State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

M e m o r a n d u m

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 10-11, 2011

Reference No.: 2.2c.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR CONSIDERATION OF FUNDING**
04-CC
RESOLUTION E-11-57

RECOMMENDATION:

The California Department of Transportation recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-11-57.

ISSUE:

The attached resolution proposes to approve for consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Burlington Northern Santa Fe (BNSF) tracks in Contra Costa County. Construct 4.5 miles of second main track along the BNSF east-west main line from the city of Oakley to the community of Port Chicago. (PPNO 2079)

This project in Contra Costa County will construct a second main track, crossovers and other related track and signal work between Oakley and Port Chicago. The project is programmed in the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account Program for the Intercity Passenger Rail Projects. Total estimated project cost is $36,707,000 for capital and support. The scope as described for the preferred alternative is consistent with the project scope programmed in the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account Program.

A copy of the FEIR has been provided to Commission staff. Resources that may be impacted by the project include; aesthetic resources, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazardous waste, land use, noise, public services, traffic and circulation, and water quality. Potential impacts associated with the project can all be mitigated to below significance through proposed mitigation measures. As a result, a Final Environmental Impact Report was prepared for the project.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding
04-CC
Resolution E-11-57

1.1 **WHEREAS,** the California Department of Transportation (Department) has completed an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:

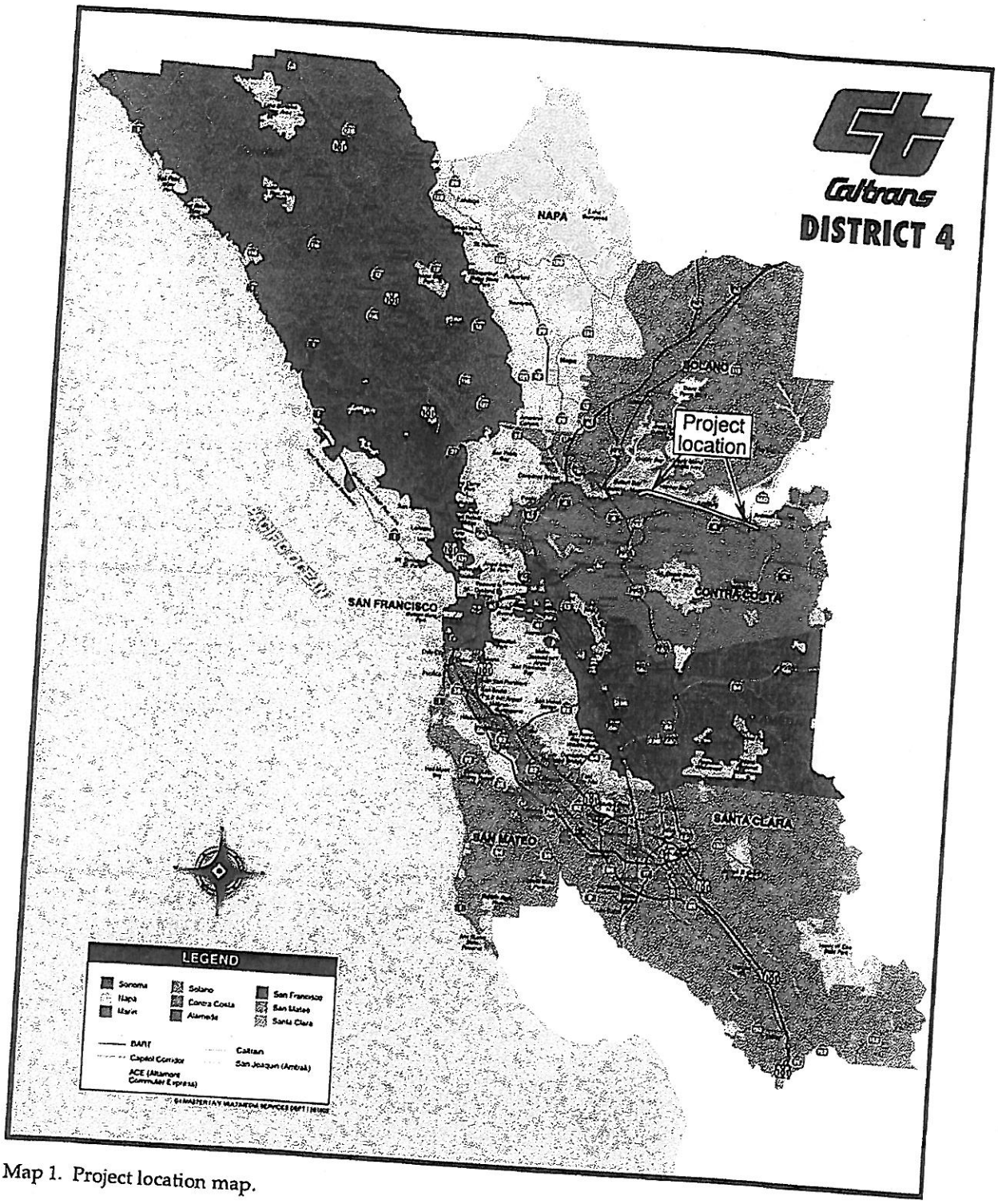
- Burlington Northern Santa Fe (BNSF) tracks in Contra Costa County. Construct 4.5 miles of second main track along the BNSF east-west main line from the city of Oakley to the community of Port Chicago. (PPNO 2079)

1.2 **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and

1.3 **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and

1.4 **WHEREAS,** Findings were made pursuant to the State CEQA Guidelines.

2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby support approval of the above referenced project to allow for consideration of funding.



Map 1. Project location map.

FINDINGS

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDINGS FOR
THE PORT CHICAGO TO OAKLEY SECOND TRACK PROJECT

The following information is presented to comply with State CEQA Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15091) and the Department of Transportation and California Transportation Commission Environmental Regulations (Title 21, California Code of Regulations, Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source for the following information.

Project Location

The BNSF Railway identifies all points along its tracks by the distance from the point where the track originates. For this project, the installation of the second main track will begin on the east end in the City of Oakley, at about Milepost (MP) 1146.2 (1,146 miles from the point of origin in Kansas). From Oakley, the proposed second main track will extend west, a distance of approximately 18.3 miles, to MP 1164.4, which is near Port Chicago within the Concord Naval Weapons Station. The project is generally located within Contra Costa County. At the request of the City of Antioch, an approximate two-mile segment in the central portion of the proposed second track project, focused on downtown Antioch, is not included in this proposed project. As proposed, construction of the second main track would terminate on the east side of the City at Fulton Shipyard Road and would pick up again, just west of the Antioch City limits.

Project Description

The California Department of Transportation, Division of Rail, is proposing to install a second main track along the BNSF Railway Company's east-west main line from Port Chicago to Oakley. The purpose of this project is to improve the reliability and on time performance of the Department's rail passenger services. These efficiencies will enhance ridership and better serve the public need for mobility through alternative transportation choices. Within the rail corridor, the existing passenger train service flow (efficiency) is proposed to be enhance by implementing a variety of rail corridor improvements. Efficiency is not directly related to speed of trains, but is more dependent upon the ability of trains to meet firm schedules and maintain flow without stopping or slowing on the tracks to allow other trains to pass. The range of potential improvements include:

1. Installation of a new second mainline track along the 18.2 mile long corridor (double tracking with a new track installed at a distance ranging from 15 to 25 feet on center from the existing track, with exceptions);
2. Installation of new sidings (passing track);
3. Extension or upgrade of existing sidings;
4. Upgrade of track structure and special track work;
5. Replacement or installation of existing bridges;
6. Replacement or installation of new culverts, some of which are designed to solely equalize water levels adjacent to the track and some of which serve as drainage structures; and
7. Improvements at highway/railroad track intersections.

The following potentially significant effects have been identified in the EIR as resulting from the project. The Program EIR (PEIR) concluded that the project would not cause any unavoidable significant adverse impacts to the environment with the implementation of identified mitigation measures. Effects found not to be significant have not been included.

Air Quality

Adverse Environmental Effect

The installation of the project facilities will generate air pollutant emissions from construction activities, including ground disturbance and construction equipment operations. The short-term construction emissions were compared to the thresholds of the Bay Area Air Pollution Control District and were found to be potentially significant without implementation of mitigation measures.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

The Bay Area exceeds federal standards for certain air pollutants, and emissions from all construction projects must be controlled to the extent feasible. Mitigation measures will be implemented to control generation of fugitive dust from ground disturbing activities; to control equipment emissions during construction activities; and to control offsite emissions from activities required to support construction. These measures were found to reduce construction activity emissions to a less than significant impact.

Biology Resources

Adverse Environmental Effect

The installation of the project facilities will occur within areas that contain plants and wildlife and their supporting habitat that are sensitive or listed by the state and federal agencies as threatened or endangered. The construction activities may destroy some of this habitat and cause adverse impacts to these species and their habitat.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

Several sensitive or listed species occupy habitat adjacent to the existing railroad track. Wildlife examples include: salt march harvest mouse; Giant garter snake and Western pond turtle; Northern Harrier; Short-eared owl; and Salt marsh yellowthroat. Plant examples include: alkali milk-vetch; bent-flowered fiddleneck; big tarplant; delta mudwort; diamond-petaled poppy; dwarf downingia; Hoover's criptantha; round-leaved filaree; showy madia; and Suisun marsh aster. Mitigation measures will be implemented to avoid sensitive habitat or nesting periods; to compensate by acquisition of appropriate habitat; and through habitat creation. These measures

were found to reduce potential effects to sensitive species and their habitat to a less than significant impact.

Adverse Environmental Effect

The installation of the project facilities will occur within areas that contain wetlands and jurisdictional water of the United States and State of California and their supporting habitat that are sensitive protected from disturbance without the acquisition of regulatory permits. The construction activities may destroy some of the wetland or jurisdictional waters. This is a potential adverse effect of implementing the proposed project.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

A total of about 10.5 acres of wetlands and jurisdictional waters may be filled or otherwise disturbed adjacent to the existing railroad track. Mitigation measures will be implemented to avoid wetlands or jurisdictional water; to compensate by acquisition of appropriate wetland or jurisdictional waters habitat (mitigation credits); and through wetland or riparian habitat creation. These measures were found to reduce potential effects to wetlands, jurisdictional water and their related habitat to a less than significant impact.

Adverse Environmental Effect

The project included the installation of a bridge on the west bank of the San Joaquin River. Construction of this bridge would have potential to cause significant water quality impacts and adverse impacts on the local fish population, including endangered species. This is a potential adverse effect of implementing the proposed project.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

A total of about two acres of open water area would be impacted by the proposed railroad bridge across a small segment of the San Joaquin River in the Antioch area. A decision was made by BNSF and Division of Rail to avoid this impact by eliminating the construction of this segment of double track. The existing single track will continue to provide sufficient capacity to support existing rail operations. This measure, avoidance, was found to eliminate the potential effects to the aquatic environment, including listed species of fish, to a less than significant impact.

Cultural Resources

Adverse Environmental Effect

The installation of the project facilities will occur within areas that contain known historic and prehistoric cultural resources that are considered sensitive, but no listed historic resource sites occur within the project's area of potential effect. The construction activities may destroy, damage or disturb some of these resources resulting in a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

No specific cultural resource sites or significant cultural resource values were identified within the project area of potential effect. A potential does exist to accidentally expose subsurface cultural resources or human remains. Mitigation measures will be implemented to properly manage any cultural resources or human remains exposed during future construction activities. These measures were found to reduce potential effects to cultural resources or human remains to a less than significant impact.

Soil Resources

Adverse Environmental Effect

The installation of the project facilities will occur within areas that have a moderate potential for soil erosion and downstream sedimentation. As a result the construction activities may destroy or damage soils or cause or contribute to water quality degradation downstream from the construction area resulting in a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

The project will disturb existing soils and create a potential for soil erosion and downstream sedimentation and degradation of water quality. Mitigation measures incorporate best management practices be implemented and further defined when specific construction activities occur in the future. These measures were found to reduce potential effects to soil resources to a less than significant impact.

Geology Resources and Constraints

Adverse Environmental Effect

The installation of the project facilities will occur within areas that have a high potential for groundshaking from regional earthquakes; liquefaction; and other geologic constraints. As a result the future track facilities may be at risk from exposure to these geologic constraints

resulting in a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

The project area is subject to major seismic events on several regional faults that could generate substantial groundshaking and potential liquefaction hazards. Mitigation measures incorporate design requirements that can protect the future train infrastructure from significant ground failure due to these site specific conditions. These measures were found to reduce potential significant adverse effects due to geologic constraints along the track alignment to a less than significant impact.

Hazards and Risk of Upset

Adverse Environmental Effect

Although no contaminated sites were identified along the project alignment, a potential was identified to accidentally spill hazardous or toxic materials during construction. In addition, a potential to expose unknown contaminated material was also identified within the project alignment. The potential to contaminate the environment during construction or to expose employees to unknown hazards was identified as a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

Part of the risk of constructing new facilities in a highly disturbed, man-made environment is the potential for accidental spills of hazardous or toxic materials during construction. Also, even though no specific contaminated sites are known to occur within the project alignment, the historic activities may have created unknown contaminated sites. Mitigation measures will be implemented to properly manage any accidental spills or exposed contaminated sites during future construction activities. These measures were found to reduce potential effects due to hazards or risk of upset to a less than significant impact.

Hydrology and Water Quality

Adverse Environmental Effect

Both during construction (short-term) and after construction is completed (long-term) the proposed project has a potential to cause water quality degradation and related impacts to the environment from stormwater that flows through or off the property. This potential to degrade water quality during construction or when operations begin was identified as a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

The project can control the quality of stormwater that flows through the project area or that is generated on the project site through implementation of best management practices, either for the short-term (Stormwater Pollution Prevention Plan) or the long-term (Water Quality Management Plan). Mitigation measures will be implemented to properly manage any stormwater or other water that may be directly or indirectly degraded as a result of implementing the proposed project. These measures were found to reduce potential effects due to stormwater management to a less than significant impact.

Adverse Environmental Effect

Portions of the project alignment are subject to 100-year flood hazards that could expose both humans, infrastructure and equipment to damage from future flooding, both during construction and future operations. This potential exposure to such hazards during construction or and future operations was identified as a potential significant adverse impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

As a long, linear infrastructure system, the proposed train tracks cross several creeks and drainage channels that could cause future flood damage to these resources. These hazard areas cannot be avoided, but design of the infrastructure can ensure that the proposed facilities are protected from flood hazards up to and exceeding the 100-year flood. Mitigation measures will be implemented to ensure that locations exposed to such flood hazards are designed to pass the 100-year or greater flood without incurring significant damage to the infrastructure itself, or causing downstream indirect hazards. These measures were found to reduce potential effects due to flood hazards to a less than significant impact.

Land Use

Adverse Environmental Effect

Within each of the communities (cities) along the proposed double track alignment, certain potential land use conflicts or opportunities were identified that could have cause significant local conflicts with existing uses. Although highly localized, these potential conflicts can be considered a potentially significant impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

The specific issues raised by the local communities were issues related to maintaining pedestrian and vehicle access across sections of the new double track and creating opportunities for future Transportation Demand Management (TDM) development. One conflict with a local sports park was resolved by redesigning the construction activities adjacent to the park. Mitigation measures will be implemented to ensure that access across the tracks will be maintained; that potential future TDM developments will not be constrained; and that land at the Park will not have to be acquired. These measures were found to reduce potential effects on land use conflicts to a less than significant impact.

Noise and Vibration

Adverse Environmental Effect

Although no audible change in operational noise will occur from implementing the proposed project, construction noise and vibration effects were found to be potentially significant at several locations adjacent to sensitive noise receptors, primarily residences and schools.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

One of the unavoidable consequences of constructing a long-linear project is the potential to increase noise over the short-term due to construction activities. A detailed set of noise and vibration mitigation measures have been identified to control these adverse impacts to levels that are consistent with requirements of local noise ordinances and the Noise Element of local General Plans. Mitigation measures will be implemented to properly manage all short-term construction noise and vibration effects, particularly in areas with sensitive receptors. These measures were found to reduce potential effects due to noise and vibration to a less than significant impact.

Public Services, Recreation and Transportation/Circulation

Adverse Environmental Effect

Although rail operations rarely require public services or cause local public service impacts, a potential to adversely impact emergency traffic access (transportation/circulation) during construction was identified as a potentially significant impact.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

Part of the effects of constructing new facilities in a highly disturbed, man-made environment is the potential for altering access to properties during construction (short-term constraints on the

local circulation system and traffic). The proposed project will require the implementation to traffic management plans to ensure that emergency access will be available and will be communicated with local emergency responders along the construction alignment. Mitigation measures will be implemented to properly manage emergency access during future construction activities. These measures were found to reduce potential effects due to public services, emergency access and transportation/circulation to a less than significant impact.

Utilities and Service Systems

Adverse Environmental Effect

The proposed project will not place any demand on local utilities or service systems, except for direct effects on utilities within the railroad track right-of-way and the use of water for construction purposes. These two potential effects were identified as being potential significant service system impacts.

Finding

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen this potential significant environmental effect as identified in the final PEIR.

Statement of Facts

Part of the risk of constructing new facilities in a highly disturbed, man-made environment is the potential for existing utility lines to be located within the alignment of the new track. To prevent damage to such utilities, mitigation is required. This ranges from extensive coordination all utility companies, local, regional and national, and ensuring that any such lines that may be affected by installing the second track are not damaged or the public inconvenienced. Also, as previously noted, water will be used for construction (5,000 to 10,000 gallons per day) and to minimize demand on potable water, mitigation is established to require use of recycled water for construction purposes. These measures were found to reduce potential effects due to project interaction with utility systems to a less than significant impact.

Conclusion

The proposed installation of approximately 16.2 miles of double track between Port Chicago and Oakley was evaluated in the 2008 Program Environmental Impact Report. Potentially significant adverse environmental impacts were identified, but after implementation of all mitigation measures (in accordance with the adopted Mitigation Monitoring and Reporting Program, MMRP) the PEIR reached findings and conclusions that all potential environmental impact can be reduced to a less than significant impact level and the proposed project will not cause any unavoidable significant adverse impacts.