



Appendix D:

Agency Correspondence



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Federal Transit Administration NEPA Cooperating Agency Invitation Letter to Caltrans (October 2023)

Caltrans Response to NEPA Cooperating Agency Invitation (March 2024)

Natural Resources Conservation Service Farmland Conversion Correspondence (May 2024)



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
Arizona, California,
Hawaii, Nevada, Guam,
American Samoa,
Northern Mariana Islands

90 7th Street
Suite 15-300
San Francisco, CA 94103-6701
415-734-9490

888 South Figueroa Street
Suite 440
Los Angeles, CA 90017-5467
213-202-3950

October 5, 2023

Ms. Dina El-Tawansy
District Director
California Department of Transportation
District 4
P.O. Box 23660
Oakland, CA 94623-0660

Re: Invitation to Become Cooperating
Agency on the Valley Link Rail Project

Dear Ms. El-Tawansy,

The Federal Transit Administration (FTA), in cooperation with the Tri-Valley – San Joaquin Valley Regional Rail Authority (Authority) is initiating the preparation of an Environmental Assessment per the National Environmental Policy Act (NEPA) for the proposed Valley Link Rail Project (Project). In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's Regulations for Implementing the Procedural Provision of NEPA, FTA invites the California Department of Transportation (Caltrans) to be a participating agency and cooperating agency because your agency has jurisdiction by law or special expertise.

The Project would establish a new passenger rail service along a 22-mile corridor between the existing Dublin/Pleasanton Bay Area Rapid Transit District (BART) Station in Alameda County and the proposed Mountain House Community Station in San Joaquin County. The purpose of the Project, as currently defined, is to provide a frequent and reliable transportation option in the I-580 Altamont Pass corridor to connect housing, people, and jobs; connect the Tri-Valley Transit Hub to the state rail system to support megaregional mobility; enhance mobility and accessibility options for communities within the Northern California Megaregion; and support local, state, and federal goals to promote sustainability, reduce greenhouse gases, and enhance environmental quality. A Draft Coordination Plan and Environmental Schedule for the Valley Link Rail Project are attached and provide more detail.

Your agency has been identified as an agency that may have an interest in the project, based on your jurisdiction over the Interstate 580 (I-580) corridor and the fact that the Federal Highway Administration (FHWA) assigned, and Caltrans has assumed, responsibilities under NEPA pursuant to 23 USC 327(a)(2)(A). With this letter, FTA extends your agency an invitation to become a participating agency and cooperating agency, in the development of the Environmental Assessment (EA) for the Project in accordance with 40 CFR 1501.6. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to 23 United States Code (U.S.C) Section 139, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

- Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Participate in coordination meetings and joint field reviews as appropriate; and
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Please respond to FTA in writing with an acceptance or denial of the invitation no later than 30 days from the date of this letter. If your agency declines, the response should state your reason for declining the invitation. Pursuant to 23 U.S.C. Section 139, any agency that chooses to decline the invitation to be a participating agency must specifically state in its response that it:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have questions or would like to discuss in more detail the project or respective roles and responsibilities during the preparation of this EA, please contact Ms. Kathleen Kelly, Environmental Protection Specialist, at (415) 734-9469, or by email at kathleen.kelly@dot.gov.

Sincerely,

Ray Tellis
Regional Administrator

Enclosures:

- Draft Coordination Plan for the Valley Link Rail Project
- Valley Link Rail Project Environmental Schedule

California Department of Transportation

DISTRICT 4
P.O. BOX 23660, MS-1A | OAKLAND, CA 94623-0660
(510) 286-5900 | FAX (510) 286-6301 | TTY 711
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March 7, 2024

Ray Tellis
Regional Administrator
U.S. Department of Transportation – Federal Transit Administration Region IX
90 7th Street
Suite 15-300
San Francisco, CA 94103

Dear Ray Tellis,

Thank you for inviting California Department of Transportation (Caltrans) to participate as a NEPA Cooperating Agency in the preparation of the Federal Transit Administration's (FTA) Environmental Assessment (EA) for the Valley Link Rail Project (Project). The Project proposes a new passenger rail service along a 22-mile corridor between the existing Dublin/Pleasanton Bay Area Rapid Transit District station in Alameda County and a new Mountain House Community Station in San Joaquin County.

Caltrans accepts your invitation to be a State Cooperating Agency because Caltrans has jurisdiction over the I-580 corridor. As a Cooperating Agency, Caltrans will provide the appropriate expertise regarding Project's components within the State's right of way and commits to:

- Provide meaningful and early input on defining the purpose and need, the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- Attend coordination meetings and joint field reviews as appropriate; and
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of Caltrans on the adequacy of the document, alternatives considered, safety and standards within the State's right of way, and the anticipated impacts and mitigation.

Ray Tellis, Regional Administrator
March 7, 2024
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If you have any questions, please contact Christopher Caputo, Deputy District Director, Environmental Planning and Engineering at (510) 715-9059, or by email at christopher.caputo@dot.ca.gov.

Sincerely,

Dina El-Tawansy

DINA A. EL-TAWANSY
District Director

Attach to E-Mail for Executive Signature

Document Item: Valley Link Rail Project

EA Number: 3Q820

Item Due Date: 03/13/24

Number of Documents to be Signed: 1

Juliane Smith 3/8/24
Branch Chief For Brian Gassner Date
Telephone: (510) 506-0372

[Signature] 3/13/24
Deputy District Director Date
Christopher Caputo

Emmanuel U. Okereke 3/12/2024
Project Manager Emmanuel Okereke Date
Telephone: (510) 286-7228

Deputy District Director Date

Larry E. Bonner 3/13/24
Office Chief Larry E. Bonner Date
Telephone: (510) 390-2537

Deputy District Director Date

Chief Deputy District Director Date
David Ambuehl

Dina El-Tawansy 03/18/2024
District Director Date
Dina A. El-Tawansy

Juliane Smith (510) 926-0426 Juliane.Smith@dot.ca.gov
Return to Originator Telephone Email Address



From: Alvarez, Luis - FPAC-NRCS, CA <luis.alvarez@usda.gov>

Sent: Friday, May 17, 2024 9:24 AM

To: King, Jenifer <Jenifer.King@aecom.com>

Cc: Rolfes, Tony - FPAC-NRCS, CA <tony.rolfes@usda.gov>; Smith, Philip - FPAC-NRCS, CA <philip.smith@usda.gov>

Subject: RE: Form NRCS-CPA-160

This Message Is From an External Sender

This message came from outside your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Report Suspicious

Hello Jenifer,

Attached please find the Farmland Conversion Impact Rating form CPA-106 for the Valley Link Rail project, completed as requested. Please provide us with a signed copy of this form once the site selection/decision becomes final. We are required to keep a signed copy for our records.

Should you have any questions feel free to contact me!

Sincerely,

LUIS ALVAREZ
Area Resource Soil Scientist
Fresno AO
USDA-NRCS
California
559-490-5134 (office)
559-573-5068 (cell)



“Helping People, Help the Land!”

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 5/9/24	4. Sheet 1 of <u>1</u>
1. Name of Project Valley Link Rail Project		5. Federal Agency Involved Federal Transit Administration	
2. Type of Project Transit		6. County and State Alameda and San Joaquin Counties, CA	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 5/9/24	2. Person Completing Form Luis Alvarez
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated 487,147	Average Farm Size 225 ac.
5. Major Crop(s) Fruit & Nut Crops, Nursery Products and Seed Crops	6. Farmable Land in Government Jurisdiction Acres: 721,377 % 79.1	7. Amount of Farmland As Defined in FPPA Acres: 614,129 % 67.3	
8. Name Of Land Evaluation System Used CA Revised Storie Index	9. Name of Local Site Assessment System None	10. Date Land Evaluation Returned by NRCS 5/17/24	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	355.5			
B. Total Acres To Be Converted Indirectly, Or To Receive Services	0			
C. Total Acres In Corridor	846.9			

PART IV (To be completed by NRCS) Land Evaluation Information	
A. Total Acres Prime And Unique Farmland	265.10
B. Total Acres Statewide And Local Important Farmland	13.30
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	0.0453
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	30.43

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	
	57

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15				
2. Perimeter in Nonurban Use	10				
3. Percent Of Corridor Being Farmed	20				
4. Protection Provided By State And Local Government	20				
5. Size of Present Farm Unit Compared To Average	10				
6. Creation Of Nonfarmable Farmland	25				
7. Availability Of Farm Support Services	5				
8. On-Farm Investments	20				
9. Effects Of Conversion On Farm Support Services	25				
10. Compatibility With Existing Agricultural Use	10				
TOTAL CORRIDOR ASSESSMENT POINTS	160	0	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	57	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	0	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	57	0	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
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5. Reason For Selection:

Signature of Person Completing this Part:

DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

Clear Form

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)

As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points
