

APPENDIX B
Agency and Public Scoping

Notice of Intent

benefits and costs of these technologies compared to conventional vehicle technologies.

Respondents: State and local government and public transportation authorities located in areas designated as non-attainment or maintenance for ozone or carbon monoxide.

Estimated Annual Burden on Respondents: 32 hours for each respondent.

Estimated Total Annual Burden: 512.
Frequency: Semi-annual.

Issued: November 16, 2009.

Ann M. Linnertz,

Associate Administrator for Administration.

[FR Doc. E9-27897 Filed 11-19-09; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35237]

City of Davenport, IA—Construction and Operation Exemption—in Scott County, IA

AGENCY: Surface Transportation Board, DOT.

ACTION: Correction to Notice of Availability of the Environmental Assessment.

SUMMARY: This document contains a correction to the title of the Notice of Availability of the Environmental Assessment served and published in the **Federal Register** on Monday, October 26, 2009 (74 FR 55085) by the Board's Section of Environmental Analysis. That notice, published in this docket, was titled "Eastern Iowa Industrial Center Rail Project—Construction and Operation Exemption—City of Davenport, Iowa." The correct title should read, "City of Davenport, IA—Construction and Operation Exemption—in Scott County, IA." **FOR FURTHER INFORMATION CONTACT:** Christa Dean, (202) 245-0299. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

SUPPLEMENTARY INFORMATION: On October 26, 2009, the Board served a Notice of Availability of the Environmental Assessment in this docket. The notice is related to a petition filed on July 21, 2009, by the City of Davenport, IA, seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements¹ of 49

¹ In an amendment filed on September 8, 2009, the City clarified that it also seeks operation authority.

U.S.C. 10901 to construct approximately 2.8 miles of rail line in Scott County, IA. The Board instituted a proceeding in this matter under 49 U.S.C. 10502(b) by decision served October 19, 2009. This notice corrects the title of the Notice of Availability of the Environmental Assessment.

Decided: November 16, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kulunie L. Cannon,

Clearance Clerk.

[FR Doc. E9-27884 Filed 11-19-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-331 (Sub-No. 1X)]

Bi-State Development Agency of the Missouri-Illinois Metropolitan District—Discontinuance of Service Exemption—in the City of St. Louis, MO

On November 2, 2009, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (Bi-State) filed with the Surface Transportation Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to discontinue service over a 1.43-mile line of railroad extending from milepost 1.8 in St. Louis, MO, to milepost 3.23 in St. Louis, MO. The line traverses U.S. Postal Service Zip Codes 63110 and 63108.¹

According to Bi-State, the line does not contain federally granted rights-of-way. Any documentation in Bi-State's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by February 19, 2010.

¹ Bi-State initially filed this petition for exemption on October 1, 2009, but supplemented it on November 2, 2009, to comply with the newspaper publication requirements of 49 CFR 1105.12. Under that provision, a petitioner must notify the public by publishing a notice of the proposed action in a newspaper of general circulation in each county that the line traverses and must certify to the Board that it has done so by the date its petition is filed. On November 2, 2009, Bi-State certified to the Board that it has satisfied the newspaper publication requirement. Therefore, November 2, 2009, will be considered the official filing date of the petition for exemption.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) to subsidize continued rail service will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,500 filing fee. See 49 CFR 1002.2(f)(25).²

All filings in response to this notice must refer to STB Docket No. AB-331 (Sub-No. 1X), and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) Theodore J. Williams, Jr., Williams Venker & Sanders LLC, 100 North Broadway, Suite 2100, St. Louis, MO 63102. Replies to the Bi-State petition are due on or before December 10, 2009.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0230 or refer to the full abandonment and discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Board decisions and notices are available on our Web site at: <http://www.stb.dot.gov>.

Decided: November 13, 2009.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Anne K. Quinlan,

Acting Secretary.

[FR Doc. E9-27794 Filed 11-19-09; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Intent To Prepare an Environmental Impact Statement for Proposed Intermodal Transit Improvements in Hercules, CA

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation.

ACTION: Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS).

² Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historic documentation is required under 49 CFR 1105.6(c)(2) and 1105.8.

SUMMARY: The Federal Transit Administration (FTA) in cooperation with the City of Hercules, CA (City) is planning to prepare a joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for the construction of a proposed intermodal transit center project which includes a new passenger train station on the existing Capitol Corridor line, a transit bus terminal, access roadways, and parking facilities, located in Hercules, California. The project would serve commuters, visitors and recreational users who desire an alternative way to travel to and from the City of Hercules and the San Francisco Bay area and the Sacramento area to access employment, entertainment, and recreational destinations. This EIS/EIR will not study a ferry terminal as part of the proposed project. Any future ferry terminal will be evaluated under a separate environmental document. However, the potential for a future ferry terminal will be considered in the cumulative impact analysis for this project. The purpose of this Notice of Intent (NOI) is to alert interested parties on the preparation of an EIS/EIR, to provide information on the proposed transit project, to invite participation in the EIS/EIR process, including comments on the scope of the EIS/EIR, and to announce the public scoping meeting that will be conducted.

DATES: The City of Hercules has already initiated coordination with Federal, State and local agencies. On November 18th, 2009, the City of Hercules participated in an interagency meeting hosted at the U.S. Army Corps of Engineers office in San Francisco, California and presented an overview of the project and invited agency comment on the proposed project. Through the development of a public and agency coordination plan, coordination with responsible and cooperating agencies will continue throughout the review of the EIR/EIS and through permit coordination.

A scoping meeting will be held on December 8th, 2009 at 5:30 p.m. at the Hercules Library, Large Conference Room, 109 Civic Drive, Hercules, CA. Written comments on the scope of the EIS/EIR including the project's purpose and need, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations should be sent to Lisa Hammon, Assistant City Manager, City of Hercules, 111 Civic Drive, Hercules CA 94547 by December 23, 2009. Comments may also be offered at the scoping meeting.

The general public and agency representatives with an interest in the proposed project are encouraged to attend this public meeting. The project's purpose and need and the description of alternatives for the proposed project will be presented at this meeting. Representatives of Native American Tribal governments and all Federal, State, regional and local agencies that may have an interest in any aspect of the project will be invited to be participating or cooperating agencies, as appropriate.

ADDRESSES: The scoping meeting will be held on December 8th, 2009 at 5:30 p.m. at the Hercules Library, Large Conference Room, 109 Civic Drive, Hercules, CA. The meeting facilities will be accessible to persons with disabilities. If special translation or signing services or other special accommodations are needed, please contact Lisa Hammon, Assistant City Manager, at (510) 799-8251, or by e-mail at: LHammon@ci.hercules.ca.us at least 48 hours before the scoping meeting. Paper copies of scoping materials may be obtained from Lisa Hammon. Also, scoping materials will be available at the meetings and on the City of Hercules Web site [<http://www.ci.hercules.ca.us>].

Written comments on proposed project should be sent to Lisa Hammon, Assistant City Manager, City of Hercules, 111 Civic Drive, Hercules, CA 94547 by December 23, 2009.

Further Information: For further information contact Paul Page, Federal Transit Administration, San Francisco Regional Office at (415) 744-3133.

SUPPLEMENTARY INFORMATION: Scoping: The FTA and the City of Hercules invite all interested individuals, and organizations, public agencies and Native American Tribes to comment on the scope of the EIS, including the project's purpose and need, the alternatives to be studied, the impacts to be evaluated and the evaluation methods to be used. Comments should focus on: alternatives that may be less costly or have fewer environmental or community impacts while achieving similar transportation objectives, and the identification of any significant social, economic or environmental issues related to alternatives. This is not considered a transit project of unusual complexity. Therefore, in line with CEQ 1502.7 (page limits) FTA is setting a limit of 250 pages (exclusive of technical appendices) for this EIS. The document should emphasize graphics, maps and visual simulations, minimize technical jargon and be accessible to

members of the public with limited technical expertise.

Description of Study Area and Proposed Project: The project site is located in Hercules, California, on the shoreline of San Pablo Bay (a part of San Francisco Bay), approximately 1 mile northwest of Interstate 80 (I-80). This is the City's Waterfront District which has been planned for transit oriented development. Project components would include: (1) Grade separation and realignment of a portion of the existing Union Pacific railroad tracks, including the construction of a rail platform, retaining walls and the replacement of a bridge crossing Refugio Creek; (2) construction of a station building; (3) extension of John Muir Parkway, including the construction of Bayfront Boulevard over Refugio Creek, a new Transit Loop Drive, Civic Plaza and surface parking; (4) realignment and restoration of a portion of Refugio Creek from San Pablo Bay upstream approximately 1000 feet to the existing restored segment; (5) construction of segments of the East Bay Park Regional District's recreational trail along the shoreline from Pinole trail to Victoria by the Bay; and, (6) a pedestrian walkway over the railroad tracks to provide a connection to the Hercules Point open space area. The project will also require the relocation of existing utility and gas lines and an outfall to Refugio Creek.

Purpose and Need for the Project: Residents of the San Francisco Bay Area depend heavily on region wide and transbay commuting. Despite the use of existing public transit services, particularly rail and buses, traffic congestion continues to increase, affecting hundreds of thousands of Bay Area residents and creating both economic and environmental costs. The severity of congestion will increase in the future as population and employment in the Bay Area increase. The purpose of the proposed project is to increase local and regional mobility and transportation options by providing new and expanded transit services with intermodal connections that will encourage use of public transit. The project would provide bus-to-train connections, in addition to providing car commuters with access to new transit options that would divert traffic from I-80, the most congested corridor in the Bay Area for the past six years. An expanded and more convenient transit system with new train connections to existing bus services would provide commuters with more options and would primarily decrease car usage and its associated impacts, rather than divert riders from existing

buses, BART, or Capitol Corridor. Key project objectives are to:

1. Reduce vehicle trips on Interstate 80, the most congested freeway in the Bay Area, by providing alternatives to commuting in single occupant vehicles.

2. Provide coordinated, intermodal transit connections by bus, train, and a potential future ferry and human-powered connections by bicycling and walking for transport to/from jobs, recreational uses, educational opportunities, etc.

3. Improve emergency response by having rail and (ultimately) ferry service available in case of a natural or man-made disaster that disables the Bay Bridge or other highways/roadways. Ferry and rail service could also deliver goods and services in an emergency.

4. Support transit-oriented development and "new urbanist" standards by providing the transportation links within the 43-acre waterfront development which also includes housing (including affordable housing), retail, office, and commercial space.

5. Improve safety along the railroad corridor by providing completely grade-separated access to the railroad tracks from the adjacent development by constructing a series of retaining walls and fences for approximately one mile along the waterfront and by constructing over-crossings to Hercules Point and the future ferry terminal.

6. Implement the Goals, Policies and Programs in the City of Hercules General Plan to:

- Develop transportation facilities to provide access to the region, particularly public transit systems (buses, ridesharing, rail transit, as well as potential over-water transit) (Land Use Policy 3A, Circulation Policy e).
- Establish trail linkage between Pinole and Rodeo as part of the regional bay access trail system (Land Use Program 14A.2 and Open Space/Conservation Policy 1b) and continue to improve and protect Refugio Creek as a major environmental amenity (Program 14.A.3).

7. Improve Refugio Creek to allow adequate flows into the Bay without resulting in flooding.

8. Implement the City of Hercules Waterfront Master Plan Initiative and its directive to construct an intermodal transit center on Block I.

Alternatives: The EIS/EIR will include a Build alternative. Included in the Build analysis will be design alternatives to the proposed project that will meet both NEPA and CEQA requirements and are intended to reduce potential environmental effects, including impacts to sensitive biological

habitat. A No Action (No Build) alternative will also be evaluated in the EIS/EIR which would continue with the existing bus services without the construction of a train station and a new bus terminal at the same location. This alternative serves as the baseline against which the environmental effects of the proposed project and other alternatives will be evaluated.

Traffic congestion is an ongoing and steadily increasing problem in the Bay Area, regardless of economic conditions. Alternatives to reduce traffic congestion have been explored in numerous previous studies. According to the Metropolitan Transportation Commission (MTC), the Bay Bridge approach corridor along Interstate 80 (I-80) from State Route 4 (SR-4) in Hercules to the Bay Bridge experiences the worst congestion in the Bay Area. Caltrans' Bay Area monitoring program found that between 1992 and 2005, traffic delay in the region as a whole more than doubled from 64,100 hours to 135,700 hours. According to Caltrans' 2006 report, between 2001 and 2005, traffic delay on the I-80 segment from SR-4 to the Bay Bridge metering lights increased by 16 percent, from 9,410 hours to 10,930 hours (MTC 2007). This segment includes the stretch of I-80 that passes near the proposed HITEC project. MTC projects that traffic congestion will continue to worsen; by 2020, MTC expects that Bay Bridge traffic will increase by 50 percent and be "at capacity" for nearly five hours a day during the morning and afternoon peak hours. MTC also predicts that many more Bay Area workers, due to high housing costs, will be living far from their jobs, demanding that they spend more time commuting and polluting on roadways. Even during an economic downturn, BART runs at capacity through the Transbay Tube during peak hours. Improvements in commuter bus service are dependent upon traffic flow, and are limited by the need for more road capacity and more dedicated High Occupancy Vehicle (HOV) lanes for significant expansion. Increased train and transit services would provide expanded commute capacity while avoiding corresponding increases in traffic congestion.

Additionally, the San Francisco Bay Area Water Transit Authority (WTA), now the Water Emergency Transportation Authority (WETA), is a regional agency authorized by the State of California to operate a comprehensive San Francisco Bay Area public water transit system. In 2003, the WTA's plan, "A Strategy to Improve Public Transit with an Environmentally Friendly Ferry System" (the Plan) was approved by

statute (Senate Bill 915, Ch. 714, stats of 2003). The Plan drew on extensive technical studies that examined ridership demand, cost effectiveness, vessel design, environmental impacts, safety, and operations. A Hercules-San Francisco route was identified in the Plan as a potential future ferry route. The potential environmental effects of proposed new ferry service on San Francisco Bay under the WTA Plan were studied at a program planning level in the Program Environmental Impact Report (Program EIR) prepared in 2003. The 2003 Program EIR included analysis of a Hercules/Rodeo location and seven other potential new ferry service locations around the Bay and Delta. While ferry service is anticipated for the city of Hercules, current planning for the ferry is still in development and is considered a future project. The current project proposes only to construct a rail and bus transit facility.

As part of the General Plan for the City of Hercules, the proposed project is intended to be the central element of a transit-oriented development (TOD) project that will include residential and commercial development clustered around transit facilities to enable local residents to use public transit and reduce the need for automobile use. The planned TOD, known as Hercules Bayfront, is not part of the project considered in this EIR/EIS, and will be the subject of a separate environmental review.

Probable Effects/Potential Impacts for Analysis: The purpose of the EIS process is to explore in a public setting potentially significant effects of implementing the proposed project and alternatives on the physical, human, and natural environment.

Implementation of the project components will result in direct effects to the physical environment and may include the loss of special aquatic sites such as tidal wetlands, mudflats, and riparian areas. Mitigation will be incorporated into the project design by first avoiding and minimizing impacts to resources. Compensatory mitigation will be provided for unavoidable impacts. Based on preliminary investigations for special status species the project may affect, but is unlikely to adversely affect, any species listed as threatened or endangered under the State or Federal endangered species acts.

The proposed project would extend the John Muir Parkway, provide parking for short-term and long-term parking, and develop a new access point to commuter rail. Each of these activities may encourage automobile traffic in the

area that could adversely affect levels of service at nearby intersections.

FTA Procedures: Regulations implementing NEPA, as well as provisions of SAFETEA-LU, call for public involvement in the EIS process. Section 6002 of SAFETEA-LU requires that FTA do the following: (1) Extend an invitation to other Federal and non-Federal agencies and Indian Tribes that may have an interest in the proposed project to become participating agencies; (2) provide an opportunity for involvement by participating agencies and the public in helping to define the purpose and need for a proposed project, as well as the range of alternatives for consideration; and (3) establish a plan for coordinating public and agency participation in and comment on the environmental review process. An invitation to become a participating agency will be extended to other Federal and non-Federal agencies and Indian Tribes that may have an interest in the proposed project. It is possible that we may not be able to identify all Federal and non-Federal agencies and Indian Tribes that may have such an interest. Any Federal or non-Federal agency or Indian Tribe interested in the proposed project that does not receive an invitation to become a participating agency should notify, at the earliest opportunity, the City at the **ADDRESSES** or phone number above.

A comprehensive public involvement program has been developed. A technical advisory committee called the Project Development Team, consisting of representatives of State, regional and local agencies, is in place. The program also includes a public scoping process, a public review/comment period and public hearing on the Draft Environmental Impact Statement, development and distribution of project newsletters and posting of information on the project Web site. The purposes of and need for the proposed project have been preliminarily identified in this notice. We invite the public and participating agencies to consider the preliminary statement of purposes of and need for the proposed project, as well as potential alternatives, and the public is welcome to use the public scoping process to further define the issues of concern among all parties interested in the project. Comments on potential significant environmental impacts that may be associated with the proposed project are also welcomed. All comments and suggestions will be given serious consideration. Comments on potentially significant environmental impacts that may be associated with the proposed project are also welcomed. There will be additional opportunities

to participate in the scoping process at the public meetings announced in this notice. In accordance with 23 CFR 771.105(a) and 771.133, FTA will comply with all Federal environmental laws, regulations and executive orders applicable to the proposed project during the environmental review process to the maximum extent practicable. These requirements include, but are not limited to, the regulations of the Council on Environmental Quality implementing NEPA (40 CFR parts 1500-1508 and 23 CFR part 771), the project-level air quality conformity regulation of the U.S. Environmental Protection Agency (EPA) (40 CFR part 93), section 404(b)(1) guidelines of EPA (40 CFR part 230), Executive Orders 11988, 11990 and 12898 regarding floodplains, wetlands, and environmental justice, respectively; Section 106 of the National Historic Preservation Act (36 CFR Part 800); Section 7 of the Endangered Species Act (50 CFR part 402); and Section 4(f) of the Department of Transportation Act (23 CFR 774). The EIR portion of the document will be prepared in accordance with the California Environmental Quality Act (CEQA) and the California Code of Regulations, Title 14, section 15000 *et seq.*

Dated: November 13, 2009.

Leslie T. Rogers,

Federal Transit Administration.

[FR Doc. E9-27896 Filed 11-19-09; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[USCG-2006-24644]

TORP Terminal LP, Bienville Offshore Energy Terminal Liquefied Natural Gas Deepwater Port License Application; Preparation of Supplemental Environmental Impact Statement

AGENCY: Maritime Administration, DOT.

ACTION: Notice of availability; Notice of public meeting; Request for comments.

SUMMARY: The Maritime Administration, in cooperation with the U.S. Coast Guard announces the availability of the Draft Supplemental Environmental Impact Statement (DSEIS) for the TORP Terminal LP, Bienville Offshore Energy Terminal (BOET) Liquefied Natural Gas (LNG) Deepwater Port license amended application. The amended application describes a project that would be located in the Gulf of Mexico, in Main Pass block MP 258, approximately 63 miles south of Mobile Point, Alabama.

Publication of this notice begins a 45 day comment period and provides information on how to participate in the process.

DATES: The public meeting will be held in Mobile, Alabama on December 9, 2009, from 6 p.m. to 8 p.m., and will be preceded by an open house from 5 p.m. to 6 p.m. The public meeting may end later than the stated time, depending on the number of persons wishing to speak. Material submitted in response to this request for comments must reach the Docket Management Facility by January 4, 2010.

ADDRESSES: The open house and public meeting will be held at the: Mobile Convention Center, One South Water Street, Mobile, Alabama 36602; *telephone:* 251-208-2100.

The amended application, comments and associated documentation are available for viewing at the Federal Docket Management System (FDMS) Web site: <http://www.regulations.gov> under docket number USCG-2006-24644.

Docket submissions for USCG-2006-24644 should be addressed to: Department of Transportation, Docket Management Facility, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

The Docket Management Facility accepts hand-delivered submissions, and makes docket contents available for public inspection and copying at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Facility telephone number is 202-366-9329, the fax number is 202-493-2251, and the Web site for electronic submissions or for electronic access to docket contents is <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Marchman, Maritime Administration, telephone: 202-366-8805, e-mail: Patrick.Marchman@dot.gov; or Mr. Linden Houston, Maritime Administration, telephone: 202-366-4839, e-mail: Linden.Houston@dot.gov. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

SUPPLEMENTARY INFORMATION:

Public Meeting and Open House

We invite you to learn about the proposed deepwater port at an informational open house and to comment at a public meeting immediately afterwards on the proposed action and the evaluation contained in the DSEIS. In order to allow everyone a

Notice of Preparation



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

November 24, 2009

To: Reviewing Agencies
Re: Hercules Intermodal Transit Center
SCH# 2009112087

Attached for your review and comment is the Notice of Preparation (NOP) for the Hercules Intermodal Transit Center draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Lisa Hammon
City of Hercules
111 Civic Drive
Hercules, CA 94547

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Acting Director

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044

**Document Details Report
State Clearinghouse Data Base**

SCH# 2009112087
Project Title Hercules Intermodal Transit Center
Lead Agency Hercules, City of

Type NOP Notice of Preparation

Description The City, in cooperation with the Federal Transit Administration (FTA), is planning to prepare a joint EIS/EIR for the construction of a proposed intermodal transit center project which includes a new passenger train station on the existing Capitol Corridor line, a bus terminal, and parking facilities. Specific project improvements include: 1) realignment of a portion of the existing Union Pacific railroad tracks, including the construction of a rail platform, retaining walls and the replacement of a railroad bridge crossing Refugio Creek; 2) construction of a train station building with grade separated pedestrian access; 3) extension of John Muir Parkway, including the construction Bayfront Boulevard over Refugio Creek, Transit Loop Drive, and a surface parking lot; 4) realignment and restoration of approximately 1,000 ft. of Refugio Creek from San Pablo Bay to the existing restored upper segment and including the North Channel; 5) construction of segments of the East Bay Park Regional District's recreational Bay Trail along the shoreline from Pinole trail to Victoria by the Bay; 6) a pedestrian walkway over the railroad tracks to provide a connection to the proposed Hercules Point open space area, and 7) relocation of existing utility and gas lines and an storm drainage outfall to Refugio Creek.

Lead Agency Contact

Name Lisa Hammon
Agency City of Hercules
Phone (510) 799-8251 **Fax**
email lhammon@ci.hercules.ca.us
Address 111 Civic Drive
City Hercules **State** CA **Zip** 94547

Project Location

County Contra Costa
City
Region
Cross Streets
Lat / Long
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways I-80
Airports
Railways
Waterways San Pablo Bay
Schools
Land Use

Project Issues Traffic/Circulation; Air Quality; Noise; Aesthetic/Visual; Geologic/Seismic; Biological Resources; Archaeologic-Historic; Toxic/Hazardous; Water Quality; Landuse; Population/Housing Balance; Recreation/Parks; Other Issues; Forest Land/Fire Hazard; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

**Document Details Report
State Clearinghouse Data Base**

Date Received 11/24/2009 **Start of Review** 11/24/2009 **End of Review** 12/23/2009

Recipients of Participating Agency Letter

Jacqueline Wyland	Environmental Protection Agency, Region 9
	California Department of Conservation
	California Regional Water Quality Control Board
Gunther Moskat	California Department of Toxic Substance Control
	California Department of Conservation, Division of Mines and Geology
	Bay Area Rapid Transit, Real Estate Dept.
Craig Goldblatt	MTC
	Contra Costa County Health Department, Environmental Division
Barney Opton	U.S. Army Corps of Engineers
Robert Nagel	AMTRAK
	California Department of Transportation, District 4.
	California Department of Transportation, Division of Rail
Carl Wilcox	California Department of Fish & Game
	California State Native American Heritage Commission
	California State Lands Commission
Paul Maxwell	Contra Costa Trans. Authority
	Bay Area Air Quality Management District
	Contra Costa Joint Powers Authority
Janet McBride	Association of Bay Area Governments
Don Hankins	U.S. Fish & Wildlife Service
	California Governor's Office of Planning & Research
	California Office of Historic Preservation
	Contra Costa County Flood Control and Water Conservation Dist.

Jim Townsend	East Bay Regional Park District
	Contra Costa County Community Development Department
Charlie Anderson	Western Contra Costa Transit Authority
	Federal Aviation Administration
	National Oceanic and Atmospheric Administration, Fisheries Service
	U.S. Coast Guard
	U.S. Department of Homeland Security – Transit Security Agency
	California Public Utilities Commission
	West Contra Costa Unified School District
	Contra Costa Water District

Agency Notification

Sample Letter of Invitation



[Insert Date]

[Insert Agency Representative]
[Insert Agency Name and Address]

Re: Invitation to Participate in the Environmental Review
Process for the Hercules Intermodal Transit Center
Project

Dear *[Agency Representative]*:

The City of Hercules, in cooperation with the Federal Transit Administration (FTA), is initiating the preparation of a joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the proposed Hercules Intermodal Transit Center Project. The proposed project is described in the attached Notice of Intent. The purpose of the project, as currently defined, is to increase local and regional mobility and transportation options by providing new and expanded transit services with intermodal connections that will encourage use of public transit. The enclosed scoping information packet provides more details. A preliminary coordination plan and schedule are also enclosed.

Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users establishes an enhanced environmental review process for certain FTA projects, increasing the transparency of the process, as well as opportunities for participation. The requirements of section 6002 apply to the project that is the subject of this memorandum. As part of the environmental review process for this project, the lead agencies must identify, as early as practicable, any other Federal and non-Federal agencies that may have an interest in the project, and invite such agencies to become participating agencies in the environmental review process.¹ Your agency has been identified preliminarily as one that may have an interest in this project, accordingly, you are being extended this invitation to become actively involved as a participating agency in the environmental review process for the project.

As a participating agency, you will be afforded the opportunity, together with the public, to be involved in defining the purpose of and need for the project, as well as in determining the range of alternatives to be considered for the project. In addition, you will be asked to:

- Provide input on the impact assessment methodologies and level of detail in your agency's area of expertise;

¹ Designation as a "participation agency" does not imply that the participating agency supports the proposed project or has any jurisdiction over, or special expertise concerning the proposed project or its potential impacts. A "participating agency" differs from a "cooperating agency," which is defined in regulations implementing the National Environmental Policy Act as "any Federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment." [40 C.F.R. § 1508.5](#).

- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate; and
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns of your agency on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Your agency does not have to accept this invitation. If, however, your agency is a Federal agency, and you elect not to become a participating agency, you must decline this invitation in writing, indicating that your agency has no jurisdiction or authority with respect to the project, no expertise or information relevant to the project, and does not intend to submit comments on the project. The declination may be transmitted electronically to Lisa Hammon [LHammon@ci.hercules.ca.us]; please include the title of the official responding. In order to give Federal agencies adequate opportunity to weigh the relevance of their participation in this environmental review process, written responses to this invitation are not due until after the close of the scoping process, now scheduled to conclude *December 30, 2009*. Written responses from Federal agencies declining designation as participating agencies should be transmitted to this office not later than January 15, 2010.

If you have questions regarding this invitation, please contact Lisa Hammon at (510) 799-8251.

Sincerely,

Attachments: Scoping Information
Draft Coordination Plan

cc: *Federal Transit Administration*



**Hercules Intermodal Transit Center
Scoping Meeting
December 8, 2009, 5:30 p.m. – 6:30 p.m.
Hercules Library, Conference Room (109 Civic Drive)**

The City of Hercules welcomes you to the Hercules Intermodal Transit Center Scoping Meeting. Attendees will have the opportunity to view displays and discuss the project with Key Project Team members. A short presentation giving an overview of the project will begin at 5:45 p.m. Display boards will outline various aspects of the Intermodal Transit Center and Environmental Process including the project's history, schedule, and environmental evaluation of alternatives.

Scoping Meeting Agenda

5:30 p.m. – Open House / View Displays

This is an opportunity for the community to meet and interact with project team members at various stations, review the project display boards, and provide input on the Project. Stations include:

Station 1: Welcome/Sign In

Station 2: Project Description

Station 3: Draft Project Purpose and Need

Station 4: Possible Alternatives/Description

Station 5: Environmental Explanation

Station 6: EIR/EIS Resource Analysis

Station 7: Project Schedule

Station 8: Submission of Comments

5:45 p.m. – Presentation by the Hercules Intermodal Transit Center Project Team

- Introduction / Welcome
- Project History/Organization
- EIR/EIS Explanation
- Alternatives Evaluation
- Schedule to Complete this Phase

6:00 p.m. – Open House / View Displays

Comments may be submitted in a variety of ways this evening or via mail or email at a later date. All comments must be submitted before December 30, 2009. For project information, visit www.ci.hercules.ca.us. Thank you for your attendance!



**Hercules Intermodal Transit Center
Scoping Meeting
December 8, 2009, 5:30 p.m. – 6:30 p.m.
Hercules Library, Conference Room (109 Civic Drive)**

Project Team Attendees

Lisa Hammon, City of Hercules
Jesse Harder, City of Hercules
David McCrossan, HDR

Kim Pallari, HDR
Serge Stanich, HDR
John Meerscheidt, HDR

On Tuesday evening, December 8, 2009, the City of Hercules hosted a Public Scoping Meeting for the Hercules Intermodal Transit Center Project. The Scoping meeting was hosted from 5:30 p.m. to 6:30 p.m. at the Hercules Library Conference Room.

The Public Scoping Meeting was promoted via the City Web page, notices in the Federal Register, through the California State Clearing House, and direct mailings to interested parties. The Scoping Meeting was held during the formal Public Comment Period for the Notice of Preparation (NOP) and Notice of Intent (NOI) for the Hercules Transit Center EIR/EIS. There were approximately 10 attendees during the Scoping Meeting.

The meeting was set up as an informal open house that allowed attendees to walk around the room, view a variety of project displays and illustrations of the project area and environmental process, and talk one-on-one with the project team staff and consultants. The meeting format included the following agenda:

- I. Open House – 5:30 p.m.
 - a. Station 1: Welcome/Sign In
 - b. Station 2: Project Description
 - c. Station 3: Draft Project Purpose and Need
 - d. Station 4: Possible Alternatives/Description
 - e. Station 5: Environmental Explanation
 - f. Station 6: EIR/EIS Resource Analysis

-
- g. Project Schedule
 - h. Submission of Comments
 - II. Brief Presentation – 5:45 p.m.
 - III. Open House/Open Discussion – 6:00 p.m.

At 5:30 p.m., Kim Pallari opened with welcoming remarks and explained the format for the evening and the importance of participation from the community during the EIR/EIS Phase. David McCrossan then gave the audience a brief overview using a power point presentation of the project's history/study limits/purpose and need, and project development process/project organization. He then introduced Jesse Harder who provided further details related to the project and Serge Stanich who discussed the EIR/EIS process.

Following the presentation, the group engaged in open discussion and dialogue to address questions or concerns by the attendees. During that time, several members of the Hercules Staff and Consultant Team addressed concerns. The following comments were recorded either during the open discussion or by submission of a comment card.

Open Discussion Comments:

1. How much of the EIR/EIS take into account the other ongoing projects in terms of cumulative effects?
2. John Muir Parkway is supposed to be a pedestrian friendly roadway. I am interested in ensuring that it remains so as part of this Transit Center Project.
3. Is the Bay Trail going to be improved as part of this project at the same time as the Transit Center construction?
4. On John Muir Parkway, will there be a conflict between transit vehicles and private vehicles?
5. Will traffic studies identify impacts related to all arterials? I am especially concerned with Promenade Street.

Comment Card Submittals:

Comment #1:

I am concerned about the noise level, given the large number of homes, and businesses near the transit Center. I urge you to use the best materials possible when straightening the track for minimizing track noise, considering that this will be our best opportunity to do so, and that you implement procedures (e.g. mandatory slowing) to further minimize noise. Secondly, I hope you will do all possible to have two access points to Hercules Point, one where the former RR bridge was, and the second from the ferry pier. This park will be a great resource, substantially enhanced by easy access.

Submitted by:

Jeffrey Boore
1024 Promenade St.
Hercules, CA 94547
510-724-3372
jBoore@berkeley.edu



City of Hercules
Intermodal Transit Center

Scoping Meeting
 Tuesday, December 8, 2009
 5:30 p.m. - 6:30 p.m.
 Hercules Public Library, Conference Room

NAME	ORGANIZATION/AFFILIATION	ADDRESS, CITY & ZIP CODE	PHONE NUMBER	E-MAIL
1. JOHN RUDOLPH	WCCFAC	13831 San Pablo Ave San Pablo	510-215-3042	johnr@ci.san-pablo.ca.us
2. JOHN TURNER	CTD ETC	2420 WASHINGTON RD. #A	(707) 429-5300	turner@cedeng.com
3. JEFF BOORE		1021 Rowenwood St. Hercules	510 724 3312	JLBOORE@BERKELEY.EDU
4. DENNIS TAGASHIRA	CITY OF HERCULES	111 CIVIC PL	(510) 794-8243	
5. ERWIN BUNNARD	" "	" "		
6. Nicole Foster	" "	25 Stanford Pl, Grackee, CA	510 787-1982	N226203@yahoo.com
7. Jeff Wisniewski	" "	1102 ANDER DRIVE	916-729-6211	
8. MKE BURBANKER	" "	1238 Fern	924.0624	
9. Alcaelie				
10.				
11.				
12.				
13.				
14.				
15.				

Lisa Hammon
Assistant City Manager
11 Civic Drive
Hercules, CA 94547



Please
Place
Stamp
Here

KEY PROJECT OBJECTIVES:

1. Reduce vehicle trips on Interstate 80 by providing alternatives to commuting in single occupant vehicles.
2. Provide coordinated, intermodal transit connections by bus, train, bicycle, walking, and potential future ferry service for transport to/from jobs, recreational uses, educational opportunities, etc.
3. Improve emergency response by having rail and (ultimately) ferry service available in case of a natural or man-made disaster that disables the Bay Bridge or other highways/roadways.
4. Support transit-oriented development and "new urbanist" standards by providing the transportation links within the 43-acre waterfront development.
5. Improve safety along the railroad corridor by excluding pedestrian access.
6. Implement the Goals, Policies and Programs in the City of Hercules General Plan to:
 - i. Develop transportation facilities
 - ii. Establish a trail linkage between Pinole and Rodeo.
7. Improve Refugio Creek to allow adequate flows into the Bay while enhancing habitat values for native species.
8. Implement the City of Hercules Waterfront Master Plan Initiative and its directive to construct an intermodal transit center within the development.



Alternatives: The California Environmental Quality Act and the National Environmental Policy Act require lead agencies to evaluate a reasonable range of alternatives that will meet the project's objectives but may have a lesser environmental impact. The EIR/EIS will consider build alternatives that include design options that avoid or minimize impacts, as well as a No-Build (No Action) alternative that will consider the existing conditions and services without the construction of the project. This alternative serves as the baseline against which the environmental effects of the proposed project and other alternative will be evaluated.

CONTACT:

Lisa Hammon
Assistant City Manager
City of Hercules
111 Civic Drive
Hercules, CA 94547
(510) 799-8251
www.ci.hercules.ca.us

Paul Page
Federal Transit Administration
San Francisco Regional Office
(415) 744-3133

Hercules

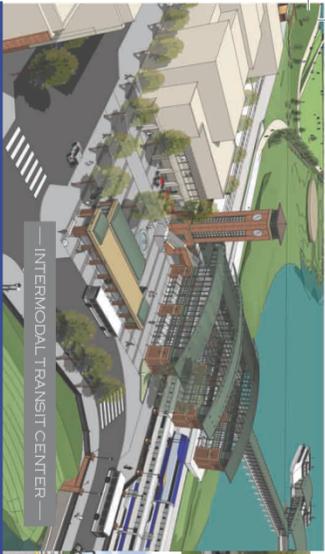
Intermodal Transit Center



Project | Informational Brochure

Public Scoping Meeting
December 8, 2009





—INTERMODAL TRANSIT CENTER—



PROJECT DESCRIPTION

The project site is located in Hercules, California, on the shoreline of San Pablo Bay (a part of San Francisco Bay), approximately one mile northwest of Interstate 80 (I-80). This is the City's Waterfront District which has been planned for transit oriented development. Project components would include:

- 1) Grade separation and realignment of a portion of the existing Union Pacific railroad tracks. Includes construction of rail platform, retaining walls, and a bridge crossing Refugio Creek.
- 2) Construction of a station building.
- 3) Extension of John Muir Parkway, including construction of Bayfront Boulevard over Refugio Creek, new Transit Loop Drive, Civic Plaza and surface parking.
- 4) Realignment and restoration of a portion of Refugio Creek from San Pablo Bay to the existing restored segment.
- 5) Construction of segments of the East Bay Park Regional District's trail along the shoreline from Pinole trail to Victoria by the Bay.
- 6) A pedestrian walkway over the railroad tracks providing connection to Hercules Point open space area.

PROJECT PURPOSE AND NEED

Residents of the San Francisco Bay Area depend heavily on region-wide and transbay commuting. Despite the use of existing public transit services (particularly rail and buses), traffic congestion continues to increase, affecting hundreds of thousands of Bay Area residents and creating both economic and environmental costs. The severity of congestion will increase in the future as population and employment in the Bay Area increase. The purpose of the proposed project is to increase local and regional mobility and transportation options by providing new and expanded transit services with intermodal connections that will encourage use of public transit.



SCOPING MEETING

On December 8, 2009 at 5:30 p.m. the City of Hercules will host a Public Scoping Meeting at the Hercules Library to provide a project update and solicit input on the project scope, purpose and need, possible alternatives and environmental process.

Comments on the scope of the project must be submitted to the City during the scoping meeting, or following via email, mail, or fax to:

Lisa Hammom, Assistant City Manager

City of Hercules
111 Civic Drive
Hercules, CA 94547
lhammon@ci.hercules.ca.us
Fax (510) 799-2521

All comments must be submitted by December 30, 2009.

The City and FTA are preparing a draft EIR/EIS which will be available to the public in early 2010. The public will be invited to comment again on the project during a formal 45-day public review/ comment period on the joint EIR/EIS.

The City of Hercules, CA, in cooperation with the Federal Transit Administration (FTA) is planning to prepare a Joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the construction of a proposed Intermodal Transit Center adjacent to Hercules Point. The proposed project includes a new passenger train station on the existing Capitol Corridor line, a transit bus terminal, access roadways, completion of a one-mile segment of the San Francisco Bay Trail, and parking facilities. While future ferry service is planned for Hercules, the construction of a ferry terminal in San Pablo Bay is not proposed as part of this project. The project would serve commuters, visitors and recreational users who desire an alternative way to travel to and from the City of Hercules, San Francisco Bay and Sacramento area, to access employment, entertainment and recreational destinations.

The City of Hercules and the Federal Transit Administration invite the public, representatives of Federal, state, and local agencies, as well as Native American and other special interest groups to participate in the development of the proposed Intermodal Transit Center Project.

More information can also be obtained from the City of Hercules website at www.ci.hercules.ca.us.

Scoping Comment Table.

Last name	First name	Agency, Organization, or Self	Letter Title	Date	Purpose and Need	Cumulative Impacts	Alternatives	Green Design	Transit Plaza	Pedestrian/Bike	Access	Parking	Transportation	Traffic	Safety	Noise	Air Quality	Water Resources	Wastewater	Flood Protection	Biological Resources	Utilities	Climate Change	Mitigation	Permits	Environ. Justice	Climate Change	Agency Coordination
Page	Paul	U.S. EPA	Scoping Comments	12/17/2009	X			X						X			X	X							X	X		
Townsend	Jim	East Bay Regional Park Dist.	Scoping Comments	12/22/2009																								x
Albritton	Wade	Self	Scoping Comments	12/24/2009			X		X			X																
Albritton	Wade	Self	Scoping Comments	12/23/2009												X	X											
Browermaster	Mike	Self	Scoping Comments	12/23/2009						X				X														
Allison	Jim	Capitol Corridor IPA	Scoping Comments	12/23/2009			X			X				X														X
Carboni	Lisa	Caltrans D-4	Scoping Comments	12/28/2009																								X
Rhodes	Winston	City of Pinole	Scoping Comments	12/18/2009									X			X		X	X									X
Murphy	Daniel	Dept. of Toxic Substance Control	Scoping Comments	12/9/2009																								X
Wisniewski	Jeffrey	Self	Scoping Comments	12/9/2009					X	X	X																	
Stites	Moses	State Public Utilities Commission	Scoping Comments	12/21/2009						X		X	X		X													
Yeung	Ming	SF Bay Conservation Development Commission	Scoping Comments	1/4/2010																								X
Goetz	Steven	Contra Costa County	Scoping Comments	12/29/2009			X					X																
Giacalone	Matilde	Dept. of Conservation and Development	Scoping Comments	1/4/2010																								
Kirkpatrick	William	EBMUD	Scoping Comments	12/23/2009														X										
Brand	Marina	State Lands Commission	Scoping Comments	12/10/2009			X														X						X	X
Dowell	Rhaphaelle	PG&E	Scoping Comments	11/30/2009																		X						
Shafaq	Homira	Contra Costa Flood Control & Water Cons. Dist.	Scoping Comments	1/14/2010							X						X	X			X			X	X			
Rhinehart	Bimla	Ca. Transportation Commission	Scoping Comments	1/12/2010																								X