on a separate track
- Fuel island with dispensers
- Gaseous hydrogen storage and vaporizers (if hydrogen vehicle is selected)

All the common equipment for vehicle maintenance equipment would be provided, including shore power and air, fume ventilation, fluid servicing, small component repair shop, storage rooms, utilities and fire protection, and waste capture and disposal, and an emergency generator.

The Mountain House LF would be access controlled with perimeter fencing and automatic entrance gates for Valley Link employee vehicles and visitors. Two employee parking lots are proposed off an access road on the north side of the tracks. The parking lot adjacent to the administrative office would include 120 spaces to accommodate staff and public visitor parking. The parking lot adjacent to the operations building would include 90 spaces for employees.

#### Tracy Operations and Maintenance Facility/Operations Support Site

The proposed Tracy Operations and Maintenance Facility/Operations Support Site (OMF/OSS) would be constructed on part of an approximately 200-acre property along West Schulte Road, west of the City of Tracy. The TVSJVRRRA would have the option to purchase the site, currently owned by the City of Tracy, following environmental and project approvals. The site would include a warehouse building and laydown area, heavy maintenance building, and a vehicle and facility maintenance building. The Tracy OMF/OSS would be access controlled with perimeter fencing and automatic entrance gates for Valley Link employee and visitor vehicles. Employee parking would be provided in two lots, a 1.25-acre, 100-space lot at the heavy maintenance building and a 1.75-acre, 200-space lot at the warehouse building. An approximately 7-acre drainage basin would be constructed on the northern portion of the site.

The site would accommodate heavy maintenance vehicle and component rebuilds, vehicle maintenance, buildings and stations maintenance, warehouse storage, and a backup control center. The Tracy OMF/OSS would also handle disposal of project-related hazardous waste, transported to the facility via truck from the Mountain House LF. The design of the Tracy OMF/OSS would accommodate the opening year (2028) and anticipated 2040 Valley Link service. The warehouse, backup operations control center, and laydown area are planned to be constructed to support initial operations. The remaining facilities are being cleared for future construction as the train and maintenance vehicle fleets are expanded.

#### *Vehicles*

The Build Alternative includes the use of zero-emission multiple unit vehicles. The use of hydrogen-fueled vehicles is assumed for environmental documentation, given recent state procurement activities and to be consistent with the California State Rail Plan.

#### *Operations*

Valley Link trains would operate 7 days a week between the Mountain House Community Station and the proposed Dublin/Pleasanton Station, with all trains stopping at the Isabel and Southfront Road Stations. The first weekday train to depart the Mountain House Community Station would be timed to arrive at the proposed Dublin/Pleasanton Station 11 minutes prior to the first BART departure at 5:06 AM. During weekdays, trains would operate from 4:25 AM to 8:30 PM at 15-minute headways during peak periods (4:25 AM to 8:25 AM and 3:00 PM to 7:00 PM) and 45-minute headways during non-peak periods (9:10 AM to 3:00 PM and 7:00 PM to 8:30 PM).

The last westbound weekday train would depart the Mountain House Community Station at 7:45 PM, and the last eastbound weekday train would depart the proposed Dublin/Pleasanton Station at 8:30 PM. Weekend and holiday headways would be 45 minutes with trains operating from 8:00 AM until 8:00 PM.

## **Alternatives Considered**

The EA evaluated two alternatives: a No Build Alternative, which describes future transportation facilities and services if the Project were not built, and a Build Alternative (the Project), described in detail above. The planning process and alternatives considered and withdrawn are included in the EA.

### *No Build Alternative*

The No Build Alternative would result in no new rail transit or other transit connection being established between the San Joaquin Valley and Tri-Valley. Existing transit services between the San Joaquin Valley and the Tri-Valley would continue, including Altamont Corridor Express (ACE) between Stockton and San Jose and the various existing bus connections to BART, and the public commuter bus services operated by the San Joaquin Regional Transit District. The existing roadway system connecting the San Joaquin Valley with the Bay Area (the central arterial being I-580) would continue to undergo routine maintenance activities, but no capacity expansion projects are planned. The only expansion of rail service in the Project area would be ACE service increases planned by the SJRRC, which is currently expected by 2026.

The reasonably foreseeable transportation network in the region, with or without the Project, would include both the existing transportation network and the planned transportation improvements, which are identified in the *Plan Bay Area 2050* and *San Joaquin Council of Governments Regional Transportation Plan and Sustainable Communities Strategy* constrained long-range transportation plans.

### *Build Alternative*

The Build Alternative is the Locally Preferred Alternative, identified as such by the TVSJVRRRA's Board on April 12, 2023, and includes all the components of the Build Alternative previously described above, including an approximately 22-mile rail alignment, four new stations, and three support facilities. The Build Alternative is the NEPA Preferred Alternative.

As described in the EA, multiple alternatives that included various modes, alignments, and technologies were evaluated, screened, and refined since the preparation of the 2019 Valley Link Feasibility Report. Alternatives were eliminated based on their failure to meet the purpose and need, engineering constraints or infeasibility, excessively high cost, and/or adverse environmental impacts. The Locally Preferred Alternative was identified as such based on its collective ability to best meet the purpose and need (including providing a reliable alternative to congested I-580); successful travel time, ridership, and capacity performance; avoidance or minimization of adverse environmental impacts, including Section 4(f) and biological resources; cost; engineering feasibility; and consideration of public input.

## Public Review

The FTA released a Notice of Availability (NOA) of the EA on December 10, 2024. The EA was circulated for public review and comment for a period of 31 days, from December 10, 2024, to January 10, 2025. Electronic versions of the EA and appendices referenced in the EA were made available for public review and comment on the Valley Link website at:

<https://www.getvalleylinked.com/>.

Printed copies of the EA were also available for review at the following locations:

- Livermore Public Library, 1188 South Livermore Avenue, Livermore, CA
- Mountain House Branch Library, 201 East Main Street, Mountain House, CA
- Tri-Valley – San Joaquin Valley Regional Rail Authority, 2600 Kitty Hawk Road, Suite 103, Livermore, CA

The TVSJVRRRA posted the NOA in the newspapers listed below (including publication dates). An initial NOA was posted with an anticipated EA publication date of December 6, 2024, and an updated NOA was reissued to all papers indicating the updated publication date and comment period for the EA:

- East Bay Times: December 6, 17, 2024
- Stockton Record: December 5, 16, 2024
- Tracy Press: December 6, 13, 2024
- Livermore Independent: December 5, 19, 2024
- Manteca Bulletin: December 6, 13, 2024
- Modesto Bee: December 6, 15, 2024
- Pleasanton Weekly: December 6, 20, 2024
- Mountain House Matters: December 6, 2024
- El Observador (Spanish): December 13, 2024

The TVSJVRRRA sent electronic distribution emails (e-blasts) to recipients on the Project distribution list on December 10, 2024, notifying them of the availability of the EA, the public comment period dates, and how to comment. The TVSJVRRRA also posted social media updates on the Valley Link Facebook and X (formerly Twitter) pages announcing the start of the public comment period, inviting the public to attend the public events, and reminding interested parties to submit comments on the EA between December 10, 2024, and January 10, 2025.

An opportunity for the public to speak to project team representatives and provide comments on the EA occurred at the following locations:

Date	Time	Location
December 14, 2024	8:00 a.m. to 1:00 p.m.	Downtown Tracy Farmers' Market North Central Avenue & 9th Street Tracy, CA 95376
December 14, 2024	10:00 a.m. to 2:00 p.m.	Stuff a Bus Event Walmart in Livermore 2700 Las Positas Road Livermore, CA 94551

Copies of the NOA in Spanish and English were made available at both events, along with comment cards, a graphic depicting the Project alignment, and instructions on how to access the Project website to view the EA and provide comments. A print copy of the EA was available for public review at each event.

The Downtown Tracy Farmers' Market was cancelled on the day of the outreach event in Tracy due to inclement weather. Consulting staff representing the FTA and the TVSJVRRRA set up tables and project display materials along the sidewalk on North Central Avenue sheltered from the weather. Approximately 10 individuals visited the Tracy event. Most were unaware of the Valley Link Rail Project. Project staff answered questions, distributed copies of the NOA, and encouraged all to visit the Project website for additional information about the Project, the EA, and how to comment.

The Livermore outreach event was conducted in conjunction with an annual Stuff a Bus event sponsored by local radio station 101.7 KKIQ, a toy and clothing drive to benefit The Family Giving Tree by stuffing a Livermore Amador Valley Transit Authority bus with needed items. The TVSJVRRRA staff, Project representatives, and consultants were invited to set up a table in the Walmart lobby entrance next to the radio station booth with a live broadcast of the event. Valley Link display materials included a project map and large image of a proposed Valley Link multiple unit train with a Quick Response (QR) code to link to the Project website with the EA. The display table was viewed by approximately 200 persons throughout the morning as they passed by. Approximately 50 to 75 individuals stopped to ask questions and receive information about the Project and the EA, including instruction on how to provide comments. About half of those who stopped by the table had some prior familiarity with the Project. In general, there was expressed interest and support for the Project. A key question by many was in regard to how soon the Project would be completed.

In compliance with EO 12372, the NOA and EA were posted to the California State Clearinghouse (SCH), (SCH #2018092027) on December 12, 2024. Relevant state and local agencies were notified via the SCH Notice of Completion and Environmental Document Transmittal.

During the public review period of the EA, a total of 45 comment letters were received on the EA from public and agency stakeholders through various commenting methods, including five emailed comments, 37 via online comment form, and three emailed letters. Refer to Attachment A for a summary of comments received and responses.

### *Determinations and Findings*

The TVSJVRRRA, in cooperation with the FTA, prepared an EA for the Valley Link Rail Project to evaluate the environmental effects of the Build Alternative pursuant to the requirements of NEPA, as codified in 23 CFR Part 771.119 and 23 U.S.C. § 139. The EA concluded that construction and operation of the Build Alternative, with incorporated avoidance, minimization, and/or mitigation measures, would not result in significant adverse effects to the environment. The following resources are either not present in the project area, would not be impacted, or would result in net beneficial or no adverse impacts: Coastal Zone and Resources, Energy, Recreation Resources, Safety and Security, Section 4(f) Properties, Section 6(f) Resources, Community Resources, Wild and Scenic Rivers, and Utilities. The resources with no adverse effects with the incorporation of mitigation and/or avoidance or minimization measures include Aesthetics, Agricultural Lands, Air Quality, Biological Resources, Cultural Resources, Hazardous Materials, Hydrology and Water Quality, Land Use and Property Acquisitions, Noise and Vibration, and Transportation and Traffic. The findings required by federal environmental laws and EOs are outlined below.

### *Air Quality Conformity*

The Clean Air Act and its amendments require that federal agencies and Metropolitan Planning Organizations only approve a transportation project, program, or plan, if it conforms to the approved State Implementation Plan. As a transit project, the Federal Transportation Conformity Rule applies per 40 CFR Parts 51 and 93. This requires that FTA projects must be found to conform before they are adopted, accepted, approved or funded. The Project is a planned project that has been described in the Association of Bay Area Governments/Metropolitan Transportation Commission 2021 Regional Transportation Plan (Plan Bay Area 2050), and Federal Transportation Improvement Program Amendment 2023-10. The Build Alternative is also included in the San Joaquin Council of Governments Final 2025 Federal Transportation Improvement Program (including conformity analysis) adopted in August 2024 and found conforming in 2024.

The Project was presented to the Association of Bay Area Governments /Metropolitan Transportation Commission and San Joaquin Council of Governments in an Air Quality Conformity Task Force Meeting on April 25, 2024, to fulfill interagency consultation requirements. The task force determined that the Project is not a project of air quality concern consistent with 40 CFR Part 93.123(b)(1). Therefore, a hot-spot analysis for particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) was not required. A project-level carbon monoxide screening (hot-spot analysis) was completed for the Project, as documented in Section 3.4 of the EA. The Project involves zero-emission vehicles and would not operate vehicles that contribute to diesel particulate matter. The Project would not cause or contribute to any new violation of any standard in any area; increase the frequency or severity of any existing violation of any standard in any area or delay timely attainment of any standard or any required interim emission reductions or other milestones in the area. The FTA finds that the Project would not result in a significant impact on air quality.

### *Section 7 of the Endangered Species Act*

The record search identified the potential for 19 listed species that either fall into the candidate, threatened, or endangered status under the Endangered Species Act within the project area. Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, formal consultation with the U.S. Fish and Wildlife Service (USFWS) occurred. In the Biological Assessment submitted to the USFWS, the FTA requested concurrence with the determination that the Project may affect and is likely to adversely affect five federally listed species: (i) vernal pool fairy shrimp (*Branchinecta lynchi*), (ii) California tiger salamander (*Ambystoma californiense*), (iii) California red-legged frog (*Rana draytonii*), (iv) San Joaquin kit fox (*Vulpes macrotis mutica*), and (v) palmate-bracted bird's-beak (*Chloropyron palmatum*); and that the Project may affect but will not adversely affect California red-legged frog critical habitat.

The Project includes design features to help avoid effects to sensitive areas. General and species-specific conservation measures (Conservation Measures [CM] 1 through CM-26 in the Biological Opinion in Attachment B) will be implemented to reduce and/or offset potential effects to listed, proposed, and candidate species and their habitat.

In a Biological Opinion provided on May 1, 2025 (Attachment B), the USFWS concurred that the Project is not likely to adversely affect California red-legged frog critical habitat. In addition, it is the USFWS's biological opinion that the Project, as proposed, is not likely to jeopardize the continued existence of the vernal pool fairy shrimp, California tiger salamander, California red-legged frog, San Joaquin kit fox, and palmate-bracted bird's-beak. The USFWS determined that the anticipated level of take is not likely to result in jeopardy to the vernal pool fairy shrimp, California tiger salamander, California red-legged frog, or San Joaquin kit fox.

### *Floodplain Management (Executive Order 11988)*

Consistent with the National Flood Insurance Program, prior to commencing construction, the TVSJVRRRA must obtain a certification from the Federal Emergency Management Agency (FEMA) stating the Build Alternative would not impact the pre-project base flood elevations, regulatory floodway elevations, regulatory floodway widths, or otherwise result in adverse impacts related to potential flood risks. Portions of the alignment along I-580 in Dublin and Alameda County, the proposed Dublin/Pleasanton Station, and the proposed Isabel Station would be constructed in 100-year flood zones. The design of these facilities would ensure no change to base flood elevations; all facilities within 100-year flood zones would be designed to pass 100-year flows (see HYD-2). As required, approvals would be obtained from regulatory agencies (FEMA [certification prior to construction stating the Build Alternative would not impact the pre-project base flood elevations, regulatory floodway elevations, regulatory floodway widths, or otherwise result in adverse impacts related to potential flood risks], the Department of Water Resources [encroachment permit for construction activities within the State Water Project right-of-way], and the U.S. Army Corps of Engineers [permit for discharges into waters of the United States under Section 404 of the Clean Water Act]) to ensure the facilities do not alter flooding potential or increase the risk of downstream flooding.

### *Section 106 of the National Historic Preservation Act*

Eight historic properties were identified within the Area of Potential Effects. The Project would not physically alter any structures of the contributing resources of a historic district or historic property. It would not impact the integrity of location, design, materials, workmanship, feeling, or association, nor would it diminish its integrity of setting to an extent that would affect National Register of Historic Places eligibility. Consultation with the California State Historic Preservation Officer (SHPO) identified the need to note the areas around Culverts 11 and 13 on the Southern Pacific Railroad (SPRR) Grade on design and construction documents as unable to be used for construction staging or access, and fenced off during construction; this provision has been added as CUL-6. These two character-defining cut sandstone masonry culverts were recorded as part of the historic SPRR Grade, and will not be directly impacted by proposed alignment improvements. However, because they are adjacent to the proposed new rail alignment, they may be subject to inadvertent damage during construction.

No archaeological resources had been previously recorded, however there were areas identified as sensitive for archaeological resources by previous investigators. The TVSJVRRRA has committed to construction monitoring and will coordinate with tribes for tribal monitoring, along with other minimization and monitoring measures (CUL-1 through CUL-6). Consistent with 36 CFR Part 800, the California SHPO did not object to a finding of no adverse effect on April 16, 2025 (Attachment C).

### *Section 4(f) of the U.S. Department of Transportation Act*

The Build Alternative would not result in the use of a Section 4(f) protected resource including public parks, recreational resources, wildlife and waterfowl refuges, or historic sites. The Project corridor is not located on or adjacent to any public parks, recreational resources, wildlife or waterfowl refuges within the definition of Section 4(f). Of the three historic Section 4(f) properties within the Project area (SPRR Grade, California Aqueduct, and Delta-Mendota Canal), the California Aqueduct and Delta-Mendota Canal would not require any direct use or temporary occupancy. Improvements to the SPRR Grade falls under an exemption to the requirements under Section 4(f) per 23 CFR Part 774.13(a)(2).

### *Uniform Relocation and Real Property Acquisition Act*

The Build Alternative would not result in adverse effects related to property acquisitions. The Build Alternative would require full acquisitions, partial acquisitions, and temporary construction easements, and would comply with the Uniform Act (49 CFR Part 24). The majority of the Build Alternative would be constructed within a combination of the existing I-580 freeway median, the existing transportation corridor owned by Alameda County, and the existing Caltrans right-of-way adjacent to westbound I-580. Project elements—including stations, support facilities, and parking lots—would largely be compatible with the surrounding existing and planned uses. Temporary construction easements would be needed for construction access and staging, but would not result in permanent or substantial changes to the existing land uses on the majority of the affected parcels.

### *Measures to Minimize Impacts*

The Project incorporates all practical measures to minimize environmental harm. The measures, which are commitments described in the EA, FONSI, Biological Opinion, consultation with SHPO, are included in the Environmental Commitments (Attachment D), to ensure fulfillment of all environmental and related commitments. Any change in such commitments will require a review in accordance with 23 CFR Parts 771.129-130 and must be approved by the FTA.

### **Environmental Finding**

In accordance with 23 CFR Part 771.121, the FTA finds, on the basis of the analysis, reviews, and mitigation measures identified in the EA, that there are no significant or adverse impacts on the environment associated with implementation of the Project. The TVSJVRRRA has incorporated mitigation measures into the Project to reduce or eliminate potentially significant or adverse environmental impacts. The TVSJVRRRA shall implement the mitigation measures and measures to avoid and minimize environmental impacts located in Attachment D.

### **Approved:**



Date: May 27, 2025

Ray Tellis  
Regional Administrator  
Federal Transit Administration, Region IX

### **Attachments:**

Attachment A: Public Comment Summary and Responses

Attachment B: Section 7 USFWS Consultation – Biological Opinion

Attachment C: Section 106 Correspondence from SHPO

Attachment D: Environmental Commitments