

APPENDIX 8-B

**U.S. ENVIRONMENTAL PROTECTION AGENCY'S CONCURRENCE
ON THE LEAST ENVIRONMENTALLY DAMAGING
PRACTICABLE ALTERNATIVE**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105-3901**

April 30, 2008

David Valenstein, Environmental Program Manager
Federal Railroad Administration
1120 Vermont Avenue, NW, MS 20
Washington, D.C. 20590

Subject: EPA Concurrence on the Corridor Most Likely to Contain the Least Environmentally Damaging Practicable Alternative for the Bay Area to Central Valley Draft Programmatic Environmental Impact Statement

Dear Mr. Valenstein:

The U.S. Environmental Protection Agency (EPA) is writing in response to your request of March 6, 2008 for concurrence on the corridor most likely to contain the least environmentally damaging preferred alternative (LEDPA) for the proposed **Bay Area to Central Valley California High Speed Train System**. We appreciate receiving follow-up materials provided to us via meeting on March 18, 2008. As outlined in the Cooperating Agency Memorandum of Understanding (MOU), EPA's concurrence on the corridor most likely to contain the LEDPA is intended to integrate the requirements of the National Environmental Policy Act (NEPA) and Section 404 of the Clean Water Act early in the environmental review process. EPA appreciates the coordination with your agency on this project and looks forward to continued participation in this, and future project-level, environmental reviews.

PURPOSE AND NEED

On January 27, 2007, EPA concurred with the following purpose and need statement for the Bay Area to Central Valley High Speed Train project:

"The purpose of the Bay Area High Speed Train is to provide a reliable high-speed electrified train system that links the major Bay Area cities to the Central Valley, Sacramento, and Southern California, and that delivers predictable and consistent travel times. Further objectives are to provide interfaces between the HST system and major commercial airports, mass transit and the highway network, and to relieve capacity constraints of the existing transportation system in a manner sensitive to and protective of the Bay Area to Central Valley region's and California's unique natural resources".

RANGE OF ALTERNATIVES

Through the January 27, 2007 letter, EPA also concurred with the range of System Alternatives to be advanced to the Tier 1 Draft EIS. These alternatives include No Build/No

Action, Modal, and High Speed Train. EPA also concurred with all of the High Speed Train alignment and station alternatives to be advanced to the Tier 1 Draft EIS at that time.

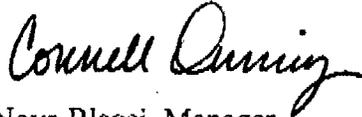
MOST LIKELY CORRIDOR TO YIELD THE LEDPA

Through this letter, and based on our review of the information provide to EPA as of this date, EPA concurs that the corridor most likely to yield the LEDPA is the "Pacheco Pass, San Francisco and San Jose Termini".

Thank you for this opportunity to participate in the Bay Area to Central Valley High Speed Train planning process. As a cooperating agency, we continue to be available to review administrative drafts and technical reports related to air quality, aquatic resources, and cumulative impacts analysis.

We look forward to reviewing and commenting on the proposed conceptual mitigation plan and completed Tier 1 Final EIS, pursuant to our NEPA/Clean Air Act Section 309 authority. If you have any questions, please feel free to contact me at 415-972-3846, or Connell Dunning, the lead reviewer for this project. Connell can be reached at 415-947-4161 or dunning.connell@epa.gov.

Sincerely,



Nova Blazej, Manager
Environmental Review Office

cc: Dan Leavitt, California High Speed Rail Authority
Bob Smith, Army Corps of Engineers



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

Regulatory Division

MAY 08 2008

Mr. David Valenstein
Federal Railroad Administration
Mail Stop 20
1120 Vermont Avenue, N.W.
Washington, DC 20590

Dear Mr. Valenstein:

This letter is written in response to request for concurrence on the Bay Area to Central Valley High Speed Train (HST) Section 404 (b)(1) Alternatives Analysis for the HST route selection. Based on our review of the information in the documents you provided we believe you have reasonably demonstrated that there are no other routes to accommodate the Bay Area to Central Valley High Speed Train. Based on this evaluation, the Corps concludes there are no other practicable alternatives to the Pacheco Pass, San Francisco and San Jose Termini with less adverse impact on the aquatic ecosystem or without other significant adverse environmental consequences.

Should you have any questions regarding this matter, please call Bob Smith of our Regulatory Branch at 415-503-6792. Please address all correspondence to the Regulatory Branch and refer to the File Number at the head of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jane M. Hicks", is written over the word "Sincerely,".

Jane M. Hicks
Chief, Regulatory Division

Copy Furnished:

US EPA, San Francisco, CA

