

3.16 NEXT STEPS IN PROJECT DEVELOPMENT

This program-level EIS/EIR assesses environmental impacts that could potentially result from implementation of improvements to the Coast Corridor. As outlined in **Chapter 2.0, Alternatives**, the Build Alternative proposes improvements to the existing railway and contemplates expanded passenger service (i.e., Coast Daylight) between Salinas and San Luis Obispo. Of these improvements, some, all or none may eventually be constructed. As such, future project-level environmental analysis would be required for any selected improvement prior to permitting, construction, and operation. Consequently, once approved by the state and federal lead agencies, this program-level EIS/EIR would serve as an important source of corridor-wide information, particularly with regard to the potential for various components of the Build Alternative to result in substantial costs associated with the avoidance, minimization, or mitigation of environmental effects.

3.16.1 LEAD AGENCY ROLES

SLOCOG and FRA have mutually commenced this program-level EIS/EIR to comply with NEPA and CEQA. FRA is the NEPA lead agency; SLOCOG is the CEQA lead agency.

Any future decisions related to advancing and ultimately constructing the proposed rail improvements may constitute a federal action if federal funding or other federal permits are required and may thus require additional project-level environmental review under NEPA. Other federal agencies in addition to FRA may also rely on these project-level environmental reviews to support future decision making. In preparing this environmental document, FRA has coordinated with the US EPA, USAC), the US Army, and the USFWS, among others.

The preparation, circulation, and review of a draft Program EIS/EIR provides for the evaluation of the No Build Alternative and Build Alternative; the assessment of all significant/adverse environmental impacts; and the opportunity for public and agency input and comments to help inform the decision-making process.

CEQA

After the final Program EIS/EIR is complete, according to CEQA Guidelines § 15090, SLOCOG, as the lead CEQA agency, shall certify that:

- The final EIR has been completed in compliance with CEQA;
- The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- The final EIR reflects the lead agency's independent judgment and analysis.

Once the document is approved, SLOCOG will issue a Notice of Determination (NOD) after deciding to carry out or approve a project. A Statement of Overriding Considerations may accompany the NOD, if necessary, which weighs rationale for approving an environmental document in the event there are potentially significant effects. The NOD would complete the CEQA process.

NEPA

Similarly to the CEQA process, the NEPA lead agency, FRA, shall comply with FRA's Procedures for Considering Environmental Impacts (64 FR § 28545) and may issue a Record of Decision (ROD). The ROD is the final step in the NEPA process.

3.16.2 FUTURE IMPLEMENTATION

Future implementation of Build Alternative improvements would require further design and potentially site-specific environmental review. At such a time, this Program EIS/EIR would support future approvals and potential financing decisions necessary to implement the proposed improvements by identifying environmental constraints that influence development techniques, construction recommendations, and mitigation strategies.

Future projects would potentially include one or more of the Build Alternative components noted in this Program EIS/EIR. As indicated in the Service Development Plan, decisions to move specific components forward would be prioritized by funding availability, the efficacy of the given improvement, and timeframe. One or more improvements could constitute a project-level proposed action under NEPA if a federal action was involved and a project under CEQA. Any proposed project would require a detailed project description, construction plans, staging areas, and potential property acquisitions in advance.

Once a project is formalized and begins the project-level environmental review process, local agencies, resource planners, and permitting authorities would need to be involved to ensure that the project's footprint is adequately assessed. The applicant would also need to provide appropriate public outreach programs to provide opportunities for input on issues, concerns, potential design refinements, and environmental processes.

As determined by site-specific circumstances, future project-level analysis could require consultation and involvement of the USFWS, the CDFW, the EPA, the USACE, the RWQCB, the California Department of Parks and Recreation, the SHPO, the NAHC, and others as appropriate.

According to CEQA Guidelines § 15168 (e), when a law other than CEQA requires public notice when the agency later proposes to carry out or approve an activity within the program and to rely on the Program EIR for CEQA compliance, the notice for the activity shall include a statement that:

- The activity is within the scope of the program approved earlier, and
- The Program EIR adequately describes the activity for the purposes of CEQA.

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