

**APPROACH FOR OBTAINING ICS ENVIRONMENTAL APPROVALS/PERMITS**

Responsible Regulatory Agency	Approval/Permit Needed	Merced to Fresno HST Section		Fresno to Bakersfield HST Section	Party to Obtain Approval/Permit	Comments	
		Construction Package #1A	Construction Package #1B	Construction Package #1C			
	Project Limits: Env. Document:	See Note Below * Merced to Fresno	See Note Below * Merced to Fresno	See Note Below * Fresno to Bakersfield			
1	USFWS	Section 7 Biological Opinion	Required for ROD	Required for ROD	Required for ROD	Authority/RC	Will include construction-related biological mitigation measures
2	NMFS	Section 7 Biological Opinion	Required for ROD	Required for ROD	NA	Authority/RC	Will include construction-related biological mitigation measures
3	CA SHPO	Section 106 MOA/Treatment Plan	Required for ROD	Required for ROD	Required for ROD	Authority/RC	For MF, MOA/Treatment Plan has been signed by Authority, FRA and SHPO. The plans include construction-related mitigation measures. The MOA/Treatment Plans for FB are still pending. MOA is also needed with one or more Native American Tribes
4	FRA	Air Quality General Conformity Determination	Required for ROD	Required for ROD	Required for ROD	Authority/RC	FRA determination was completed for the entire Merced to Fresno section and is still pending for the Fresno to Bakersfield HST section. Requires coordination with FRA, EPA, State air resources board, and air quality district.
5	FRA / USDOJ	Section 4(f)/Section 6(f) Determination	Required for ROD	Required for ROD	Required for ROD	Authority/RC	Section 4(f) pertains to potential project impacts to parks and recreational lands, wildlife and waterfowl refuges, and historic sites; Section 6(f) pertains to existing parks that utilized Land and Water Conservation funds for property acquisition or park development.
6	SJVAPCD	San Joaquin Valley Air Pollution Control District (SJVAPCD) Indirect Source Review	Obtain After ROD	Obtain before ROD	Obtain Before ROD	Authority/RC	Will include construction-related mitigation measures and compliance with SJVAPCD Rules.
7	CDFG	Title 14 Memorandum of Agreement	Obtain After ROD	N/A	N/A	Authority/RC	Requires agreement with CDFG for impacts to Camp Pashayan from construction of a bridge crossing of the San Joaquin River
8	SWRCB	Section 401 - State Water Quality Certification	Obtain After ROD	Obtain After ROD	Obtain After ROD	Authority/RC	Certificate to be issued by State Water Resources Control Board
9	SWRCB	Section 402 - NPDES Permit Construction General Permit  <i>Programmatic Permit</i> <b>Project Level Consistency Determination</b>	Obtain After ROD	Obtain After ROD	Obtain After ROD	Authority/RC D/B Contractor	Pertains to any activity with ground disturbance greater than once acre. Requires preparation of a Storm Water Pollution Prevention Plan (SWPPP).
10		Industrial General Permit  <i>Programmatic Permit</i> <b>Project Level Consistency Determination</b>	N/A	N/A	N/A	Authority/RC D/B Contractor	Pertains to discharges from industrial type activities (e.g., fueling, cleaning, repairing facilities) that would be built under a separate CP at a future date.
11		Municipal Separate Storm Sewer Systems Permit (MS4)  <i>Programmatic Permit</i> <b>Project Level Consistency Determination</b>	Obtain After ROD	Obtain After ROD	Obtain After ROD	Authority/RC D/B Contractor	A Storm Water Management Plan will be prepared, upon which project features must be designed to comply with. The Storm Water Management Plan will demonstrate compliance with existing MS4 permits.
12	USACE	Section 404 Clean Water Act - Dredge and Fill Permit  <i>Programmatic Permit</i> <b>Project Level Consistency Determination</b>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	A single, individual permit needed for both the Merced to Fresno and Fresno to Bakersfield HST sections. Permit requires that a ROD and 408 Determination be issued by the USACE, a Biological Opinion be issued by USFWS and NMFS, NMFS, and a Section 401 Certificate from SWRCB.
13	CDFG	Section 1602 Streambed Alteration Agreement  <i>Programmatic Permit</i> <b>Project Level Consistency Determination</b>	Obtain After ROD Obtain After ROD	N/A N/A	N/A N/A	Authority/RC D/B Contractor	Pertains to any activity related to diverting or obstructing the natural flow of any river, stream or lake; change or use of any material from the bed, channel, or bank of any river, stream or lake; deposit or dispose of debris waste or any other material where it may pass into any river, stream or lake.
14	CDFG	Section 2081 Incidental Take Permit	Obtain After ROD	Obtain After ROD	Obtain After ROD	Authority/RC	Will include construction-related biological mitigation measures
15	USACE	Section 408 Determination	Obtain After ROD	N/A	Obtain After ROD	Authority/RC	In order to support the ROD for the 404 action, the USACE will need to issue a 408 Minor Determination acknowledging the proposed project will have little or no impact on Corps' owned/operated/maintained flood control facilities.

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16	CVFPB	Encroachment Permits (CA Title 23; USACE Section 208.10; and Local Maintaining Agency Endorsement)	Obtain After ROD	N/A	Obtain After ROD	Authority/DB Contractor	<p>This permit is administered by the CVFPB in two stages and will be obtained by the D/B Contractor on behalf of the Authority. The first stage is a General Permit for all encroachments within the construction package. The application for this permit is based on 65% design drawings provided by the D/B Contractor. The application must also include the Local Maintaining Agency endorsement. The D/B contractor will present the 65% design to the LMA and may be required to make certain changes necessary to obtain their endorsement prior to submitting a General Permit Application.</p> <p>The second stage is issuance of individual permits for each encroachment. Each individual permit will require the D/B contractor to submit the 90% and the 100% plans and specifications to the CVFPB. The CVFPB will solicit comments from the USACE. D/B Contractor will prepare the submittal packages and respond to comments from the CVFPB and USACE.</p>
17	Local Agency Floodplain Administrators	National Flood Insurance Program (NFIP) Compliance	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	A local floodplain building permit is required before construction or development begins within any Special Flood Hazard Area (SFHA) shown on local Flood Insurance Rate Maps (FIRM). Permits are required to ensure that proposed development projects meet the requirements of the NFIP and the community's floodplain management ordinances. This approval is provided by the local agency's floodplain administrator.
18	Caltrans	Right-of-Way Encroachment Permits	Obtain After ROD	Obtain After ROD	Obtain After ROD	D/B Contractor	Required for any construction-related activity within the Caltrans right-of-way.
19	State Lands Commission	Long-Term Lease	Obtain After ROD	N/A	N/A	Authority/RC	Required for crossing state lands and the San Joaquin River.
20	CPUC	CA Public Utilities Commission Approvals/Permits <b>Programmatic Permit</b> <b>Project Level Consistency Determination</b>	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Obtain After ROD Obtain After ROD	Authority/RC D/B Contractor	CPUC General Order No. 95 requires approval for overhead electric line construction, including overhead catenary construction and the location of power systems. Also, CPUC has approval for closure of existing or construction of new railroad grade crossings.

NOTE: Permits to be obtained by the Authority/RC will be obtained on or before 90 days after issuance of the Notice to Proceed. Project level consistency determination will be based on the program level permit obtained by the Authority/RC.

\* For a definition of CP #1A, CP1B, and CP1C refer to the Scope of Work, Attachment 1 - Limits of Work Table.

**Legend:**

Authority - California High-Speed Rail Authority  
 Caltrans - California Department of Transportation  
 CA SHPO - California State Historic Preservation Officer  
 CDFG - California Department of Fish and Game  
 CPUC - California Public Utilities Commission  
 CVFPB - Central Valley Flood Protection Board  
 FRA - Federal Railroad Administration

NMFS - National Marine Fisheries Service  
 SJVAPCD - San Joaquin Valley Air Pollution Control District  
 SWRCB - California State Water Resources Control Board  
 USACE - United States Army Corps of Engineers  
 USDO I - United States Department of Interior  
 USEPA - United States Environmental Protection Agency  
 USFWS - United States Fish and Wildlife Service

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