

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

REMOTE VIA ZOOM

WEDNESDAY, AUGUST 17, 2022

9:00 A.M.

APPEARANCESBOARD MEMBERS

Tom Richards, Chair

Nancy Miller, Vice Chair

Lynn Schenk

Martha Escutia

Anthony Williams

Ernest Camacho

James C. Ghielmetti

Henry R. Perea, Sr.

Joaquin Arambula, Assemblymember

Margaret Pena

STAFF

Brian P. Kelly, Chief Executive Officer

Brian Annis, Chief Financial Officer

Alicia Fowler, Chief Counsel

Tanya Southern, Outside Counsel with Remy Moose Manley, LLP

Natalie Murphey, Staff Services Manager

Moe Ramadan, Board Secretary

Boris Lipkin, Northern California Regional Director

Serge Stanich, Director of Environmental Services

Gary Kennerley, Northern California Director of Projects

APPEARANCESSTAFF (cont.)

Christine Inouye, Chief Engineer of Strategic Delivery

Denix Anbiah, Director of Public Works

Bruce Armistead, Acting Chief of Rail Operations

Garth Fernandez, Central Valley Regional Director

INTERPRETERS

Amy Meng, Mandarin Interpreter

Brittany Cardenas, Spanish Interpreter

Ken Chen, Mandarin Interpreter

PUBLIC COMMENT

David Schwegel

Frank Quintero, Deputy City Manager for City of Merced

Andy Kunz, U.S. High Speed Rail Association

Bart Pantoja, San Mateo Building & Construction Trades  
Council

Gina Papan, Vice Mayor of City of Millbrae

Cliff Lentz, City Council Member for City of Brisbane

Anne Schneider, City Council Member for City of Millbrae

Jason Baker, Silicon Valley Leadership Group

Michelle Bouchard, Acting Executive Director for Caltrain

Tom Williams, City Manager for City of Millbrae

APPEARANCESPUBLIC COMMENT (cont.)

Ashley Swearengin, Former Mayor of Fresno

Jessica Zenk, Deputy Director for San Jose Department of  
Public Transportation

Karen Rosenberg, Resilience Associate with Greenbelt  
Alliance

Thea Selby, Former Authority Board Member

Georgia Dorman, Metropolitan Transportation Commission

Adam Van De Water, Executive Director for Calbay Joint  
Transit Authority

Damien Breen, Deputy Executive Officer for Bay Area Air  
Quality Management District

Greg Vilkin, CEO of Baylands Development Company

Adrian Brandt

Erika Pinto, San Jose Planning Policy Manager with SPUR  
(San Francisco Bay Area Planning and Urban Research  
Association)

Roland Lebrun, City of San Jose

Steve Roberts, Rail Passenger Association of California

Christie Crawl, Legal Counsel for City of Millbrae

Greg Greenway, Peninsula Freight Rail Users Group

Emily Abraham, San Francisco Chamber of Commerce

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1 to click the "mute original audio" button.

2 And I would request our Spanish interpreter  
3 provide these same instructions right now.

4 (Whereupon the Spanish Interpreter translates  
5 instructions from English to Spanish)

6 BOARD SECRETARY RAMADAN: Now I'll ask for our  
7 Mandarin interpreter to provide those instructions. Oh,  
8 apologies. One second. I would ask if all of our  
9 panelists can join on our English channel. That's where  
10 you will hear the instructions provided, and all of our  
11 attendees join on the English channel.

12 Brittany, can you provide the instructions again  
13 in Spanish one more time? Apologies.

14 (Whereupon the Spanish Interpreter translates  
15 instructions from English to Spanish)

16 BOARD SECRETARY RAMADAN: Thank you, Brittany.

17 And now if we can ask our Mandarin interpreter to  
18 provide these instructions.

19 (Whereupon the Mandarin Interpreter translates  
20 instructions from English to Mandarin)

21 BOARD SECRETARY RAMADAN: Thank you, Amy.

22 Mr. Chairman, we can continue.

23 CHAIR RICHARDS: Thank you, Moe. Mr. Secretary,  
24 please call the roll.

25 BOARD SECRETARY RAMADAN: Director Schenk?

1 BOARD MEMBER SCHENK: Here.

2 BOARD SECRETARY RAMADAN: Chair Richards?

3 CHAIR RICHARDS: Here.

4 BOARD SECRETARY RAMADAN: Director Camacho?

5 BOARD MEMBER CAMACHO: Present.

6 BOARD SECRETARY RAMADAN: Vice Chair Miller?

7 VICE CHAIR MILLER: Here.

8 BOARD SECRETARY RAMADAN: Assembly Member

9 Arambula?

10 BOARD MEMBER ARAMBULA: Here.

11 BOARD SECRETARY RAMADAN: Director Perea?

12 BOARD MEMBER PEREA: Here.

13 BOARD SECRETARY RAMADAN: Director Ghielmetti?

14 BOARD MEMBER GHIELMETTI: Present.

15 BOARD SECRETARY RAMADAN: Director Escutia?

16 BOARD MEMBER ESCUTIA: Here.

17 BOARD SECRETARY RAMADAN: Director Williams?

18 BOARD MEMBER WILLIAMS: Here.

19 BOARD SECRETARY RAMADAN: Director Pena?

20 BOARD MEMBER PENA: Here.

21 BOARD SECRETARY RAMADAN: Senator Gonzalez?

22 Mr. Chairman, we have a quorum.

23 CHAIR RICHARDS: Thank you.

24 If I can ask Director Camacho to please lead us  
25 in the Pledge of Allegiance.



1 (The Pledge of Allegiance is recited in unison.)

2 CHAIR RICHARDS: Thank you very much, Ernie.

3 And welcome to all of our colleagues on the  
4 Board, our management and staff, and to all of you in the  
5 public who are joining us today.

6 Let's start this morning with an introduction of  
7 what we're going to accomplish in these two days.

8 Regarding today's meeting, as noted on the agenda  
9 and as is custom, we will take public comments at the  
10 beginning of the meeting.

11 Since we are acting on the San Francisco to San  
12 Jose Project section and its related environmental  
13 decisions, we will also have a dedicated opportunity for  
14 public comments on that project section later this morning.  
15 Public comments at the outset of the meeting will be for  
16 all remaining agenda and non-agenda items, that they are  
17 not related to the San Francisco to San Jose environmental  
18 documents.

19 After the first public comment period the Board  
20 will go into closed session to discuss litigation. After  
21 the closed session our staff will present the San Francisco  
22 to San Jose Project including the final EIR/EIS and the  
23 proposed decisions for the Board to consider.

24 After the staff presentation we will ask for  
25 public comments on the San Francisco to San Jose Project

1 section, proposed decisions, and all related agenda items.  
2 Those agenda items on your agenda are items 3, 12, 13, 14,  
3 and 15. In this way, members of the public will have the  
4 opportunity to listen to the staff presentation, and you  
5 can incorporate any thoughts, questions, or concerns into  
6 your comments.

7 Board Member input will be requested after the  
8 public comments, and the Board Members will have an  
9 opportunity to direct staff as to any issues or questions  
10 they wish to have addressed during item 2 -- or excuse me,  
11 item 12 on Thursday. After a lunch break, the Board will  
12 reconvene and complete the other agenda items for today.

13 Thereafter we will adjourn for the day and  
14 reconvene tomorrow at noon, that's tomorrow, the 18th of  
15 August. Tomorrow's session will start with the Finance &  
16 Audit Committee, and then focus a report -- that's the  
17 Audit Committee Report -- and then focus on item 12, Staff  
18 Response to the issues identified by the Board. The Board  
19 will then deliberate on items 13, 14, and 15, all related  
20 to San Francisco-San Jose Project section.

21 So with that introduction we will begin public  
22 comments. As a reminder this is for all agenda and non-  
23 agenda items unrelated to the San Francisco to San Jose  
24 Project section. Please do not comment on agenda items 3,  
25 12, 13, 14, and 15. Another comment period will be offered

1 for the San Francisco to San Jose Project section after  
2 this morning -- or excuse me, later this morning.

3           So with that Mr. Secretary, you -- will you  
4 please explain the comments or how the public -- well,  
5 you've already done that, apologize. So moving forward  
6 beyond that then, this completes the -- we will now go to  
7 our Board Secretary. You can address the public and let  
8 them know how they can now make their comments to us.

9           BOARD SECRETARY RAMADAN: Thank you, Mr.  
10 Chairman.

11           Good morning all and welcome to the California  
12 High-Speed Rail Board of Directors meeting. We are taking  
13 public comment on all agenda items except agenda items 3,  
14 12, 13, 14, and 15.

15           If you are logged into this meeting via the Zoom  
16 application, please use the "raise your hand" feature at  
17 the bottom of your screen so that I may call on you to  
18 provide your comment. If you're dialing in by phone,  
19 pressing "#2" will raise your hand and put you into our  
20 queue. Speakers will be called in the order that their  
21 hand is raised. Once you've been in the queue and your  
22 name is called in the live meeting, please click the prompt  
23 on your screen to allow your microphone to be unmuted. On  
24 the phone we will call you by the last four digits of your  
25 phone number. At that point, you will hear a message that

1 you are being unmuted.

2           Once unmuted, it will be your turn to speak.  
3 Please slowly and clearly say and spell your first and last  
4 name, and if applicable, state the organization you  
5 represent. After your introduction, each speaker is  
6 allowed two minutes to provide their comment. I will  
7 interject at a minute and 45 seconds to provide a 15 second  
8 warning.

9           Our Court Reporter is on the line to record these  
10 comments. If they need you to spell or repeat something,  
11 they may interject.

12           I will notify you when your time is nearly up.  
13 At the end of your comment, we will disable your  
14 microphone, however you are welcome to stay on the line to  
15 continue watching or listening to the meeting. If you do  
16 not wish to provide comment and simply want to watch the  
17 meeting, you can do so.

18           Mr. Chairman, first up for public comment we have  
19 David Schwegel. David Schwegel.

20           MR. SCHWEGEL: Good morning. This is David  
21 Schwegel from the U.S. High-Speed Rail. As a follow-up to  
22 the Board Meeting that we had in June -- first, my name is  
23 David, D-A-V-I-D, Schwegel, S-C-H-W-E-G-E-L, spelled like  
24 "Schwegel," rhymes with bagel, with U.S. High-Speed Rail.  
25 Wearing my hat with pride, my black hat. You probably

1 remember it from the Board Meeting before.

2           So traffic engineering is a hot topic, and you  
3 can learn about that profession by ordering your own copy  
4 of "Moving Violations," the movie from Amazon.

5           I am currently reaching out to 11 State Boards of  
6 Registration in order to get them to petition the National  
7 Council of Examiners for Engineering and Surveying to offer  
8 a traffic engineering licensing exam. In fact, I'm going  
9 to be heading over to Phoenix, Arizona on Monday to address  
10 the Arizona Board. And then I'll be heading over to San  
11 Diego on Tuesday to address the California Board, and then  
12 September 15th I'll be addressing the Nevada Board;  
13 September 16th, the Idaho Board. We'll want to keep in  
14 mind, the three fastest-growing states in the nation are:  
15 number one, Idaho; number two, Arizona; and number three is  
16 Nevada.

17           I encourage us to all not only attend but to  
18 volunteer for RailVolution, which takes place at the end of  
19 October and beginning of November. It's in Miami this  
20 year, and I personally am looking forward to riding  
21 Brightline, that's going to be super exciting, and in  
22 anticipation of Brightline West coming here, between Los  
23 Angeles and Las Vegas.

24           And finally, I want to encourage us to really  
25 take a deep dive into housing, and encourage anyone and

1 everyone who has decision-making authority with regards to  
2 housing that would be impacted by high-speed rail to come  
3 on out and participate in public --

4 BOARD SECRETARY RAMADAN: Fifteen seconds  
5 remaining.

6 MR. SCHWEGEL: -- and let us know their vision.  
7 Because I've heard cases that suggest that unmet housing  
8 needs in California are comparable to the remaining 49  
9 states combined.

10 Thank you so much and enjoy the rest of your  
11 meeting.

12 CHAIR RICHARDS: Thank you, Mr. Schwegel.

13 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
14 for public comment we have someone calling in by telephone.  
15 Last four digits would be 6826. 6826.

16 MR. QUINTERO: Good morning, Chair Richards and  
17 Authority members. My name is Frank Quintero, F-R-A-N-K  
18 Q-U -- good morning, Chair Richards and Authority members.  
19 My name is Frank Quintero, and I serve as the Deputy City  
20 Manager for the city of Merced. That's F-R-A-N-K  
21 Q-U-I-N-T-E-R-O. Thank you for the opportunity to make  
22 comments regarding agenda item number six.

23 Simply put it's an exciting time for the city of  
24 Merced because each Board meeting we get closer to high-  
25 speed rail becoming a reality. We encourage the Board to

1 maintain this momentum by approving the staff  
2 recommendation to award Stantec for the contract for design  
3 services for the Merced to Madera Project. The city of  
4 Merced thoroughly enjoys working with high-speed rail staff  
5 and is grateful for the effort and time you as a Board --  
6 you as Board members make.

7 Thank you very much, and we look forward to this  
8 continuing partnership. Thank you.

9 CHAIR RICHARDS: Thank you Mr. Quintero.

10 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
11 for public comment is going to be last four digits of phone  
12 number 6296. 6296.

13 MR. KUNZ: Hi. This is Andy Kunz, President of  
14 the U.S. High-Speed Rail Association.

15 Just calling in with support for all of your  
16 on -- can you hear me?

17 CHAIR RICHARDS: Yes, we hear you just fine.  
18 Please go ahead.

19 MR. KUNZ: I'm sorry. Andy Kunz, U.S. High-Speed  
20 Rail Association, I'm calling just to encourage you to keep  
21 up all the great work. Keep all these projects moving.  
22 Keep the phasing going, the additional extensions, and you  
23 have the full support of our association and our national  
24 coalition behind you. We support everything you're doing.

25 Thank you.

1           CHAIR RICHARDS: Thank you for the support and  
2 thanks for joining us.

3           BOARD SECRETARY RAMADAN: Just a reminder to our  
4 attendees, if you are logged in to this meeting via the  
5 Zoom application and wish to provide public comment right  
6 now, please utilize the "raise your hand" feature typically  
7 located at the bottom of your screen so that I may call on  
8 you. If you're dialing in by phone, pressing '#2' will  
9 raise your hand, and put you into our queue.

10           Mr. Chairman, none of the members of the public  
11 have motioned for public comment, and we have not had any  
12 new attendees join since the instructions were provided.

13           CHAIR RICHARDS: Okay, thank you Mr. Secretary.  
14           That will complete the first public comment  
15 period. We will now adjourn the public portion of the  
16 meeting so that the Board can go into closed session. We  
17 will return to this public meeting in 45 minutes, so we'll  
18 say that's going to be about 10:05 this morning.

19           The Zoom session will end at this time but resume  
20 at the exact same link at 10:05 this morning. If the time  
21 that we resume is later than 10:05, the new time will be  
22 posted on our website.

23           And with that we'll now go into closed session.

24           (The California High-Speed Rail Authority Board  
25 meeting recessed into closed session at 9:20 a.m.)



1 and reconvened at 10:09 a.m.)

2 CHAIR RICHARDS: Ladies and gentlemen, this is  
3 the California High-Speed Rail --

4 (Crosstalk in Mandarin)

5 BOARD SECRETARY RAMADAN: Amy?

6 MS. MENG: Yeah?

7 BOARD SECRETARY RAMADAN: Give us a moment real  
8 quick. I'll provide the instructions and then I'll give  
9 you the cue.

10 CHAIR RICHARDS: Thank you.

11 MS. MENG: Okay.

12 BOARD SECRETARY RAMADAN: Thank you.

13 CHAIR RICHARDS: Okay. Ladies and gentleman, we  
14 are back with the continuation of the California High-Speed  
15 Rail Authority meeting for August the 17th.

16 Before we move forward, I want to ask the Board  
17 Secretary to again advise on how they are able to use the  
18 interpreter services. So Moe please go forward.

19 BOARD SECRETARY RAMADAN: Thank you, Mr.  
20 Chairman.

21 Thank you all for joining. I would like to go  
22 over some important technical aspects of this meeting for  
23 listening in the appropriate language. Today we'll be  
24 conducting this meeting in English, Spanish, and Mandarin.

25 First I will provide the instructions in English.

1 Then our Spanish interpreter will provide their  
2 instructions. After they complete, then our Mandarin  
3 instruct -- interpreter will provide their instruction.

4 First, to ensure that you hear this meeting in  
5 the correct language, everyone please go to the bottom of  
6 your screen and click on the globe icon labeled  
7 "Interpretation." From there you need to select either  
8 English, or Spanish, or Mandarin. After you select your  
9 language, if you hear both languages at the same time  
10 please click "unmute original audio." If you hear  
11 everything clearly, there is no need to click the "mute  
12 original audio" button.

13 Now if I could ask our Spanish interpreter to  
14 provide these instructions.

15 (Whereupon the Spanish Interpreter translates  
16 instructions from English to Spanish)

17 Thank you. And if we can have our Mandarin  
18 interpreter provide these instructions.

19 (Whereupon the Mandarin Interpreter translates  
20 instructions from English to Mandarin)

21 BOARD SECRETARY RAMADAN: Mr. Chairman, we can  
22 continue on.

23 CHAIR RICHARDS: Yes. Thank you, and welcome  
24 back ladies and gentlemen. The closed session has been  
25 concluded and it resulted in no actions by this Board.

1           The Board will now take up the balance of today's  
2 agenda, except for items 5 and 10, which are moved to our  
3 September 15th meeting.

4           We will now go to agenda item number 2, which is  
5 Consideration of Approving the June 16th, 22 [sic] minute  
6 meeting -- meeting minutes. If there are no additions,  
7 deletions, or questions or comments, do we have a motion  
8 for approval.

9           BOARD MEMBER SCHENK: So moved.

10          CHAIR RICHARDS: Director Schenk. A second  
11 please?

12          (Crosstalk)

13          CHAIR RICHARDS: I'll let you determine who that  
14 was, secretary. And please take the roll.

15          BOARD SECRETARY RAMADAN: Director Schenk?

16          BOARD MEMBER SCHENK: Yes.

17          BOARD SECRETARY RAMADAN: Chair Richards?

18          CHAIR RICHARDS: Yes.

19          BOARD SECRETARY RAMADAN: Director Camacho?

20          BOARD MEMBER CAMACHO: Yes.

21          BOARD SECRETARY RAMADAN: Vice Chair Miller?

22          Director Perea?

23          BOARD MEMBER PEREA: Yes.

24          BOARD SECRETARY RAMADAN: Director Ghielmetti?

25          BOARD MEMBER GHIELMETTI: Yes.

1 BOARD SECRETARY RAMADAN: Director Escutia.

2 BOARD MEMBER ESCUTIA: Yes.

3 BOARD SECRETARY RAMADAN: Director Williams?

4 BOARD MEMBER WILLIAMS: Aye.

5 BOARD SECRETARY RAMADAN: Director Pena?

6 BOARD MEMBER PENA: Yes.

7 BOARD SECRETARY RAMADAN: Mr. Chairman, the  
8 motion carries.

9 CHAIR RICHARDS: Thank you.

10 And I'll now ask our CEO Brian Kelly to introduce  
11 the staff and to take care of a couple of other minor  
12 things before we move on to our agenda number 3 -- these  
13 comments as an introduction to item number 3.

14 Brian?

15 MR. KELLY: Yeah. Thank you, Mr. Chairman.

16 In just a moment, I'll introduce the staff to the  
17 presentation on the environmental document portion of the  
18 conversation for the San Francisco to San Jose segment.  
19 But as is our sort of tradition lately as we offer or talk  
20 about the certification of an environmental document for a  
21 segment, usually there's a welcoming video we got from the  
22 local elected official or officials. Remember that this  
23 meeting was originally going to be held in San Francisco in  
24 person. It was not. When we moved to virtual we did  
25 receive a video from Mayor Breed from San Francisco as well

1 as State Senator Weiner, also representing San Francisco.  
2 So if we can just -- before I move to the introduction of  
3 the members I did want to provide the opportunity to hear  
4 the expressions of the mayor and the senator.

5 So with that Justin if you can play the videos of  
6 the representatives from the -- from San Francisco. Thank  
7 you.

8 MAYOR BREED: Hi. I'm San Francisco Mayor London  
9 Breed. We are proud that the California High-Speed Rail  
10 Project under construction anywhere in the country. Simply  
11 put, high-speed rail will change travel in the State of  
12 California. It will better connect those of us in San  
13 Francisco, the Peninsula, and San Jose with the Central  
14 Valley and Los Angeles.

15 Connecting these major economic regions with  
16 fast, efficient high-speed rail will foster more equitable  
17 employment and housing opportunities. It will help reduce  
18 the slow traffic on our highways and at our airports.  
19 Every mile traveled on electric high-speed rail is a mile  
20 not traveled by car or by airplane.

21 Once high-speed rail is fully operating it will  
22 be the equivalent of taking 400,000 passenger vehicles off  
23 our roads every year. And getting high-speed rail to San  
24 Francisco is important for our city and the people who live  
25 here.

1           We have invested millions of dollars into our  
2     Salesforce Transit Center downtown to ensure you have a  
3     safe and welcoming place to land once you get here. Your  
4     meeting today represents a key milestone in bringing high-  
5     speed rail to Northern California. If this project is  
6     approved, it will move the Bay Area close to being shovel-  
7     ready, and able to compete for new federal funding  
8     opportunities in the bipartisan infrastructure law.

9           Thank you for coming together to make this a  
10    priority, and the work that you do for California. Now  
11    let's bring high-speed rail to our cities.

12           SENATOR WEINER: Hi. I'm Senator Scott Weiner.  
13    I have the honor of representing San Francisco and Northern  
14    San Mateo County in the California State Senate, and I want  
15    to express my strongest possible support for certification  
16    of the final EIR/EIS for the San Jose to San Francisco  
17    segment of the California High-Speed Rail system.

18           I'll be honest with you that it is embarrassing  
19    to me that the State of California does not have a true  
20    statewide rail system. The fact that traveling from San  
21    Francisco and the Bay Area to Los Angeles takes twice as  
22    long by train as by car should be embarrassing for all of  
23    us. We are long past due to have a true statewide rail  
24    system, and high-speed rail is that system.

25           It's been frustrating to me that this has taken

1 so long, but let's be clear, one of the reasons it's taken  
2 so long is that the opponents of the project have done  
3 everything in their power to obstruct and slow down the  
4 project, and then those same opponents after obstructing  
5 and slowing things down turn around the criticize the  
6 project for taking too long.

7           Let's just get this done. This is about the  
8 future of California. It's about having a much better and  
9 more modern transportation system. It's about making it  
10 easier and faster for people to get around. It's about  
11 connecting our coastal region, particularly the Bay Area  
12 and L.A., with the Central Valley. And it is about climate  
13 action. We need to give people options other than driving.  
14 We can't just keep expanding freeways.

15           So this project is so important for the future of  
16 California. Let's keep our eye on the prize and the big  
17 picture. Let's create a true statewide rail system for the  
18 State of California. I urge support and certification of  
19 the EIR and EIS. Thank you.

20           CHAIR RICHARDS: Mr. Kelly?

21           MR. KELLY: Yes. Thank you, Mr. Chairman. With  
22 that I'm happy to move to the presentation of the  
23 environmental document and the considerations before the  
24 Board.

25           I'm going to introduce people that are very now

1 familiar with the Board. Boris Lipkin is our Northern  
2 California Regional Director, Serge Stanich you all know is  
3 our Director of Environmental Services, and Gary Kennerley  
4 has been our Northern California Director of Projects, who  
5 spoke to you about a couple of the other environmental  
6 documents that came before this Board. The Central Valley  
7 Y, and of course the San Jose to Merced sections.

8 So with that Mr. Chairman I'll ask those three --  
9 we'll also have some assistance from our legal counsel,  
10 Minming Wu Morri, and our outside counsel from the firm of  
11 Remy Moose & Manley will also be available to participate  
12 in this presentation.

13 So with that let me hand it over to the team for  
14 the presentation. Thank you, Mr. Chairman.

15 CHAIR RICHARDS: Thank you.

16 Serge, it looks like -- are you first up?

17 MR. STANICH: I am first up. Thank you. Thank  
18 you Mr. Kelly.

19 Can we pull up the presentation? Okay. Thank  
20 you. Good morning members of the Board, Chairman Richards.  
21 This morning we'll be presenting for your consideration the  
22 staff recommendation to approve Alternative A for the San  
23 Francisco to San Jose Project section for the California  
24 High-Speed Rail Program.

25 Next slide please. I'll begin by going over an



1 agenda for today's discussion. First we'll identify the  
2 key points of the presentation. We'll provide an overview  
3 of the project, and the preferred alternative. Provide a  
4 history of the development of the alternatives, and how the  
5 preferred alternative was identified. We'll provide an  
6 overview of the EIR/EIS that was prepared to support  
7 consideration of the project. We'll also provide  
8 discussion of the key issues of public comment on the  
9 project and provide an overview of the comments we received  
10 and how we addressed them in the document.

11           Next slide please. So for key points, the San  
12 Francisco to San Jose Project section will build upon  
13 improvements already underway by Caltrain and partly funded  
14 by the High-Speed Rail Program with Caltrain  
15 Electrification Project. The project would be a blended  
16 project where high-speed trains operate and share the same  
17 infrastructure with the local service provider, Caltrain,  
18 as well as Union Pacific Railroad on a primarily two-track  
19 system located mostly within the existing rail corridor.

20           The blended system takes advantage of the  
21 existing rail right-of-way which reduces impacts to  
22 surrounding communities. The project provides important  
23 safety modifications at significant at-grade crossings and  
24 will provide important improvements to increase speeds in  
25 the corridor for both high-speed train and Caltrain from

1 the current 79 miles-per-hour to 110 miles-per-hour. This  
2 project will connect major employment centers of the San  
3 Francisco Bay Area to the Central Valley in Southern  
4 California, decreasing travel time and vehicle miles  
5 traveled, improving air quality, mobility, and helping to  
6 balance housing with employment opportunity.

7 Finally, the final EIR/EIS provides a thorough  
8 evaluation of the project's environmental effects. It's  
9 been supported with extensive coordination and outreach to  
10 the communities that will be affected and served by the  
11 project and serves as a robust and transparent decision-  
12 making document.

13 And with that I'll pass it over to Boris to go  
14 over the history of the project and our preferred  
15 alternative.

16 MR. LIPKIN: Thank you Serge and good morning  
17 Board Members.

18 Just to give a quick overview of the project  
19 section and how it fits in with both the regional context,  
20 and some of the details as -- of the process we've gone  
21 through to this point.

22 If we could go to the next slide please. So this  
23 is just to give an overview of where we fit in with the  
24 various building blocks, just as we have across the entire  
25 state. In Northern California we have different pieces of

1 the High-Speed Rail System in different stages of  
2 development. And so we have everything from the Salesforce  
3 Transit Center which is already in operations and is a  
4 wonderful facility. We have the Electrification Project  
5 that's in construction and expected to be finished in 2024  
6 for the corridor between San Francisco and San Jose. The  
7 downtown extension is the rail tunnel from the rail  
8 corridor to the Salesforce Transit Center which is  
9 currently in pre-construction phases. And then in April  
10 the Board approved the San Jose to Merced Project section.  
11 And today we'll be talking about the San Francisco to San  
12 Jose Project section.

13 All of these are the pieces of the system that  
14 fit together to make the high-speed rail system in the  
15 region and all of them are also components of the regional  
16 vision for rail in the corridor that's encompassed in Plan  
17 Bay Area 2050, the next -- the regional long-range plan.  
18 And so really this is just one component of that entire  
19 system and network.

20 If we could go to the next slide please. This is  
21 a map that's out of our business plan. And this really  
22 just shows the connectivity between our system and the  
23 existing transit services in the Bay Area. And so it  
24 overlays this section specifically, and then of course our  
25 extension in San Jose to Merced on that network in those

1 key connectivity hubs.

2           And so if you click one more time what we're  
3 talking about is the blended service on the Caltrain line.  
4 That's the pink and dashed white line that -- us sharing  
5 tracks and infrastructure with Caltrain. We have key  
6 connections if you click again at both our Millbrae-SFO  
7 station which ties us into Caltrain, the BART system, and  
8 the connection to San Francisco International Airport which  
9 is -- both of course has the long-distance traveled across  
10 the country and around the world as well as a major  
11 employment hub with over 40,000 employees that work there  
12 every day.

13           And then finally in San Francisco if you click  
14 one more time we have an interim terminal at the 4th and  
15 King station which is the current Caltrain terminus. But  
16 with a planned connection ultimately to the Salesforce  
17 Transit Center through that downtown extension project that  
18 I mentioned that will be our key northern terminus at the  
19 end of the day.

20           Next slide please. So again setting the context  
21 of where we fit in and where this environmental document  
22 sits with other things going on in the Caltrain corridor, I  
23 think the thing to understand is that the corridor has been  
24 undergoing a transformation and evolution as through a  
25 series of capital projects and improvements that have been

1 ongoing for quite a while.

2           So starting on the top line, the Caltrain  
3 Electrification Project -- the planning for that goes back  
4 to the 1990s, but really it got a major kickstart in --  
5 with that yellow dot in the middle of the high-speed rail  
6 line. When we switched to a blended system in 2012, this  
7 was done through a nine-party MOU with a variety of  
8 regional partners. As well then it was codified in Senate  
9 Bill 1029, and that provided the foundation for us sharing  
10 infrastructure and moving for -- and helping Caltrain move  
11 forward on the Electrification Project. And so they went  
12 through environmental clearance work for that project from  
13 2013 to 2015, and then they broke ground in 2017. And  
14 that's sort of the construction on the top line, that's  
15 slated to complete in 2024.

16           What we did at that point was having kind of --  
17 as that project was advancing we started to work with  
18 Caltrain on blended system planning and identifying the  
19 infrastructure that would be needed in the corridor beyond  
20 the Electrification Project in order to serve the high-  
21 speed rail system. And that process resulted in a restart  
22 of our environmental document and the environmental process  
23 in 2016. And we're here at the tail-end of it, having  
24 published the final environmental document earlier this  
25 year.

1           Now the last minute is that bottom line -- again,  
2 the corridor is not static, and you can sort of the  
3 evolution from vision to planning and development, and then  
4 to construction that's been going on. But Caltrain took  
5 some of that work out of the blended system planning and  
6 built on that as part of their -- they went through a  
7 process to develop a business plan and ultimately a service  
8 vision for what they would like to see as their long-range  
9 vision for how they can increase service in the corridor.  
10 Of course we're a part of that and it really builds on as  
11 an incremental next step of both capital projects and  
12 service plans for what the corridor can look like in the  
13 future, and so all of these things fit together. We're --  
14 of course the environmental document before you today is  
15 just one component of this overall evolving transportation  
16 corridor.

17           Next slide please. So just focusing on the  
18 process that we've gone through, as I mentioned we revised  
19 the scoping and started working on the environmental  
20 clearance for the blended system in 2016. We then  
21 identified a preferred alternative in 2019. The draft  
22 environmental document was issued in 2020 for public  
23 circulation. We'll talk more about some of the feedback  
24 that we received on that of course. And then in 2021 we  
25 issued a revised draft -- supplemental draft environmental

1 document focused on some changes to listed species, as well  
2 as adding a design variant for the Millbrae-SFO station.  
3 And then we're here today in 2022 with the final  
4 environmental document before you.

5           Next slide please. As Serge mentioned community  
6 engagement has been a critical part of this process and  
7 we've had well over 500 meetings with communities, the  
8 public, agencies, and other events. We've had various  
9 stakeholder working groups that include our community  
10 working groups that are comprised of neighborhood business  
11 and community and other organizations as well as more  
12 technical working groups as well. We've had open houses  
13 and materials in the relevant languages for the populations  
14 that we're serving in this corridor.

15           Next slide please. And then giving kind of the  
16 brief part of the overview, in this project section what  
17 we're really talking about -- and this is focusing on the  
18 preferred alternative -- are the upgrades in the Caltrain  
19 corridor that are needed for the high-speed rail service.

20           And they fall essentially into four buckets of  
21 things that we looked at. We studied the speed and safety  
22 upgrades that are needed for -- to upgrade the corridor  
23 from a 79 mile-per-hour operation to a 110 mile-per-hour  
24 operation. We looked at the modifications at the existing  
25 stations that are needed to serve our trains and our

1 passengers. So that's at 4th and King, and at Millbrae-SFO  
2 station. We studied several options for the Light  
3 Maintenance Facility with the preferred alternative,  
4 including the East Brisbane LMF that's shown on the map  
5 here on the east side of the corridor. And then we  
6 evaluated whether a passing track would be needed in the  
7 middle of the corridor or not, and in the preferred  
8 alternative we ultimately were able to find ways that we  
9 wouldn't need those passing tracks beyond San Mateo and  
10 Redwood City, so we do not include that element in the  
11 preferred alternative.

12           Next slide please. This was something that we  
13 had presented to the Board back in 2019 when the Board was  
14 considering the preferred alternative for this project  
15 section. And this is a very summary kind of snapshot of  
16 the basis for our recommendation at the time, which has  
17 been maintained, of why the Alternative A is the preferred  
18 alternative relative to Alternative B. With the proposed  
19 improvements that we have in this alternative we have fewer  
20 displacements. We have fewer impacts on wetlands, aquatic  
21 habitats, natural resources, so we're protecting the key  
22 environmental considerations. And this alternative is  
23 better aligned with that Caltrain service vision. The  
24 passing track and the other alternative is not something  
25 that Caltrain is envisioning for their -- the corridor.



1 And so this is a better incremental step towards Caltrain's  
2 ultimate goals for the corridor as well.

3           Next slide please. And then before I hand it  
4 over to Gary, just we have received since we published the  
5 final environmental document back in June -- we have  
6 received a variety of feedback. All of that has been  
7 provided to the Board of course. And so this is a few of  
8 the highlights. We have also just in the last couple of  
9 days received additional comments as well that were part of  
10 the package, including from the San Francisco Chamber of  
11 Commerce, from Sam -- a coalition led by SAMCEDA in San  
12 Mateo county, as well as comments from Brisbane that were  
13 pretty extensive, and the property owner on the Brisbane  
14 Baylands as well that came in just yesterday. And so of  
15 course all of that's been provided, and I'm sure we'll hear  
16 more in public comment from some of those stakeholders, and  
17 I'm sure others who will choose to weigh in on today's  
18 meeting.

19           With that, I think if you go to the next slide,  
20 this is where I hand it over to Gary, and he'll cover some  
21 of the history on how we developed the alternatives and  
22 what was ultimately studied in the environmental document.

23           MR. KENNERLEY: Well thank you Boris, and welcome  
24 Board Members, and as Boris said, I'm just going to review  
25 the development of the alternatives.

1           So if we go to the next slide. So in 2005, the  
2 program environmental document selected the Caltrain  
3 corridor as recommended for further study on how to connect  
4 the Bay Area to the Central Valley. The 2005 document,  
5 although it recommended the Caltrain corridor to connect  
6 from San Francisco to San Jose, actually recommended  
7 further study on the connection from the Bay Area to the  
8 Central Valley.

9           Now that study was completed in 2008, and it was  
10 the Bay Area to Central Valley program EIR/EIS. And that  
11 study identified the Pacheco Pass as the preferred corridor  
12 to connect to the Bay Area, to maximize again the use of  
13 the Caltrain corridor, and it also minimized environmental  
14 impacts and property needs compared to the Altamont Pass  
15 corridor. The Pacheco Pass also has fewer impacts on  
16 wetlands, water bodies, and the environment when compared  
17 to the Altamont pass, especially since that concluded a  
18 crossing of the Bay. And the Pacheco Pass also had  
19 operational benefits, including shorter travel times  
20 between the South Bay and Southern California.

21           Next slide. The preliminary studies looked at in  
22 the 2008 program were really looking at dedicated fully  
23 grade-separated alternatives. But we also looked beyond  
24 the rail corridor, looking at other available  
25 transportation corridors. In this area these are primarily

1 along Interstate 280, shown in red in the exhibit, and also  
2 along U.S. 101, which is shown in green.

3           The I-280 corridor -- the geometry of the  
4 interstate, the horizontal curves and the vertical curves,  
5 really do not support high-speed rail design criteria,  
6 which would result in the need for extensive structures or  
7 tunnels, with resultant impact to protected open space and  
8 visual quality. And in addition given the more rural  
9 characteristics of 280, it did not meet the goals for the  
10 intermodal interconnectivity that we have for high-speed  
11 rail.

12           Looking at U.S. 101, it's a very highly developed  
13 corridor, and property impacts of widening the freeway in  
14 that dense urban corridor would result in very high  
15 property displacements. In addition, considering U.S. 101  
16 is already grade-separated, we would be required to  
17 construct very tall structures to avoid those existing  
18 grade separations. In less developed areas where U.S. 101  
19 runs along the Bay, there would be substantially greater  
20 wetland impacts to the Bay as a result of widening 101.

21           So in consideration of the additional  
22 environmental and property impacts associated with the 280  
23 and 101 corridors, again in 2008 the Caltrain corridor was  
24 selected as providing the best balance of operations and  
25 environmental impacts.

1           Next slide. So these preliminary studies are all  
2 based on a grade-separated four-track system that raised or  
3 lowered all the streets or the rail line. Given how the  
4 neighborhoods have developed around the rail corridor with  
5 dense development, the property impacts were substantial  
6 with these dedicated corridors. And listening to feedback  
7 from the community, we heard concerns over property  
8 impacts, traffic circulation, and also disruption during  
9 construction. So in response to these concerns, the  
10 Authority's 2012 business plan introduced the concept of  
11 blended operation in the Caltrain corridor to reduce  
12 property displacements.

13           As Boris mentioned, this led to the development  
14 of the nine-party Memorandum of Understanding with the  
15 regional transportation and local agencies that moved the  
16 focus to developing a blended service planning. And this  
17 was further codified in Senate Bill 1029, which also  
18 appropriated the funds for blended system planning, subject  
19 to agreement with the local agencies.

20           Next slide. So the blended system has Caltrain  
21 and high-speed rail combining operations, predominantly on  
22 the existing two-track system within the rail corridor.  
23 With this shift to blended service, we work closely with  
24 Caltrain on service planning and operations, and we look at  
25 a range of infrastructure improvements, passing tracks, and

1 station locations.

2 As a result of that analysis, we actually  
3 eliminated a mid-Peninsula station due to community  
4 feedback, and through the service planning, we identified a  
5 short, middle-four passing track for analysis in the  
6 environmental document.

7 Next slide. Other features that we needed to  
8 consider as part of the alternative was a Light Maintenance  
9 Facility. This facility is needed to be close to the  
10 terminal station in San Francisco to be able to store  
11 trains overnight, clean them to be ready for service the  
12 next day, and also construct -- sorry, conduct regular  
13 maintenance. Many factors were considered in evaluating  
14 locations. We were looking for efficient operations,  
15 approximately a 100 acre site close to the terminal station  
16 with access to the rail corridor at both ends. We were  
17 also looking for sites that did not conflict with other  
18 regional transportation uses, and preferably large areas or  
19 open -- sorry, large parcels or open areas. And the blue  
20 dots on the screen show the location [sic] of the thirteen  
21 sites we evaluated during the screening process.

22 Next slide. What is shown here is the evaluation  
23 of the sites that were eliminated. Through the screening  
24 process, we assessed each site for any operational  
25 deficiencies overall. We then looked at the site's

1 availability to avoid conflict with existing transportation  
2 uses, and then we evaluated environmental impacts including  
3 traffic circulation, community disruption, aquatic and  
4 biological resources, cultural resources, and other  
5 differentiating factors. And as shown on this table here,  
6 you can see that each of the eliminated sites had multiple  
7 impacts enhanced with -- removed from further  
8 consideration.

9           Next slide. So as a result of the site  
10 evaluation process, the two Brisbane Bayshore sites were  
11 advanced for analysis in the EIR/EIS. Both these sites  
12 meet the operational requirements, they do not conflict  
13 with other regional transportation uses, and have low  
14 environmental impacts, and are shown with the green  
15 checkmarks in the exhibit.

16           Next slide. What we have here are the aerial  
17 views of the maintenance facilities that were evaluated in  
18 the environmental document. They are approximately 100  
19 acres. They are in close proximity to San Francisco and  
20 able to service the northern terminal station. Operations  
21 will include inspecting, cleaning, servicing, and storing  
22 high-speed rail trains. In addition there are office  
23 buildings and parking for employees and visitors, and  
24 storage areas for ballast and other materials. One  
25 important factor is we are looking to develop the buildings

1 to be zero net-energy, and also be resilient for climate  
2 change and adaptation.

3           So with the preferred alternative, which is  
4 Alternative A, which is located on the east side of the  
5 corridor, has fewer impacts to wetlands and sensitive  
6 butterfly habitat on Icehouse Hill, which is located to the  
7 south and west of the rail corridor. And also has fewer  
8 impacts on housing development, which is primarily located  
9 west of the rail corridor.

10           Next slide. Another feature that we needed to  
11 evaluate was the design of the Millbrae station. Millbrae  
12 station is co-located with the existing BART and Caltrain  
13 station. So looking at the exhibit, the light blue are the  
14 existing BART platforms and tracks. Below that, you have  
15 the existing Caltrain and tracks shown in orange. We then  
16 need to introduce and construct the high-speed rail tracks  
17 and platform, which are shown in dark blue. And then an  
18 additional Caltrain track and platform at the bottom to  
19 provide for directional service.

20           The configuration of the station was to optimize  
21 the operations and passenger flow with a centralized  
22 facility. It also provides transportation parking on the  
23 west side of the station to replace the displaced BART and  
24 Caltrain spaces. The station design also includes the  
25 extension of California Drive, which provides a circulation

1 access to the station. And we do recognize that the  
2 additional track and platforms conflict with current  
3 approved development. But the parking area does not  
4 preclude future transit-oriented development being advanced  
5 over that area.

6 As a result of feedback on the draft document, we  
7 did develop an alternate, the Reduced Site Plan Design  
8 variant. In this design, we move the station facilities to  
9 the southern end of the platforms, and the extension of  
10 California Drive was removed and would be part of a future  
11 development by others.

12 While we note there is -- the variant does reduce  
13 conflict with the proposed alternative, but from the city  
14 there is still the conflict with the platforms and track.  
15 As the city of Millbrae did not support either option, the  
16 Millbrae-SFO design option is included in the preferred  
17 alternative as it is more effective operationally and  
18 provides more efficient passenger circulation and access.

19 Next slide. So overall just summarizing the  
20 alternatives that are being evaluated in the environmental  
21 document, approximately it's 43 miles from San Francisco to  
22 Scott Boulevard. You said this is a blended system with  
23 high-speed trains operating with Caltrain in the existing  
24 rail corridor. We'd be increasing the maximum operating  
25 speed up to 110 miles-an-hour and providing improvements to



1 the existing grade crossings within the corridor.

2 Stations within this alignment are the 4th and  
3 King station, which is a temporary terminal until the  
4 downtown extension tunnel is completed. We have the  
5 Millbrae-SFO station, and in the south the terminus would  
6 be San Jose/Diridon station, but which that was -- that  
7 station was approved under the San Jose to Merced section  
8 by the Board back in April. So to the two alternatives  
9 that were studied were Alternative A, which is the  
10 preferred alternative, and this uses the East Brisbane  
11 Light Maintenance Facility, and does not include the  
12 passing tracks. And Alternative B uses the west  
13 maintenance facility and does include the passing tracks.  
14 And the Millbrae station design variant was not recommended  
15 to be included. We stayed with the original SFO/Millbrae  
16 design. The benefits of these alignments again is you  
17 maximize utilization of Caltrain electrified infrastructure  
18 and, by staying within the existing corridor, minimize  
19 right-of-way impacts to those surrounding communities.

20 Next slide. As Boris also mentioned, the  
21 Peninsula Corridor Electrification Project. What this  
22 project is doing is it installs the electrical power and  
23 the overhead contact system to operate the electrified  
24 passenger trains. It modifies the existing tunnels to  
25 accommodate the overhead contact system, and also modifies

1 the signal system to make it compatible with the  
2 electrified trains. And as noted, this will continue to  
3 operate at speeds of up to 79 miles-per-hour. With the  
4 introduction of high-speed train, this will be increasing  
5 the speed in the corridor up to 110 miles-an-hour. To do  
6 this, we need to straighten some of the curves along  
7 approximately fifteen miles of track to accommodate the  
8 increase in speed and associated with that we will need to  
9 relocate approximately 600 poles to accommodate that track  
10 straightening.

11 In addition we'll be installing safety  
12 improvements at the grade crossings, including four-  
13 quadrant gates, median channelization, and vehicle  
14 detection. And we'll be also closing gaps along the  
15 perimeter fencing to provide a contained isolated corridor  
16 for higher-speed operation.

17 For now I'd like to hand it over to Serge, and he  
18 will provide an overview of the San Francisco to San Jose  
19 EIR/EIS.

20 MR. STANICH: Thank you, Gary. Can we go to the  
21 next slide please?

22 As Gary mentioned in his presentation, the San  
23 Francisco to San Jose Project section has an overlap  
24 subsection with the San Jose to Merced Project section at  
25 the Diridon station. This was approved by the Board at the

1 April Board Meeting. This overlap area was planned from  
2 the outset to ensure that both project sections describe  
3 the entirety of the project as a single and complete  
4 project. By providing this overlap, we've been able to  
5 ensure that each project section advances independently and  
6 is described in full. They are allowed to advance in  
7 parallel as the Authority worked with the various  
8 communities along each corridor to resolve concerns. This  
9 practice is consistent with all of the project sections  
10 across the HSR program. As this subsection was already  
11 approved by the Board, it is not subject to further  
12 consideration before the Board today and tomorrow; rather,  
13 the focus of the Board is on the remainder of the San  
14 Francisco to San Jose Project section from Scott Boulevard  
15 to the north.

16 Can we go to the next slide please. So after the  
17 staff obtained approval by the Board to advance the  
18 preferred Alternative A as a preferred alternative in  
19 September, 2019, we then went about preparing the draft  
20 EIR/EIS for public circulation and comment as required  
21 under the California Environmental Quality Act and the  
22 National Environmental Policy Act.

23 The draft EIR/EIS was release on July 10th, 2020  
24 for a 60-day comment period. In response to public  
25 circulation, the Authority received 151 individual comment

1 letters from the public. The Authority then went about a  
2 process referred to as 'delimiting' to identify individual  
3 distinct comments within each comment letter. From the 151  
4 comment letters, the Authority identified 2121 individual  
5 comments that were then considered and addressed in the  
6 EIR/EIS. Over the course of 2020 and 2021, and in response  
7 to comments received on the draft, the Authority decided to  
8 recirculate a draft EIR/EIS to disclose consideration of  
9 two new elements.

10 First the Authority developed an alternative for  
11 the Millbrae station that reduced the site footprint of the  
12 HSR Project to reduce conflicts with the city of Millbrae's  
13 planned stationary plan. Additionally the Authority also  
14 included consideration of potential effects to the Monarch  
15 butterfly, which was added as a candidate species to the  
16 Federal Endangered Species Act and resulted in a new  
17 potentially significant impact. This revised draft EIR/EIS  
18 was released on July 25th, 2022 for 45 days, and the  
19 Authority received 25 comment submissions, resulting in 136  
20 individual comments.

21 In response to the comments received on both the  
22 draft and the revised draft, the staff then incorporated  
23 certain changes into the design to reduce effects of the  
24 project and revise the document accordingly. As required  
25 by CEQA and NEPA, formal responses to all the commenters

1 have been included in this final EIR/EIS. The comments  
2 received, which was released on June 10th, 2022, and before  
3 the Board today for consideration for your approval.

4           If we can go to the next slide please. I'll talk  
5 a little bit about the changes between the draft and the  
6 final EIR/EIS. In response to the comments received, the  
7 Authority went about incorporating changes. These changes  
8 include refinements to the Light Maintenance Facility in  
9 Brisbane; including modifications to the lead tracks going  
10 in and out of the facility; modifying the Tunnel Avenue  
11 overpass; we changed the design for the relocated fire  
12 station; and modified our construction assumptions.

13           We also added additional detail on the  
14 Authority's site evaluation process. Gary touched on this  
15 a little before. And we considered alternatives -- pardon  
16 me, where we considered additional alternatives for the  
17 Light Maintenance Facility as presented by Gary just a few  
18 minutes ago. We also added additional traffic mitigations  
19 throughout the corridor, which was done in coordination  
20 with the local municipalities. We included consideration  
21 of the Millbrae Station Reduced Site Plan design variant,  
22 and the Monarch butterfly with additional mitigation  
23 measures. The analysis for this was included in the  
24 recirculated draft EIR/EIS I just mentioned.

25           We also refined our air quality modeling,

1 incorporated refined emissions results, and added  
2 mitigation measures that were developed after coordination  
3 with the Bay Area Air Quality Management District. We  
4 provided additional clarifications regarding noise  
5 mitigation and worked with municipalities to develop quiet  
6 zones. And we refined our safety and security mitigation  
7 measures.

8           If we can go the next slide please. The San  
9 Francisco to San Jose Project section incorporates a number  
10 of specific commitments to advance design and implement  
11 construction in a manner that will avoid or minimize  
12 impacts. We refer to them as Impact Avoidance and  
13 Mitigation Features, the acronym being IAMFs. They are  
14 described in chapter two and listed in Appendix 2(e).  
15 While the IAMFs are effective at avoiding many of the  
16 potential impacts of the project, some project effects may  
17 still result in potentially significant impacts and require  
18 incorporation of specific incorporation measures. All of  
19 the IAMFs and mitigation measures are binding commitments,  
20 and memorialized in the Mitigation, Monitoring and  
21 Enforcement Plan, which is one of the documents supporting  
22 the decision documents before the Board, including the  
23 Findings of Fact and Statement of Overriding  
24 Considerations.

25           While the Authority is responsible for all of the

1 mitigations, the MMEP serves to clearly delineate who will  
2 implement the mitigation, including the timing and the  
3 mechanism for the implementation.

4           We can go to the next slide please. The EIR/EIS  
5 considers nineteen resource topic areas under the analysis  
6 of how the project affects the natural and human  
7 environment. Most of these resource topic areas are shared  
8 between CEQA and NEPA, but there are some differences.  
9 Notably NEPA requires consideration of environmental  
10 justice, and 4F, which is part of the Department of  
11 Transportation Act, which considers effects on parks, and  
12 6F, which are effects on land and water conservation fund  
13 areas. Before you, the items that are bolded have some  
14 residual CEQA significant and unavoidable effects, despite  
15 the inclusion of feasible mitigation measures.

16           It's important to highlight this for the Board as  
17 consideration is a key element of the Board's approval,  
18 including one of the approval documents, the Findings of  
19 Fact and Statement of Overriding Considerations. I'll go  
20 into more detail on the next slide, but before doing so, I  
21 wanted to note that the resources that are not bolded are  
22 resources where the Authority was able to reduce potential  
23 effects to less than significant under CEQA with the  
24 inclusion of feasible mitigation measures.

25           I also want to call attention to cultural

1 resources as a topic area. While the EIR/EIS did identify  
2 significant impacts to cultural resources, the resources  
3 that were identified fall within the San Jose subsection,  
4 which was improved in April and consequently not part of  
5 this approval.

6           If we can get to slide 31 or advance to the next  
7 slide please. The project will result in key -- increased  
8 operations within the Caltrain corridor, and as a  
9 consequence of which there will be some increased  
10 disruptions to traffic and circulation around the stations  
11 and locations along the corridor.

12           Under the considerations of transportation, the  
13 project will cause during operations delays to some bus  
14 services. Again, it's important to note that the project  
15 will ultimately take cars off the road, but some of the  
16 local bus services may expect some delays. To mitigate  
17 this, the Authority will work with the municipalities to  
18 incorporate intersection improvements, particularly the use  
19 of transit signal priority treatments.

20           The project will require the use of heavy  
21 construction equipment in an air basin that is already  
22 impaired. Again, ultimately the project will provide  
23 important air quality improvements once it's operational,  
24 but during construction there will be some localized  
25 increases in emissions, particularly PM10, which is



1 particulate matter and dust. The Authority will require  
2 that contractors use TR4 equipment, which is the best  
3 available technology, as well as renewable diesel, and  
4 incorporate on-site controls, including a certain  
5 percentage of zero emission or near-zero emission vehicles  
6 and offroad equipment. And additionally the Bay Area is  
7 committed to working with the Bay Area Air Quality  
8 Management District on an emissions offset program for the  
9 project sessions if the project's temporary exceed the  
10 diminished threshold.

11           The project will increase operation and speed of  
12 train in the Caltrain corridor, and these increases will  
13 increase the existing noise and vibration effects to  
14 existing communities. The Authority will implement the  
15 noise and mitigation measures that include sound walls,  
16 specialized track design, vehicle specification, easements,  
17 et cetera. Additionally the Authority will work with  
18 municipalities to develop quiet zones at grade crossings to  
19 eliminate the train horns at crossings, which is a required  
20 safety element by the FRA.

21           If we can go to the next slide please. The  
22 increased operations along the corridor may also result in  
23 increased gate time -- downtimes, which may effect  
24 emergency vehicle response times across the corridor.  
25 Affected intersections include the 4th and King and

1 Millbrae stations, and intersections in Burlingame, Redwood  
2 City, Menlo Park, and Mountain View. Mitigations to reduce  
3 potential effects include intersection improvement such as  
4 signal timing modifications and the installation of new  
5 traffic signals.

6 For land use, the project will conflict with two  
7 planned developments at the proposed Millbrae Station and  
8 the Brisbane Light Maintenance Facility. The Authority has  
9 implemented a number of revision to reduce -- revisions to  
10 reduce these effects, but there remain conflicts between  
11 the operational needs of the High-Speed Rail Program and  
12 the city's land-use plans as these land-use plans currently  
13 do not include any element of the HSR program into their  
14 plans. It's important to note that the Authority is deeply  
15 committed to promoting transit-oriented development, as  
16 proposed by these communities, and this is articulated in  
17 several of the Authority's policies, and in this EIR/EIS.

18 For this project, the staff had proposed two  
19 additional mitigation measures in the mitigation monitoring  
20 and enforcement plan to provide firm commitments to work  
21 with communities in Millbrae and Brisbane in a joint design  
22 process to develop site plans that achieve mutually  
23 beneficial site plans. These mitigation measures are Land  
24 Use Three, and Number Four for Brisbane.

25 And finally, due to the dense urban nature of the

1 communities along the corridor, there are several  
2 individual impacts just identified that will also  
3 contribute in a cumulative manner for significant effects.  
4 These resources already impaired -- are impaired due to the  
5 existing rail corridor, and the Authority's project will  
6 contribute to these conditions, particularly with bus  
7 transit, air quality, noise and vibration, and safety and  
8 security.

9           The mitigation measures are the same as  
10 previously identified, and include intersection  
11 improvements, signal prioritization for transit and  
12 emergency services, air quality measures, and the  
13 implementation of noise and vibration guidelines.

14           Can we go to the next slide please. The  
15 Authority serves as the federal lead agency to provide  
16 compliance under the National Environmental Policy Act, as  
17 agreed to under a Memorandum of Understanding between the  
18 Authority and the FRA executed in July of 2019, also known  
19 as NEPA assignment.

20           As required by NEPA, the Authority completed  
21 consultations for several federal laws to attain approvals  
22 from federal partners. Under the Federal Endangered  
23 Species Act, we obtained bio -- we obtained biological  
24 opinions from the National Marine Fishery Service and the  
25 U.S. Fish and Wildlife Service which were completed in

1 March and April of 2022 respectively. The Authority has an  
2 MOU in place with the Army Corps of Engineers, and the U.S.  
3 Environmental Protection Agency for potential effects to  
4 waters of the U.S. under the Federal Clean Water Act. We  
5 refer to this as the checkpoint process.

6 The Army Corps of Engineers and EPA concurred  
7 with the Authority as part of checkpoint C that the  
8 preferred alternative was the Least Environmentally  
9 Challenging Practical Alternative. It's referred to as  
10 LECPA. This was done in June of 2020. And this  
11 essentially confirms that our preferred alternative has the  
12 least impact to aquatic resources.

13 For compliance with the National Historic  
14 Preservation Act, the Authority consulted with numerous  
15 state and federal parties, including the State Historic  
16 Preservation Officer. The MOA between the Authority and  
17 the consulting parties was signed in June -- June 22nd of  
18 2022. It was based in part on SHPO's concurrence that the  
19 proposed project would not adversely affect protected  
20 historic resources.

21 And finally, air quality conformity is one  
22 element of the NEPA process that the FRA contains. The FRA  
23 signed a general conformity of determination on July 28,  
24 2022. The FRA found that this project's projected air  
25 quality emissions would not exceed the de minimis

1 thresholds, even during construction. This is a first for  
2 the HSR Project section.

3 So that summarizes the environmental document. I  
4 will pass it on to Boris, who will then go into a little  
5 more detail regarding the comments that were received, the  
6 key interests, and how we addressed them.

7 MR. LIPKIN: Thank you Serge.

8 And if we can go to even one more slide, this is  
9 really meant to cover some of the key topics of stakeholder  
10 interest. Obviously during the development of the new  
11 environmental document, lots of issues have come up, and  
12 this is by no means trying to be comprehensive with it.  
13 These are some of the top lines if you will that we heard  
14 quite a bit about and wanted to give some additional  
15 information to the Board on. Of course we'll also hear  
16 additional public comment, as well as letters that have  
17 come in. And be prepared to come back tomorrow to either  
18 expand on some of these topics, and/or cover other ones  
19 that the Board may want to hear additional information on  
20 as well.

21 But the four that we really wanted to cover today  
22 really focus on the Light Maintenance Facility in Brisbane,  
23 the Millbrae-SFO station -- and again you've heard some  
24 about those already -- at-grade crossings and grade  
25 separations, and the Caltrain 2040 service vision.

1           So if we go to the next slide please. This is  
2 building on some of what Gary represented and trying to  
3 explain a little bit more about the interaction with the  
4 General Plan Amendment that the city approved back in 2018.  
5 Essentially the city approved the plan that would include  
6 mixed use, that allows residential development on the  
7 northwest corner of the site that's shown in orange. This  
8 is the Brisbane-Baylands site that's about 600 acres in  
9 total. In -- looking at the Light Maintenance Facility, we  
10 wanted to -- because the housing development there is a key  
11 priority, both for the state and for the local  
12 jurisdiction, we wanted to as part of consideration of the  
13 preferred alternative focus on the east side. And that was  
14 one part of the recommendation of the east LMF as the  
15 preferred alternative. To put it away from the housing and  
16 away from -- on the other side of the rail corridor. And  
17 so that's the -- that alternative has much less impact on  
18 the housing development.

19           Next slide please. This is the second piece.  
20 And again, Gary mentioned this briefly, but Icehouse Hill  
21 is shown in the middle of the rendering here, which is the  
22 sensitive wildlife habitat that we have in this location.  
23 And so by putting the LMF again on the other side of the  
24 tracks, we're avoiding impacts that the west LMF would have  
25 had on this sensitive area.

1           Next slide please. As I think the Board will be  
2 aware, we did get extensive feedback on the draft  
3 environmental document from the city of Brisbane. In  
4 response to that -- to those comments as well as others, we  
5 made modifications around the LMF between the draft and the  
6 final. This included elements such as the main road access  
7 into town, the phasing of the construction so that we can  
8 make sure that the roadways would stay open to access the  
9 town as well as the fire station.

10           In other updates on both construction and  
11 operations of the LMF, in response to those comments that  
12 are tagged with the different numbers here showing the  
13 different changes that were shown. In the list on the  
14 left, the bold ones just to get a sense came from the city  
15 of Brisbane. Now, I guess I mentioned already, the city  
16 has submitted additional comments and we are happy to have  
17 that be some of the topics that we can cover tomorrow as  
18 well.

19           Next slide please. Switching to the Millbrae-SFO  
20 station, this is our key hub in San Mateo County. It  
21 provides the convenient transfers to Caltrain, BART,  
22 Samtrans, and other transit services that serve the station  
23 today. It's also our key link in access for San Mateo  
24 County residents, visitors, and employees and folks using  
25 San Francisco International Airport. So it's really a key

1 tie for us into the local transit network.

2           If you go to the next slide please. Gary already  
3 described the process that we went through in looking  
4 between our original station design and the design variant  
5 that we developed. Ultimately we are recommending the  
6 original design as it provides better access across all  
7 modes and a more convenient passenger experience. But of  
8 course in this location the key topic that we've been  
9 extensively talking with the city about has been about  
10 development. And we have certainly done work looking at  
11 how the area can include both our station and development.

12           And so if you go to the next slide please. This  
13 is straight out of our environmental document, and it takes  
14 our site plan and the preferred alternative. And you can  
15 see in sort of the dashed outline where the parking  
16 locations are really pads that can become buildings as we  
17 look at potential integration between the station  
18 facilities and surrounding development. And the Authority  
19 certainly has policies supporting TOD, and while we are not  
20 proposing to put buildings, we do see partnership with the  
21 city that could essentially use our plans as a launching  
22 point for that conversation about how we integrate with our  
23 station and our needs with the surrounding development.  
24 And just to give a sense of the -- where we see these kinds  
25 of examples, and I think we have a lot of them in the Bay



1 Area where transit stations have -- and parking have become  
2 hubs for TOD.

3 And if we go to the next slide please. This is  
4 just on the other side of the tracks in Millbrae. And so  
5 what you see is from 2018. This was a parking lot. If you  
6 click one more time, this was a series of parking lots that  
7 are just on the other side of the BART facilities there  
8 that are shown in the pictures.

9 And then in -- what's happened during that time  
10 if you go to the next one is that all of those parking lots  
11 have become buildings, and if you click again you can see  
12 on the aerial, and I was just -- one more click, please.  
13 You can see the buildings that are going up.

14 I was just there recently, the scaffolding is  
15 actually down on the building that's shown there on the  
16 right side. And all of this to say is that the idea that  
17 the parking lots are become -- can become development and  
18 don't preclude development on top of them I think has been  
19 well-trodden across the Bay Area, and even right here in  
20 Millbrae as well. And so we continue to want to work with  
21 the city on how we can do that. We think our plans are a  
22 foundation for those conversations to continue as we move  
23 forward.

24 Next slide please. This is focus -- switching  
25 topics and focusing on at-grade crossings. We had a

1 similar conversation in the San Jose to Merced Project  
2 section where we had a blended portion between San Jose and  
3 Gilroy. But what we're presenting at each of the at-grade  
4 crossings are the needed safety upgrades to comply with  
5 both Federal Railroad Administration and California Public  
6 Utilities Commission requirements for at-grade crossings.  
7 We've also proposed a series of site-specific traffic  
8 mitigations as Serge mentioned, and we have been a partner  
9 in working on a particular Grade Separation Project, the  
10 25th Avenue Grade Separation Project that I'll mention a  
11 little bit more about.

12 But this is a topic that it is a hot button in  
13 the corridor, and we certainly see continued conversations  
14 with the cities and how we can partner and work together on  
15 at-grade crossings and traffic issues that go along with  
16 those.

17 If you go to the next slide please. This is just  
18 an overview, and again we did this in San Jose to Merced as  
19 well, of the improvements that we're proposing at the at-  
20 grade crossings. And really the purpose of those  
21 improvements, and the focus on safety is about making sure  
22 as a train is going by that nothing else can get onto the  
23 existing rail corridor. And so right now in most locations  
24 there are two gates that come down and just block one lane  
25 of traffic on each side.

1           What we've proposed is, if you click one more  
2 time, is to put four-quad gates on each of those crossings  
3 so that as a train in approaching, no cars can get onto the  
4 rail corridor. Because of course whether a train is going  
5 50, 80, or 110 miles an hour, the whole goal is that  
6 nothing else will be there when the traffic is passing.

7           Similarly if we go to the next click one more  
8 time, we -- installing channelization in the middle of the  
9 roads to prevent people from trying to dodge the gates and  
10 go around them as the gates are coming down.

11           If you go to the next one, for bike and pet  
12 improvements we're talking about in many locations,  
13 Caltrain has already installed bike-ped gates, but in  
14 locations that don't have them, we are proposing to add  
15 them as well.

16           And then finally for the rest of the rail  
17 corridor, if you click one more time. Again, much of the  
18 corridor is already fenced, but where there isn't fencing  
19 if you click again we're proposing to add fencing to make  
20 sure that even in between at-grade crossings somebody can't  
21 get on the rail corridor as a train is passing. And so all  
22 of those combine to create a corridor where the only thing  
23 that should be there when the train is there is just the  
24 train itself, and no vehicles, bikes, peds, or other folks  
25 as the trains are passing to make sure that's a safe

1 environment for everyone.

2           Next slide please. Well that's the improvements  
3 that we're proposing, and they are important, and again  
4 based on FRNCPUC guidance. The Caltrain corridor has a  
5 variety of Grade Separation Projects that local  
6 jurisdictions have been planning, and the chart on the  
7 right is one that Caltrain had put together as part of  
8 their business plan process looking at all of the different  
9 grade separations that local jurisdictions have in the  
10 works. There's I think over 20 of these out of the 39 at-  
11 grade crossings between San Francisco and San Jose.

12           And so both the Authority and Caltrain have  
13 certainly supported these efforts. We were very encouraged  
14 by what the governor and the legislature ultimately  
15 included in the budget this last year as a major new state  
16 investment in grade separations, as well as a program in  
17 the bipartisan infrastructure law that does support grade  
18 crossing and improvements in grade separations as well. So  
19 we do see folks starting to pay attention to the need in  
20 this corridor and these important projects. And we've  
21 certainly been supporters of many of these efforts, and  
22 we'll continue to be, but we're not proposing to grade-  
23 separate for example.

24           And then one more slide on grade separations,  
25 just to highlight the 25th Avenue Grade Separation Project.

1 This is a bookend project that we did help contribute  
2 towards, and this one was our first bookend project that  
3 opened to the public last year. This created separations  
4 at three crossings, at 25th, 28th, and 31st Avenues in San  
5 Mateo. It also rebuilt the Caltrain Hillsdale Station. I  
6 was there this weekend, and it's a very lovely station  
7 facility. So certainly it's good to see something that we  
8 helped put together and contribute towards out in action.  
9 It really helps connect the two-part sides of the tracks  
10 with these additional bridges that go over the -- over the  
11 roads.

12           And then just one more slide for me on the  
13 Caltrain 2040 Service Vision. You know, this is as I  
14 mentioned in the beginning part of Caltrain's business plan  
15 process. They developed a service vision of what they  
16 would like to see their service like in the future, both in  
17 terms of the volume of service, the types of service that  
18 they would like to run, and some potential additional  
19 infrastructure that might be needed for that blended --  
20 continued blended system operations under that environment.  
21 And so we have certainly been part of those -- that process  
22 and been supporting that -- those efforts.

23           You know, some of the comments that we got  
24 suggested that the Authority should be the one to be  
25 departmental clearing some of this -- some of those

1 improvements. But those are really beyond the scope of  
2 what we're talking about in terms of the needed  
3 infrastructure to add high-speed rail. But again, we're  
4 very cognizant of this, and working with Caltrain as that  
5 continues to be developed. We have a process to continue  
6 that collaboration beyond just this environmental document  
7 as well.

8           With that, I think that's the quick overview of  
9 some of these key issues. I'll turn it back to Serge for a  
10 wrap-up, and then of course we'll be ready to hear from the  
11 public and the Board.

12           MR. STANICH: Thank you Boris.

13           So we spent the last hour talking about what the  
14 project is and how we've developed it in the environmental  
15 document, but we'd like to close on what the benefits that  
16 this project will actually bring.

17           With respect to mobility and connecting people,  
18 the project advances and expands electrified passenger  
19 service in a corridor where only diesel service exists  
20 today, and it accelerates that from the 79 miles to 110.  
21 This will reduce travel times and increase statewide  
22 accessibility both to the high-speed rail program but also  
23 to local transit. We'll modernize and expand the regional  
24 rail capacity; increase intermodal connectivity,  
25 particularly with bus and air; improve safety along the

1 rail corridor in the stations and increase its transit  
2 capacity.

3 For economic benefits into the statewide network  
4 enables regional employment and income growth. It'll  
5 increase attractiveness for tourism. You could imagine the  
6 situation where people fly into SFO and connect to the  
7 high-speed train to connect to Yosemite and anywhere else  
8 in California. This lays the foundation for new domestic  
9 high-speed rail industry and increases economic activity  
10 around the high-speed rail facilities.

11 For environmental, this reduces local, state, and  
12 regional vehicle miles traveled and greenhouse gas  
13 emissions. It'll reduce long-term energy use. It avoids  
14 and minimizes adverse impacts by utilizing the existing  
15 rail corridor. This minimizes the displacements and takes  
16 to neighboring communities and homes and residences and  
17 businesses. Fewer natural and community impacts compared  
18 to other transportation alternatives. And it frees up  
19 capacity at the San Francisco International Airport for  
20 long-distance travel.

21 We can go to the next slide. This concludes our  
22 presentation to the Board. After this, we'll have an  
23 opportunity to listen to public comment, and based on what  
24 the Board has heard today, it can identify any issues or  
25 matters if they would like additional clarification.

1           Staff will then go about preparing responses, and  
2 we'll return tomorrow morning or at noon to present  
3 responses to the issues that were identified to the Board.  
4 Then counsel will walk the Board through consideration of  
5 the project and the approval documents, and there will be  
6 an opportunity for the Board to discuss or deliberate on  
7 the proposed action. And again, just for consideration,  
8 the action would be certification of the final  
9 Environmental Impact Report/Environmental Impact Statement.

10           As a CEQA lead agency, approve the preferred  
11 alternative and the related CEQA decision documents, this  
12 is the MMEP, the Mitigation Monitoring Enforcement Plan,  
13 and the Findings of Fact and Statement of Overriding  
14 Consideration. And then finally direct the CEO to sign and  
15 issue the record of decision under the NEPA assignment MOU  
16 that the Authority holds. And this concludes our  
17 presentation.

18           CHAIR RICHARDS: Serge, I want to thank you very  
19 much, and I want to congratulate you, Gary, and Boris for  
20 an excellent presentation.

21           MR. STANICH: Thank you.

22           CHAIR RICHARDS: That being said, I want to also  
23 convey our thanks and appreciation to not just yourselves  
24 but all of the staff management, consultants, and  
25 contractors who for years have worked to get us to this



1 point on the presentation. You all have cause to be proud.

2 MR. STANICH: Thank you, sir.

3 CHAIR RICHARDS: Mr. Kelly, do you have anything  
4 you'd like to add?

5 MR. KELLY: No, Mr. Chairman. I would just echo  
6 your appreciation to the staff and the consulting team that  
7 put together the fine presentation. As you said, been  
8 working for years on the environmental document in this  
9 corridor. And that's -- that's all I would add at this  
10 time. Thank you.

11 CHAIR RICHARDS: It's as good as we've ever seen  
12 it, I can say that. Thank you again to all of you, and  
13 we'd like now to ask the Board Secretary to again please  
14 explain to the public the process for those wishing to  
15 comment on the San Francisco to San Jose environmental  
16 process before the Board.

17 Moe?

18 BOARD SECRETARY RAMADAN: Thank you, Mr.  
19 Chairman.

20 For those wishing to offer comment on agenda  
21 items 3, 12, 13, 14, and 15, please listen and follow these  
22 instructions. If you are logged into this meeting via the  
23 Zoom application, please use the 'raise your hand' feature,  
24 typically located at the bottom of your screen so that I  
25 may call on you to provide your comment.

1           If you're dialing in by phone, pressing 'pound-2'  
2 will raise your hand and put you into your queue. Speakers  
3 will be called in the order that their hand is raised.  
4 Once you've been in the queue and your name is called in  
5 the web meeting, please click the prompt on your screen to  
6 allow your microphone to be unmuted. On the phone we will  
7 call on you by the last four digits of your phone number.  
8 At that point you will hear a message that you're being  
9 unmuted.

10           Once unmuted it'll be your turn to speak. Please  
11 clearly say and spell your first and last name, and if  
12 applicable state the organization you represent. After  
13 your introduction each speaker is allowed two minutes to  
14 provide their comment. I will interject at one minute and  
15 forty-five seconds to provide a fifteen second warning.  
16 Our Court Reporter is on the line to record these comments.  
17 If they need you to spell or repeat something, they may  
18 interject. I will notify you when your time is nearly up.  
19 At the end of your comment we will disable your microphone,  
20 however you are welcome to stay on the line to continue  
21 watching or listening to this meeting.

22           CHAIR RICHARDS: Thank you Mr. Secretary. And if  
23 we can now move forward with the comments themselves.

24           BOARD SECRETARY RAMADAN: Mr. Chairman, first up  
25 for public comment we have Bart Pantoja.

1 CHAIR RICHARDS: Mr. Pantoja, welcome.

2 MR. PANTOJA: I believe I'm unmuted. Can you  
3 hear me?

4 CHAIR RICHARDS: We hear you now.

5 MR. PANTOJA: Excellent.

6 Yes, my name is Bart Pantoja. I am the business  
7 manager of the Building and Construction Trades Council of  
8 San Mateo County. I represent 16,000 members of the trades  
9 who live and work in San Mateo county. We're in support  
10 and excited to continue this work to connect the state of  
11 California and improve these connections.

12 As stated in the presentation for example the  
13 Gateway to Millbrae Project has provided many jobs and  
14 career opportunities and pathways through apprenticeship to  
15 good union construction jobs. Excuse me -- careers. That  
16 will provide for the workers, their families, and the  
17 communities they live in and work in. As was mentioned in  
18 the presentation, you know, connecting these communities is  
19 something that is long overdue. So again the Building  
20 Trades of San Mateo County are in support of continue  
21 progress on this high-speed rail. Thank you.

22 CHAIR RICHARDS: Thank you, sir.

23 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
24 for public comment we have Gina Papan. Gina Papan.

25 CHAIR RICHARDS: Good afternoon.

1 MS. PAPAN: Unmute. Good afternoon. Thank you  
2 very much. My name is Gina Papan, I am the vice mayor in  
3 the city of Millbrae. We have been in discussions for a  
4 very long time, and not really productive discussions.  
5 Millbrae is an intermodal center, the largest intermodal  
6 center west of the Mississippi. It has Caltrain, BART,  
7 it's supposed to be high-speed rail and a direct link to  
8 SFO. We do believe that we need a study combining all the  
9 stations. No one needs a separate Caltrain, BART station,  
10 or a separate high-speed rail station as -- which is  
11 currently proposed. You can't expect people to get off a  
12 train with a walker, go across the tracks, up an escalator,  
13 down an escalator, just to get to the airport. We believe  
14 that a study should be conducted by an independent source  
15 involving SFO, BART, Caltrain, high-speed rail, all the  
16 operators, and the city of Millbrae. It would be extremely  
17 productive to have an independent study.

18 Right now the alignment of the proposed tracks  
19 does interfere with housing units that have already been  
20 approved by the city of Millbrae. We support high-speed  
21 rail but it needs to be done correctly. There is a 70  
22 million dollar BART station on this site which is  
23 completely underutilized. There is an opportunity here for  
24 high-speed rail, the policy makers, to make a determination  
25 to have an intermodal center, which incorporates all the

1 stations at this location.

2 I encourage this Board --

3 BOARD SECRETARY RAMADAN: Fifteen seconds  
4 remaining.

5 MS. PAPAN: -- (indiscernible) time and work with  
6 us to do an independent study regarding the alignment of  
7 the tracks and the station. Thank you very much.

8 CHAIR RICHARDS: Thank you for your comments.

9 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
10 for public comment will be Cliff Lentz. Cliff Lentz.

11 CHAIR RICHARDS: Mr. Lentz, good afternoon. Or  
12 good morning.

13 MR. LENTZ: Good morning. I'm Cliff Lentz,  
14 Brisbane City Council member.

15 It was noted that the city of Brisbane has  
16 submitted comments on the EIR/EIS. Those comments speak  
17 for themselves, and nothing I say is meant to or detract  
18 from them.

19 Brisbane has been working diligently with the  
20 property owner of the Baylands to heal the land and create  
21 one of the most sustainable developments in the country.  
22 One of the proposed land uses is desperately needed  
23 housing. We are committed to doing our share and have  
24 placed in our general plan the ability to double the size  
25 of our current population to meet that need. We want to

1 create vibrant and healthy neighborhoods. A rail  
2 maintenance facility is not a compatible use with housing.

3 Also a rail maintenance facility significantly  
4 undermines bringing alternative modes of public  
5 transportation to the Baylands in an efficient manner,  
6 instead of having Caltrain uni-light rail bus rapid transit  
7 to the Balboa BART station and commuter shuttles all  
8 convening all one multimodal station. The location of the  
9 rail maintenance facility forces these public transit modes  
10 to be disconnected. It also undermines a long-planned  
11 traffic improvement known locally as the Geneva Avenue  
12 extension, forcing cars to drive through residential  
13 neighborhoods to access 101.

14 If this wasn't bad enough, the preferred site for  
15 the rail maintenance facility is a former unregulated dump.  
16 The amount of untreated garbage to be hauled off is mind-  
17 blowing, an estimated 125,000 truckloads of solid waste,  
18 including 13,000 truckloads of hazardous waste, would be  
19 dug up and driven away. That's about 690 trips per day.  
20 The hazardous waste would be driven over 200 miles away to  
21 Kettleman Hills, which not only raises environmental  
22 issues, but environmental justice --

23 BOARD SECRETARY RAMADAN: Fifteen seconds  
24 remaining.

25 MR. LENTZ: -- as well. To say that the

1 environmental impacts would not be significant is not being  
2 truthful. No environmental agency tasked with remediating  
3 a former landfill would ever recommend removing garbage at  
4 this scale. Brisbane has never said no to high-speed rail,  
5 but --

6 BOARD SECRETARY RAMADAN: Over the two-minute  
7 time limit.

8 MR. LENTZ: Okay. Thank you.

9 BOARD MEMBER PEREA: Let him finish his comments.

10 MR. LENTZ: That would be great. Thank you so  
11 much for that.

12 Yeah, just in closing, Brisbane has never said no  
13 to high-speed rail. What we have said and will continue to  
14 say is high-speed rail is -- has only given consideration  
15 to the Brisbane Baylands for its light rail facility and  
16 never generally considered other alternatives.

17 So you know we're just looking for a safer  
18 alternative that should be considered. Thank you very  
19 much.

20 CHAIR RICHARDS: Thank you.

21 MR. LENTZ: And I appreciate all of the great  
22 work that all of you are doing.

23 CHAIR RICHARDS: Thank you sir.

24 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
25 for public comment we have Anne Schneider. Anne Schneider.

1 CHAIR RICHARDS: Welcome, Ms. Schneider.

2 MS. SCHNEIDER: Thank you. Anne Schneider,  
3 councilwoman, city of Millbrae. Former mayor.

4 Just to formally state, the city of Millbrae has  
5 no agreement with high-speed rail. The EIR and the  
6 supporting documents are misleading, and in a way they are  
7 lying by omission, including the fact that our Millbrae  
8 station area plan is from 1998. It was augmented in 2016  
9 to add housing per the request of BART.

10 There are a number of problems we can go into,  
11 but in your discussion of at-grade crossings, you don't  
12 include Center Street, which is the only way in and out of  
13 our Marina Vista neighborhood. With the number of trains,  
14 and the gates down, emergency personnel will not be  
15 able to get into that neighborhood to help someone with a  
16 heart attack or to evacuate people if that should be  
17 needed.

18 This same project, as councilman -- or Vice  
19 Mayor Papan said, you've already killed 488 housing units  
20 we've improved. This same project would increase or  
21 improve all of the infrastructure around the BART station.  
22 Storm water, sewage, purple pipe and water systems. You  
23 put all of that on hold because we think you think you can  
24 play the long game, and just wait us out, and continue the  
25 blight that has existed in Millbrae. You use the example



1 of the Gateway Project across the way. That was twenty of  
2 years of no income or revenue to the city of Millbrae and a  
3 surface parking lot, and now you tell us someday when you  
4 build in Millbrae, someday we can build on top. Well,  
5 that's just keeping on hurting Millbrae's economy.

6 You recently published an article about the  
7 lovely multimodal station you are making in Merced. You  
8 could do the same thing here in Millbrae, but you choose  
9 not to.

10 BOARD SECRETARY RAMADAN: Fifteen seconds  
11 remaining.

12 MS. SCHNEIDER: Instead you leave us with a  
13 station that smells of human feces and urine, and in  
14 your -- in your documents you say clearly that Millbrae  
15 will -- will lose financially, our school district will  
16 lose financially, but Millbrae will do this for the greater  
17 regional good. We already --

18 BOARD SECRETARY RAMADAN: Over fifteen seconds.

19 CHAIR RICHARDS: (Indiscernible.)

20 MS. SCHNEIDER: -- take most of the damage from  
21 SFO in noise. We already are doing our part for regional  
22 good. It is not fair to treat Millbrae or Brisbane for  
23 that matter the way you are in this EIR.

24 I don't except this as an elected official, and I  
25 hope -- I hope that we can work together. But our staff

1 and Vince Muzee sat down with your staff and came up with  
2 multiple alternatives and high-speed rail walked out of the  
3 room every time. So I don't have a lot of faith in  
4 cooperation and collaboration. But I really wish you could  
5 dream what this would be.

6 As Vice Mayor Papan said, the existing BART  
7 station has empty kiosks. It has a floor you can't walk on  
8 when it's wet. It needs to be removed and it needs to be  
9 one station.

10 Thank you.

11 CHAIR RICHARDS: Thank you.

12 BOARD SECRETARY RAMADAN: Thank you Mr. Chairman,  
13 next up for public comment we have David Schwegel. David  
14 Schwegel.

15 CHAIR RICHARDS: Mr. Schwegel?

16 MR. SCHWEGEL: Okay. This is David Schwegel. D-  
17 A-V-I-D S-C-H-W-E-G-E-L, rhymes with bagel, spelled like  
18 Schwegel. I've often referred to as the Schwegel bagel.

19 So first off, I put in a bunch of calls to the  
20 city of Millbrae and to Brisbane. I'm a licensed civil and  
21 traffic engineer in the state of California, licensed in  
22 traffic in Oregon, licensed in civil in the state of  
23 Washington, and I'm going for my traffic PE in the states  
24 of Arizona, Idaho, and Nevada. And I feel their concerns  
25 are valid, and I just want to make sure that we really do

1 everything we can to make this a win-win-win with Millbrae,  
2 Brisbane, and the Authority.

3 I also echo the support of Andy Kunz. He has  
4 several taglines, referring to high-speed rail itself as  
5 the bargain of the century, and the Salesforce Transit  
6 Center as the most significant advancement in modern  
7 transportation in more than a century.

8 I also encourage us to please Roger, R-O-G-E-R,  
9 Millar, M-I-L-L-A-R. He is the Transportation Secretary  
10 for the state of Washington, David Kim's counterpart. What  
11 he had the Washington State Department of Transportation do  
12 was calculate the cost of adding one northbound and one  
13 southbound along the Cascadia innovation corridor between  
14 Portland and Vancouver via either Seattle or Bellevue,  
15 Washington, and they discovered 108 billion dollars just to  
16 add one northbound and one southbound lane, and that will  
17 only fill up with traffic while it's built, versus 42  
18 billion dollars for a Maglev system. So 42 billion versus  
19 108 billion. And that high-speed rail Maglev system will  
20 carry the passenger equivalent of a twelve-lane freeway,  
21 with airports at either end.

22 BOARD SECRETARY RAMADAN: Fifteen seconds  
23 remaining.

24 MR. SCHWEGEL: Yes. So collaborate with WashDOT.  
25 I want to know how much it would cost to add one northbound

1 and one southbound lane to 101 and 280. Thank you so much,  
2 and enjoy the rest of your meeting.

3 CHAIR RICHARDS: Thank you Mr. Schwegel.

4 BOARD SECRETARY RAMADAN: Mr. Chairman, before we  
5 call on the next person, I'm going to briefly remind the  
6 attendees on how to provide public comment.

7 For members of the public who wish to provide  
8 public comment and have joined us via the Zoom application,  
9 please use the 'raise your hand' feature, typically located  
10 at the bottom of your screen so that I may call on you to  
11 provide your comment.

12 If you are dialing in by phone, pressing 'pound-  
13 two' will raise your hand and put you into our queue.  
14 Speakers will be called in the order that their hand is  
15 raised.

16 Next up for public comment is Jason Baker. Jason  
17 Baker

18 CHAIR RICHARDS: Welcome, Mr. Baker.

19 MR. BAKER: Thank you. As you said, my name is  
20 Jason Baker. I'm Senior Vice President of Infrastructure  
21 with the Silicon Valley Leadership group.

22 We represent 350 innovation economy companies  
23 throughout the San Francisco Bay Area, and we strongly  
24 support final certification of the final EIR and high-speed  
25 rail. High-speed rail is good for business, good for jobs,

1 and of course good for the environment and the survival of  
2 our planet as we know it. We know voters in the Bay Area  
3 strongly support public transit. The Silicon Valley  
4 Leadership Group led or co-led five transportation measures  
5 since 2000 to support local and regional public transit  
6 including BART and Caltrain, and each of them passed, four  
7 out of five of them exceeding two-thirds voter support.  
8 Most recently, SPLG led Measure RR to save and expand  
9 Caltrain, and in the middle of a pandemic, voters voted  
10 overwhelmingly to tax themselves to pass that measure and  
11 raise three billion dollars to save and expand Caltrain.

12 High-speed rail leverages and magnifies the value  
13 of those local and regional transit investments, and  
14 increases the opportunity for more federal investment in  
15 California public transit. Business and cities are doing  
16 the right thing, investing in transit-oriented development,  
17 putting housing and jobs near Diridon station in San Jose,  
18 as Google and Adobe and others have done, and in San  
19 Francisco, as Salesforce and others have done. Getting  
20 high-speed rail done is a critical next step in that good  
21 planning effort. This is exciting. It's a big day in the  
22 history of California transportation and connectedness.

23 We encourage the Board to pass EIR/EIS, and get  
24 high-speed rail done for all of California. Thank you for  
25 your service and your work on this important historic

1 project.

2 CHAIR RICHARDS: Thank you Mr. Baker.

3 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
4 for public comment we have MB. MB.

5 CHAIR RICHARDS: Welcome.

6 MS. BOUCHARD: Good morning Chair, Executive  
7 Director Kelly, members of the Board. My name is Michelle  
8 Bouchard, and I serve as the Acting Executive Director for  
9 Caltrain.

10 Today's certification action is a major  
11 milestone, coming a decade after the critical agreements  
12 that established our shared commitment to a blended system  
13 on the Peninsula corridor. Caltrain strongly supports  
14 certification of the final Environmental Impact Report for  
15 the San Francisco to San Jose Project section.

16 The Caltrain corridor is a dynamic environment.  
17 Our regional rail service will be electrified by 2024, and  
18 Caltrain continues to work toward implementation of the  
19 Board-adopted 2040 Service Vision. Ensuring the successful  
20 implementation of the blended system and the Caltrain 2040  
21 Service Vision is of critical importance to both of our  
22 agencies. Caltrain is grateful for our years of  
23 partnership on the peninsula and committed to continued  
24 collaboration for decades to come.

25 While additional shared use agreements a new

1 nine-party MOU are necessary to keep moving our  
2 transformative projects forward, let's take time to maybe  
3 celebrate this milestone in the life of California High-  
4 Speed Rail, and our commitment to moving people and  
5 connecting communities in the corridor.

6 Thank you very much for the opportunity to speak.

7 CHAIR RICHARDS: Thank you, Ms. Bouchard.

8 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
9 for public comment we have Tom Williams. Tom Williams.

10 MR. WILLIAMS: Yes, good morning everyone, Tom  
11 Williams, City Manager here at the city of Millbrae.

12 And just as the person from Silicon Valley  
13 Leadership Group just said, putting jobs and housing next  
14 to transit is the goal. Eight and a half acres of prime,  
15 high-density residential-zoned land here in the city of  
16 Millbrae under high-speed rail's plan is being converted to  
17 eight and a half acres of an asphalt surface parking lot.  
18 This is absolutely adverse to every smart growth housing  
19 planning policy that I've ever been involved with in my 37  
20 years here in California as an urban planner and city  
21 manager.

22 It's also adverse to the Governor's Housing  
23 Emergency Declaration to add much-needed residential in the  
24 state of California, especially San Mateo County and the  
25 Bay Area. So the city of Millbrae does request that high-

1 speed rail does go back to the drawing Board. Work with us  
2 to develop a true multimodal transit station within the  
3 existing footprint of the current BART and Caltrain  
4 station, which is cavernous. There's plenty of land there  
5 to do this right. As somebody else mentioned, we will  
6 welcome the world through those visiting the Bay Area and  
7 SFO. We need to do something great, we need to do  
8 something grand, and you adopting this and certifying this  
9 EIR is totally adverse to all of those principles.

10 Blocking approved high-density housing that is  
11 ready to move forward, that's approved, is one of the most  
12 costly inverse condemnation acts I've ever seen. Eminent  
13 domaining eight acres of high-density residential for  
14 surface -- for a surface parking lot is costly, it will  
15 lead to delays, and there is a better way. So we are  
16 requesting that you do not take action to certify this EIR.  
17 You redirect staff to go back to the drawing Board and work  
18 with us on a plan that we can all be proud of.

19 Thank you.

20 CHAIR RICHARDS: Thank you Mr. Williams.

21 BOARD SECRETARY RAMADAN: Mr. Chairman, at --  
22 next up for public comment will be Ashley Swearengin.

23 CHAIR RICHARDS: Good morning mayor.

24 MS. SWEARENGIN: Hi. Good morning Mr. Chair, and  
25 actually well-done on the last name. I am calling to



1 express gratitude for all those of you who have been at  
2 this project for so long and want to say a special thank  
3 you to the volunteer Board leadership, the members of the  
4 Board, the elected officials, Governor Newsom, Governor  
5 Brown, the Transportation Secretary, the staff, all of the  
6 people who have carried this work for so very, very long.

7           This is in fact a monumental moment, and I want  
8 to just call and express my gratitude for all of you for  
9 staying with it and thank you for the ways in which you've  
10 worked with us on the local level in the Fresno area to get  
11 this project done right and done well. We're anxious to  
12 see this come to fruition, and we're -- we're optimistic  
13 and hopeful, not just for future generations, but that this  
14 generation will experience the benefits of high-speed rail.  
15 So just wanted to chime in for a moment and wish all of you  
16 just a congratulatory moment.

17           I will say, in listening to the public comment  
18 about how this affects the very local level, the City of  
19 Millbrae, others, we know that the next big push, certainly  
20 in the Central Valley, is going to be getting the station  
21 area development done right, and that's going to take a  
22 whole 'nother -- a whole 'nother level of push, and so  
23 speaking as a former local official, I'll just say, yeah,  
24 we've got -- we've got to do right by the local cities.  
25 We've got to do right by the station area planning. But

1 I'm confident that that is possible.

2 So with that, thank you again so much, and  
3 congratulations everyone, and I urge your adoption of the  
4 environmental certification.

5 CHAIR RICHARDS: Thank you.

6 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
7 for public comment we have Jess Zenk.

8 CHAIR RICHARDS: Good -- good morning Mr. Zenk.

9 MS. ZENK: Good morning. My name is Jessica Zenk  
10 and thank you to the High-Speed Rail Authority Board and  
11 staff for having the public here today. I want to add my  
12 congratulations.

13 I'm Deputy Director for the city of San Jose  
14 Department of Transportation, and I'm calling to express  
15 our support for the High-Speed Rail Project on behalf of  
16 the city of San Jose. As the Board and staff are well  
17 aware, the High-Speed Rail Project goes through about 21  
18 miles of the city of San Jose, and we are happy to be a key  
19 part of the high-speed rail system throughout California.  
20 We want to congratulate the high-speed rail authority for  
21 getting to this milestone today, second the comments just  
22 made by Mayor Swearengin and Michelle Bouchard.

23 We are also really grateful for the work that we  
24 have done and will continue to do with the Authority to  
25 bring forth the totally integrated Diridon Station Project.

1 We've been working with the High-Speed Rail Authority,  
2 Caltrain, the Valley Transportation Authority, and  
3 Metropolitan Transportation Commission to have that truly  
4 integrated Diridon Station and appreciate the opportunity  
5 with our Memorandum of Understanding to document how we  
6 will continue to work forward on that project together and  
7 appreciate high-speed rail's partnerships.

8           Similarly the grade separations as Boris Lipkin  
9 highlighted during the presentation will be a critical part  
10 of the Bay Area's work with high-speed rail to create truly  
11 safe and reliable rail systems throughout the Bay Area.  
12 It's extremely important to San Jose to keep the focus on  
13 those grade separations, especially along Monterey  
14 corridor, but really throughout the system.

15           So congratulations again --

16           BOARD SECRETARY RAMADAN: Fifteen seconds  
17 remaining.

18           MS. ZENK: -- and we look forward to the  
19 additional work as Michelle Bouchard cited with partners  
20 throughout the Bay Area to move the High-Speed Rail Project  
21 forward along with joint benefit projects throughout the  
22 region.

23           Thank you.

24           CHAIR RICHARDS: Thank you Ms. Zenk.

25           BOARD SECRETARY RAMADAN: Mr. Chairman, next up

1 for public comment we have Karen Rosenberg.

2 CHAIR RICHARDS: Welcome, Ms. Rosenberg.

3 MS. ROSENBERG: Hello. Thank you for having me.  
4 As you heard, my name is Karen Rosenberg and I am a  
5 resilience associate with Greenbelt Alliance.

6 For every 60 years, Greenbelt Alliance has worked  
7 to educate, advocate, and collaborate to ensure the Bay  
8 Area's lands and communities are resilient to a changing  
9 climate. We believe that the completion of this  
10 environmental document is an important milestone in  
11 bringing high-speed rail to northern California and  
12 reducing our vehicle miles traveled and greenhouse gas  
13 emissions, while also fostering more equitable employment  
14 and housing opportunities.

15 Our current travel modes are not enough to meet  
16 future growth and demand for inner-city travel, and stem  
17 from congestion and delays, weather conditions, accidents,  
18 and other factors. We believe that implementation of high-  
19 speed rail service will greatly reduce the time associated  
20 with inter-city travel throughout California while  
21 simultaneously being powered by clean and efficient energy  
22 sources. We urge the Board of Directors to help move this  
23 forward.

24 Thank you for your time.

25 CHAIR RICHARDS: Thank you Ms. Rosenberg.

1           BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
2 for public comment we have Next Steps Marketing. Next  
3 Steps Marketing.

4           CHAIR RICHARDS: Next Step Marketing, welcome.

5           BOARD SECRETARY RAMADAN: Next Step Marketing,  
6 right now would be your time to speak for public comment.

7           Thea Selby? Mr. Chairman, we're going to work on  
8 the next member of the audience --

9           MS. SELBY: Hi there. Can you hear me now?

10          BOARD SECRETARY RAMADAN: We can.

11          MS. SELBY: Oh, wonderful. I'm so sorry.

12          Yes, this is Thea Selby. Lovely to hear your  
13 voice Tom. I'm going to spend a little bit of time about  
14 who I am. I'm a former California High-Speed Rail  
15 Authority Board Member, very proud, only two years but  
16 really enjoyed.

17          I'm also the cofounder of Voices for Public  
18 Transportation, which is a coalition of people in the Bay  
19 Area who are trying to get transformative transportation  
20 through a funding here in the Bay Area. It's about a  
21 100,000 strong.

22          And finally I'm the cochair of the San Francisco  
23 Transit Riders, and we represent over 350,000 transit  
24 riders in San Francisco.

25          I'm calling today to express my wholehearted

1 support for something that actually began while I was on  
2 the Board, the EIR and EIS. I am extremely excited to see  
3 this move forward. I am -- one of my biggest problems with  
4 this project and with infrastructure as a whole is how  
5 slowly things move forward, and we all know that time is  
6 absolutely money when it comes to infrastructure.

7 So I am thrilled that we're at this point. I do  
8 realize there are still some negotiations to do and I'm  
9 sure knowing the staff that I do that those negotiations  
10 will take place, but I support and ask you to move this  
11 forward as quickly as we can so that we can get high-speed  
12 rail to San Francisco, to Los Angeles, and beyond.

13 Thank you.

14 CHAIR RICHARDS: Thea, welcome and good to hear  
15 your voice. Thank you.

16 MS. SELBY: You're welcome.

17 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
18 for public comment we have Georgia Dorman. Georgia  
19 Dorman -- apologies if I mispronounced the name.

20 MS. DORMAN: Hi, it's okay, Georgia Dorman. I'm  
21 the Assistant Director for Legislation and Public Affairs  
22 at the Metropolitan Transportation Commission.

23 So the Metropolitan Transportation Commission is  
24 the transportation planning, coordinating, and financing  
25 agency for the San Francisco Bay Area, and MTC really

1 strongly supports bringing high-speed rail into the area.  
2 We know it's an important project that will significantly  
3 enhance sustainable transportation and provide new economic  
4 opportunities throughout the state. I just want to comment  
5 on -- you know, build on what some of the previous speakers  
6 have said about how important it is to move it  
7 expeditiously. You know, not only is time money, but it's  
8 a particularly exciting time. And if the EIR/EIS is  
9 approved by the Authority's Board of Directors, the Bay  
10 Area will move closer to both being shovel-ready and to be  
11 able to compete for the sort of historic new federal  
12 funding opportunities that have been provided in the new  
13 bipartisan infrastructure law.

14 So this is an exciting time and, you know, thanks  
15 to California High-Speed Rail for your partnership.

16 CHAIR RICHARDS: Thank you very much.

17 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
18 for comment we have Adam Van De Water. Adam Van De Water.

19 CHAIR RICHARDS: Welcome Mr. Van De Otter [sic].

20 MR. VAN DE WATER: Thank you and good morning  
21 Directors. My name is Adam Van De Water. I'm the  
22 Executive Director of the Transbay Joint Powers Authority,  
23 owner and operator of the multimodal Salesforce Transit  
24 Center in downtown San Francisco.

25 As the northern terminus for the California High-

1 Speed Rail Authority's system, the TJPA applauds the  
2 Authority's efforts to achieve this significant milestone  
3 that brings the vision of statewide high-speed rail that  
4 much closer to reality. Our agency has been working in  
5 partnership with the Authority, with the High-Speed Rail  
6 Authority on our Board, and a partner -- as a future rail  
7 partner for many years, and to ensure that phase two of the  
8 Transbay Program, the downtown rail extension, will support  
9 high-speed rail service.

10           The downtown rail extension will bring  
11 significant benefits, including up to 90,000 daily  
12 commuters to the Salesforce Transit Center who arrive in  
13 downtown San Francisco via the nine local and regional  
14 transit operators currently accessible from the center.  
15 Adding Caltrain and high-speed rail to our facility will  
16 open up seamless connectivity to destinations south on the  
17 Peninsula and throughout California while simultaneously  
18 improving travel times, trip reliability, reducing  
19 greenhouse gas emissions, and maintaining our region's  
20 long-term economic vitality.

21           The Transbay Joint Powers Authority is grateful  
22 for the Authority's continued support and collaboration,  
23 and we strongly support the proposed action before you  
24 today. Thank you.

25           CHAIR RICHARDS: Thank you sir.



1           BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
2 for public comment we have Damien Breen. Damien Breen.

3           CHAIR RICHARDS: Good morning Mr. Breen.

4           MR. BREEN: Good morning Mr. Chairman. My name  
5 is Damien Breen, and I'm the Deputy Executive Officer from  
6 the Bay Area Air Quality Management District. We are the  
7 local regulatory agency whose mission it is to protect and  
8 improve public health, the local climate, and air quality.

9           I'm here today to voice support from the Bay Area  
10 Air Quality Management District for the San Francisco to  
11 San Jose segment of the High-Speed Rail Project. We see  
12 this as being an enormously project -- positive project for  
13 the region. Transportation is the largest source of air  
14 pollution and greenhouse gases here in the Bay Area and  
15 reducing emissions from transportation is essential to  
16 achieving our air quality, public health, and climate  
17 protection goals. High-speed rail is an important part of  
18 the state's strategy to reduce transportation emissions,  
19 and high-speed rail powered by renewable electricity  
20 promises to reduce aircraft and automobile travel  
21 emissions.

22           As such, high-speed rail can support mobility and  
23 economic growth while limiting air pollution and GHGs.  
24 While high-speed rail operations promise to reduce  
25 emissions, the environmental analysis showed that

1 construction activity can result in significant air quality  
2 impacts. Our staff has worked with the Authority during  
3 the environmental review process, and we're happy to see  
4 that you have included the use of zero-emissions equipment,  
5 and the cleanest possible equipment where zero-emissions  
6 equipment is not available in your mitigation measures.  
7 We're also committed to working with the Authority on any  
8 necessary off-site mitigations for construction emissions.

9 This project is also complementary of the work  
10 that we are doing with Caltrans around electrification, and  
11 therefore --

12 BOARD SECRETARY RAMADAN: Fifteen seconds  
13 remaining.

14 MR. BREEN: -- the Air District this morning,  
15 provided the Authority requires the most stringent possible  
16 construction mitigation measures is in support of this  
17 project.

18 Thank you for your attention.

19 CHAIR RICHARDS: Thank you Mr. Breen.

20 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
21 for public comment we have Greg Vilkin. Greg Vilkin.

22 CHAIR RICHARDS: Good morning, Mr. Vilkin.

23 MR. VILKIN: It's -- excuse me, it's Greg Vilkin,  
24 spelled V as in victory, I-L-K-I-N. I'm the CEO of the  
25 Baylands development, and the owner of the property in

1 question for both the A and B alternatives for the Light  
2 Maintenance Facility.

3 I want to correct a couple things on the record.  
4 We have submitted a letter that puts forth all of the  
5 deficiencies in the EIR document, and that letter will  
6 speak for itself. We have met with your staff on numerous  
7 occasions, and we were informed that the -- you were not  
8 considering any changes to the plan that has been  
9 represented. And we believe that that plan is  
10 significantly flawed and has a negative impact --  
11 significant negative impacts -- on our property and on the  
12 development of the Baylands.

13 The Baylands will be the most environmentally  
14 advanced project in the country. We will be generating 70  
15 percent of all of our energy on-site with 90 acres of  
16 solar. And that will not happen if we are displaced with  
17 the high-speed rail Light Maintenance Facility.

18 Also what happens is the overpass at Geneva that  
19 is necessary for the regional transportation and has been  
20 planned for 20 years cannot exist with the high-speed rail  
21 the way that they're crossing the tracks. There are ways  
22 to do that. We have presented that to the staff. We have  
23 talked to the staff about modifications.

24 We are in favor of high-speed rail. We are in  
25 favor of it connecting and going forward.

1 BOARD SECRETARY RAMADAN: Fifteen seconds  
2 remaining.

3 MR. VILKIN: We are not in favor of not being  
4 talked to in a serious manner to review the plans. We have  
5 3,879 units that are a critical part of both San Francisco  
6 and Brisbane's --

7 BOARD SECRETARY RAMADAN: Over the two minute  
8 time limit.

9 BOARD MEMBER SCHENK: May we allow --

10 CHAIR RICHARDS: Go ahead. Go ahead and finish  
11 your --

12 BOARD MEMBER SCHENK: Go ahead. Thank you.

13 MR. VILKIN: Thanks. Thank you very much.

14 A critical part of the housing element for both  
15 San Francisco and for Brisbane. Without our project,  
16 neither city can make their goals. Housing is a critical  
17 element, and a significant element of our housing is also  
18 affordable. We have had no less than 87 community meetings  
19 over the last decade as we have been processing this  
20 project for entitlements. We have received full  
21 entitlements in the San Francisco portion of our project  
22 and have a signed development agreement that has been in  
23 existence since 2018. In 2018 we had a vote of the entire  
24 city of Brisbane that approved a new general plan amendment  
25 which created an opportunity to develop 7 million square

1 feet of commercial space and 2200 housing units.

2 By eliminating a good chunk of the commercial  
3 space by going to the high-speed rail, we make the project  
4 difficult to pencil financially. We need to invest 1.5  
5 billion dollars of privately funded infrastructure that we  
6 are prepared to put in in order to support the project.  
7 But we need to be able to build the entire seven million feet  
8 in addition to the 3879 housing units because the  
9 commercial actually subsidizes the residential.

10 So we welcome the opportunity to have serious  
11 conversations about the project, and we have identified  
12 other ways of maintaining the light rail Light Maintenance  
13 Facility without as many negative impacts, but we have been  
14 able to get any traction with that on the staff. We have  
15 included all of our technical issues and comments on the  
16 CEQA document yesterday in writing, and I thank you for  
17 your time.

18 CHAIR RICHARDS: Thank you Mr. Vilkin.

19 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
20 for public comment we have Adrian Brandt. Adrian Brandt.

21 CHAIR RICHARDS: Good morning.

22 MR. BRANDT: Good morning. I'd like to echo the  
23 comments of State Senator Scott Weiner and of Executive  
24 Director Michelle Bouchard. Big fan of this project. Time  
25 is money, and I'm glad to see we're at this point. I do

1 urge adoption.

2 I was heartened to see that staff did acknowledge  
3 that there is a need in the future to work further with  
4 Caltrans to realize the 2040 Service Vision so that there  
5 can be moving overtakes, and so that for system reliability  
6 that we can have a longer passing track segment. The  
7 project architect of the 2040 Service Vision did confirm  
8 that if it were not for high-speed rail, no additional  
9 passing tracks would be required, but because of high-speed  
10 rail using those less, that will be required in the future.  
11 And I do understand from reading the document why the --  
12 that was not fully addressed at this time. It makes  
13 perfect sense.

14 I'd like to move on to a couple concerns  
15 regarding the grade crossings. The document talks a lot  
16 about going to quad gates and cites a study in which the  
17 quad gates reputedly reduced against accidents by a great  
18 percentage. That may be true on a line such as Brightline  
19 in Florida where they have a lot of what's called a drive-  
20 around, where people are driving past the gates, but  
21 Caltrain does not have that problem. You can check with  
22 staff and it would be a very short list of all the times  
23 that someone has actually driven past the lower gates and  
24 it resulted in crash.

25 Instead, what the problem on the Caltrain where

1 everybody's accustomed to a lot of service, the problem is  
2 motor vehicles in violation of vehicle codes queueing --

3 BOARD SECRETARY RAMADAN: Fifteen second  
4 remaining.

5 MR. BRANDT: -- on the tracks, and they are on  
6 the tracks before the gates ever lower.

7 The other problem we need to solve is that people  
8 are driving onto the tracks and getting stuck there. This  
9 is a big problem, and the quad gates will not solve it. So  
10 we need to address it in a --

11 BOARD SECRETARY RAMADAN: Over the two minute  
12 time limit.

13 MR. BRANDT: -- different way and think out of  
14 that box. Thank you.

15 CHAIR RICHARDS: Alright sir. Thank you very  
16 much.

17 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
18 for public comment we have Erika Pinto.

19 CHAIR RICHARDS: Welcome Ms. Pinto.

20 MS. PINTO: Thank you. Good morning Board of  
21 Directors and the public. My name is Erika Pinto, San Jose  
22 Planning Policy Manager with SPUR. SPUR is a public policy  
23 nonprofit organization in the Bay Area with offices in  
24 Oakland, San Francisco, and San Jose. We work across  
25 policy areas and political lines to solve the policy areas

1 our region faces.

2           Our comments today combine both the regional and  
3 local perspective, and we are in support of approval of the  
4 final document for the San Francisco to San Jose Project  
5 section. We have been early supporters of bringing high-  
6 speed rail service to California and have remained engaged  
7 as this effort proceeded to identify project alternatives  
8 and effective transportation integration with the Bay Area  
9 cities, transit stations, and operators. We have also  
10 researched and published reports on how the Authority and  
11 cities can make the most of California's high-speed rail  
12 investment.

13           This step is critical to the future development  
14 of sustainable and efficient transportation to, from, and  
15 within the Bay Area, the Central Valley, and Southern  
16 California. It ensures that major economic regions are  
17 connected by electrified high-speed rail rather than  
18 roadways and air travel alone and is key to ensuring that  
19 California can meet its climate goals.

20           Moreover we appreciate the work done in the EIR  
21 to analyze key areas including upgrades to the Caltrain  
22 corridor, the addition of two stations alongside Diridon  
23 Station in San Jose, including the Salesforce Transit  
24 Center and the Millbrae Station. We appreciate the work  
25 done on this EIR and look forward to its approval for its



1 benefits to the environment and sustainability, for more  
2 equitable access to economic opportunity, and for  
3 California's future.

4 Thank you for time.

5 CHAIR RICHARDS: Thank you Ms. Pinto.

6 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
7 for public comment we have Roland. Roland.

8 CHAIR RICHARDS: Good afternoon or good morning  
9 Roland.

10 MR. LEBRUN: Good morning Chair Richards and  
11 members. Roland Lebrun in San Jose. I'd like to touch on  
12 issues of the Millbrae and Brisbane. The primary issue at  
13 Millbrae that was raised by the Vice Mayor is that the  
14 high-speed rail platforms are dedicated. And they are  
15 dedicated platforms are superfluous in the blended system.  
16 This in turn makes it impossible to implement seamless  
17 cross-platform transfers between high-speed rail, Caltrain,  
18 and BART.

19 With regards to the Brisbane Maintenance  
20 Facility, I would like to close up with a couple of  
21 comments. First if you look at the Eurostar Heavy  
22 Maintenance Facility seven miles east of (indiscernible),  
23 the facility measures 450 meters by 64 over 15 acres.  
24 That's 1-5, not 100. And the second point is that the  
25 Brisbane maintenance facility, if ever built, will be

1 obsolete in 20 years from now when we open the new Transbay  
2 Crossing long as Link21, because at that point in time the  
3 maintenance facility will be relocated to Oakland, not in  
4 Brisbane.

5 Now with regards to the points that Mr. Vilkin  
6 mentioned earlier, all of these points were addressed and  
7 resolved in the 2014 Baylands EIR document. My advice to  
8 you is to look at that document very carefully --

9 BOARD SECRETARY RAMADAN: Fifteen seconds  
10 carefully.

11 MR. VILKIN: -- which includes a redesign of the  
12 Bayshore Station and also going to make it possible to turn  
13 trains back that will be coming across the new Transbay  
14 Crossing. Thank you.

15 CHAIR RICHARDS: Thank you.

16 BOARD SECRETARY RAMADAN: Next up for public  
17 comment we have Steve R. Steve R.

18 CHAIR RICHARDS: Mr. R, good morning.

19 MR. ROBERTS: Good morning. My name is Steve  
20 Roberts, and I want to thank you for the opportunity to  
21 address the Board.

22 I am the President of the Rail Passenger  
23 Association of California, an all-volunteer passenger  
24 advocacy -- rail-passenger advocacy organization. The Rail  
25 Passenger Association of California recommends that the

1 Board certify the San Francisco to San Jose Alternative A  
2 final Environmental Impact Statement.

3 Also our members congratulate the Authority and  
4 staff for reaching this significant milestone which moves  
5 us one step closer to achieving the goals of the overall  
6 project.

7 Thank you very much.

8 CHAIR RICHARDS: Thank you sir.

9 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
10 for public comment we have Andrew C. Andrew C.

11 CHAIR RICHARDS: Good morning sir.

12 MS. CROWL: Good morning. Actually this is  
13 Christie Crowl with the city of Millbrae. Sorry my Zoom is  
14 wrong on my name this morning. But good morning Chair and  
15 Rail Authority Board Members, my name is Christie Crowl.  
16 I'm with the law firm of Jarvis Fay and I'm here  
17 representing the city of Millbrae this morning as their  
18 CEQA counsel.

19 The city submitted a comment letter on the draft  
20 EIR dated September 2nd, 2020, and in additional comments  
21 on the revised and recirculated sections of the draft EIR  
22 dated September 7th, 2021. Both of those letters generally  
23 express that the EIR fails to comply with CEQA for a  
24 variety of reasons, including but not limited to the  
25 document's failure to act as an adequate informational

1 document, failure to analyze foreseeable and cumulative  
2 development in the Millbrae area Specific Plan area, and  
3 the cumulative impacts of the project.

4           The city's comments noted several inconsistencies  
5 in the EIR as well. Today I just want to note for the  
6 record that the Authority's responses to the city's  
7 comments provided in the final EIR do not adequately  
8 address the city's comments, nor do they address or rectify  
9 the document's internal inconsistencies. The comments are  
10 cursory and fail to address the city's pointed comments and  
11 questions, and the document still fails to include  
12 substantial evidence demonstrating that it has explored a  
13 variety or a range of feasible alternatives, particularly  
14 rated -- related to Millbrae Station.

15           Finally there are a variety of responses to the  
16 cities and other agency comments indicating that the  
17 Authority will continue to work with the city, BART, and  
18 other agencies on the design of the Millbrae Station area,  
19 and the city just wants to note that it will continue to  
20 participate in any such discussions.

21           Thank you.

22           CHAIR RICHARDS: Thank you.

23           BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
24 for public comment we have Greg G. Greg G.

25           CHAIR RICHARDS: Good morning Mr. Z.

1 BOARD SECRETARY RAMADAN: Greg, right now would  
2 be your time for public comment.

3 MR. GREENWAY: Thank you. Good morning. I'm  
4 Greg Greenway with Peninsula Freight Rail Users Group,  
5 representing freight rail shippers on the Caltrain  
6 corridor.

7 We've been very supportive of high-speed rail and  
8 Caltrain electrification since 2009 and have actively  
9 participated in the process since then. Our support comes  
10 with the understanding and the assurances of both agencies  
11 that the future of passenger rail in the corridor will be  
12 designed and implemented in a way that's compatible with  
13 continued long-term freight rail operations on the  
14 peninsula.

15 We encourage you to certify the final documents.  
16 We very much appreciate the comments in the final documents  
17 in response to our comments on the draft.

18 We have some important considerations and some  
19 concerns that we're looking at and paying attention to  
20 going forward, some very specific requests of the agency as  
21 implementation proceeds. I detailed those in a letter to  
22 the Board and won't go into them here.

23 I also want to, changing hats, speak as a Board  
24 Member of the Chamber of San Mateo County to acknowledge a  
25 letter that we sent on behalf of the Chamber, the Menlo

1 Park Chamber, and the San Mateo County Economic Development  
2 Association. That letter encourages you to certify the  
3 documents and also to take seriously the concerns of the  
4 city of Millbrae.

5 The Chamber of San Mateo County back when it was  
6 the Redwood City Chamber has been extremely supportive of  
7 bringing high-speed rail to California, going back at least  
8 to in my time with the Chamber, to 2005, when we held a  
9 forum on the project when it was really just a concept.

10 Both PFRUG, the Peninsula Freight Rail Users  
11 Group --

12 BOARD SECRETARY RAMADAN: Fifteen seconds  
13 remaining.

14 MR. GREENWAY: -- and the Chamber encourage you  
15 to certify the environmental documents. I want to end  
16 personally with a congratulations to the agency on hitting  
17 this milestone, and a huge thank you to high-speed rail  
18 staff and your consultants for the hard work that they've  
19 done on the environmental document.

20 CHAIR RICHARDS: Thank you sir.

21 BOARD SECRETARY RAMADAN: Mr. Chairman, next up  
22 for public comment we have Julia. First name Julia.

23 CHAIR RICHARDS: Welcome Julia.

24 BOARD SECRETARY RAMADAN: Julia, right now would  
25 be your time to offer public comment.

1           Mr. Chairman, as we're working out the technical  
2 issues with Julia, we're going to ask the technical team to  
3 move on to Emily. Emily, right now would be your time to  
4 offer public comment.

5           Emily, if you can unmute yourself to offer public  
6 comment.

7           MS. ABRAHAM: Can you hear me now?

8           BOARD SECRETARY RAMADAN: Yep. We can.

9           MS. ABRAHAM: Great. On behalf of the San  
10 Francisco Chamber of Commerce, I offer our support of the  
11 California High-Speed Rail Authority's ask of the  
12 legislature to appropriate the remaining four billion in  
13 Proposition 1A funds to complete construction and electrify  
14 the corridor in the Central Valley.

15           Even as COVID has impacted the program, the  
16 Authority has made huge strides in construction through  
17 that -- throughout the pandemic, doubling the number of  
18 construction workers on site since the start of 2020 to  
19 over 1200 at the end of last year. Failing to appropriate  
20 the funds would mean that we would have to slow down  
21 construction and lay off construction workers just as the  
22 economy will be coming back from COVID.

23           Allocation of the remaining 4.2 billion in  
24 Proposition 1A funds to complete construction on the first  
25 operating segment in the Central Valley is a critical step

1 to advancing the work in Northern and Southern California  
2 beyond environmental clearance to the next stages of design  
3 and development. This would get the Authority well-  
4 positioned for funding opportunities to extend the system  
5 to the Bay Area and to Los Angeles. We urge you to  
6 appropriate the remaining four billion to Prop 1A funds for  
7 these critical steps towards electrifying the Central  
8 Valley for the benefit of the surrounding economies and the  
9 entire state.

10 Thank you all so much for your time and  
11 deliberation today.

12 CHAIR RICHARDS: Thank you.

13 BOARD SECRETARY RAMADAN: Mr. Chairman, I'm going  
14 to repeat the instructions just to give any members of the  
15 audience who joined after a chance to offer public comment.

16 For attendees who wish to provide public and  
17 joined via the Zoom application, please use the 'raise your  
18 hand' feature typically located at the bottom of your  
19 screen so that I may call on you to provide your comment.

20 If you're dialing in by phone, pressing 'pound-2'  
21 will raise your hand and put you into our queue. Speakers  
22 will be called in the order that their hand is raised.

23 Mr. Chairman, we have not had any new attendees  
24 join and all the attendees have heard the instructions and  
25 no one has motioned to raise their hand to offer public



1 comment.

2 CHAIR RICHARDS: Okay. Thank you Mr. Secretary.  
3 Then that will be the close of the public comments --  
4 comment -- public comment section number two.

5 In a minute the Board Members can address any  
6 questions that they may have or any issues raised either by  
7 the staff presentation or public comments. As noted in the  
8 agenda, while we take up some other business items and  
9 break for the night, staff will consider those Board-  
10 identified questions or issues and will be prepared to  
11 offer a response tomorrow when they start back, or when we  
12 start back at noon.

13 So if any of my colleagues at this point have any  
14 questions that they would like to have addressed or any  
15 other concerns, now is the time. Not seeing everybody's  
16 hands so please go ahead.

17 And, yes, Lynn, were you --

18 BOARD MEMBER SCHENK: Well, just two things.

19 First of all I want to add my thanks that others  
20 have expressed to staff, the consultants, my colleagues.  
21 This has been a very long process. It's taken a lot of  
22 time, a lot of energy, thought, stress. And so I really do  
23 offer my heartfelt thanks and congratulations to the  
24 patience that everyone has put into this to get to this  
25 point.

1           I've mentioned this in some of my briefings  
2 before, I am concerned about grade separations. I am very  
3 aware of some of the accidents that do happen despite best  
4 efforts, and I'm talking generally as well as specifically  
5 about this part of the project. There are areas where it  
6 would be very beneficial to have grade separation rather  
7 than at-grade, and the communities that feel that way also  
8 need to be partners in getting the money to do this. This  
9 can't just be high-speed rail.

10           There are communities that frankly have a lot of  
11 political clout in Washington, have a lot of political  
12 clout in Sacramento, and we really need to get them  
13 involved in participating more strenuously in getting the  
14 funds for certain important grade separations.

15           And then my other comment and thought, concern --  
16 and one I've expressed before again generally for the  
17 project, specifically now the areas that we were discussing  
18 this morning -- and that is where we have intermodal  
19 connectivity, to be very, very sensitive to the real-life  
20 struggles that people have in connecting. You know, not  
21 everybody is a 25-year-old sprinter who can run down one  
22 set of escalators and elevators to another and up to  
23 another station. To really put our best thinking this,  
24 it's not something that has to be done obviously, or  
25 tomorrow in connection with our vote. But something that I

1 can really urge our staff and our consultants to look at.  
2 How are these stations used and how do they connect to one  
3 another?

4 But other than that I really just give my  
5 heartfelt congratulations to the staff for a job well done.

6 CHAIR RICHARDS: Thank you Lynn.

7 BOARD MEMBER PEREA: Mr. Chairman, I have a  
8 question or comment.

9 CHAIR RICHARDS: Yes, go ahead Director Perea.

10 BOARD MEMBER PEREA: Thank you. First again I  
11 want to echo what was just said in terms of thanking the  
12 staff for all the great work they've done over the years in  
13 this project.

14 Information that I would need for tomorrow -- I  
15 want to be very sensitive to the comments made by the  
16 elected officials. And you know it does make sense that we  
17 would want an intermodal-type facility like we were  
18 proposing in Merced, so I would like just maybe a little  
19 more detail tomorrow about why that does not make sense at  
20 this location, if we could. I may have missed it in the  
21 presentation.

22 And then just a little more information that they  
23 raised with respect to the parking lot and its impact on  
24 the housing there, and you know what really -- you know,  
25 the whole discussion and review we did over that.

1           And the last thing is just, if we delay this for  
2 30 to 60 days so that could be further discussion with the  
3 cities what that impact would be.

4           Thank you Mr. Chairman.

5           CHAIR RICHARDS: Thank you Henry.

6           BOARD MEMBER CAMACHO: Yeah, Tom?

7           CHAIR RICHARDS: Yes.

8           BOARD MEMBER CAMACHO: I want to reiterate  
9 comments that Director Schenk made, and certainly  
10 complement Serge, Boris, Gary, staff, and all of the  
11 consultants for such a job well done. But I also would  
12 like to comment about the issue of safety.

13           Grade separations are certainly paramount in my  
14 mind in terms of what we do and how we lead things, and  
15 what -- the impact that we have on the community.  
16 Connectivity is certainly something that Lynn raised.  
17 Traveling in a station, getting from one train to another,  
18 is really important to me as well as it is important to the  
19 community.

20           I realized that there were certain members that  
21 are not truly happy with all of the things that we did in  
22 Millbrae, and I hope that we consider all that we're doing  
23 there and come to some resolutions so that we have everyone  
24 a happy participant with all of the things that we're  
25 doing.

1           But that's my only comments. Thank you.

2           CHAIR RICHARDS: Thank you Director Camacho.

3           Anybody else? I'm flipping through here.

4           Oh, yes, Director Ghielmetti.

5           BOARD MEMBER GHIELMETTI: I'd like to start with  
6           Brisbane first. Director Kelly and I have met with the  
7           City Manager and Councilwoman Cunningham at length. We've  
8           had staff work on some alternative plans, et cetera, that  
9           they're developing. We intend to go back to the city of  
10          Brisbane and show them those plans. Hopefully they take  
11          care of most of their concerns. And so this is an ongoing  
12          conversation we're in.

13          And for that matter we've done the same thing  
14          with Millbrae. We've had a number of conversations with  
15          their staff and their consultant, et cetera. We've met  
16          with the developer. And, you know, I think there's ways of  
17          coming up with solutions. I want everyone to remember that  
18          we don't have advanced design work on that station. And I  
19          think some of those concerns that they had probably can be  
20          met when we do a little more advanced design. But, you  
21          know, the high-speed rail has never walked out of a  
22          meeting. We've been meeting on a regular basis on both  
23          Brisbane and the city of Millbrae. And I'm hoping over the  
24          next couple of months we can resolve all of their concerns  
25          and we can move forward.

1 CHAIR RICHARDS: Jim, thank you very much and all  
2 of us on the Board, certainly myself, appreciate you taking  
3 the lead on behalf of the Board and working with management  
4 in Brillbae [sic] -- Brisbane and Millbrae. Thank you very  
5 much.

6 Any other questions or comments?

7 BOARD MEMBER ESCUTIA: Yes, Mr. --

8 CHAIR RICHARDS: Yes, Lynn -- Director Escutia.

9 BOARD MEMBER ESCUTIA: Yes, thank you.

10 Again, you know I'm very proud of this Board for  
11 showing their sensitivity to the issues that were  
12 highlighted by the elected officials of Millbrae, as well  
13 as one issue that really caught my attention was the issue  
14 impacting Brisbane with regard to the transference, you  
15 know, of -- I think the young man mentioned the  
16 transference I think of trash.

17 So, I just want to thank, you know, especially  
18 Jim Ghielmetti for really putting a lot of hours extra into  
19 talking to those cities, Brisbane and Millbrae, and I would  
20 like to find out whether, if we were to delay this for say  
21 30 or 60 days, whether that would give us enough time for a  
22 solution for both Brisbane and Millbrae.

23 What's your sense of that Jim, or Brian Kelly?

24 MR. KELLY: Well, I'll put mine first and then  
25 happy to defer to Mr. Ghielmetti. I think the solutions

1 that we're seeking in good faith with both Millbrae and  
2 Brisbane are going to take longer than 60 days, but I think  
3 that's okay. Because the (indiscernible) itself in the  
4 environmental document that's before you is a question of  
5 whether or not we've done the right analysis on the impacts  
6 and we've identified the necessary mitigations. And that's  
7 where we are right now.

8 But I think getting past this part, getting the  
9 (indiscernible), and then moving into the conversations  
10 post-(indiscernible). Because it may take longer to get  
11 through the advanced design work, and I think we want to  
12 have the environmental document past us as we get into  
13 those conversations.

14 That's not unlike the approach we've taken in  
15 other places throughout the state, and I think that that's  
16 a preferred approach for us here.

17 Jim, I don't know if you had --

18 CHAIR RICHARDS: Jim, do you have anything to  
19 add?

20 BOARD MEMBER GHIELMETTI: I see Boris's hands up  
21 first. I'll comment after Boris.

22 MR. LIPKIN: I'm sorry, Jim. I didn't mean to  
23 get in front of you. Why don't you go ahead and I'll go  
24 after you.

25 BOARD MEMBER GHIELMETTI: No, no, go ahead. I

1 always like to follow you, Boris.

2 MR. LIPKIN: Okay. Well I apologize for jumping  
3 in if it's premature.

4 I just wanted to add for the Board that we, you  
5 know -- to try to lay out that collaborative path forward,  
6 and I think Serge mentioned in his presentation, but we did  
7 include specific measures about commitments towards  
8 continuing to work with both Millbrae and Brisbane on the  
9 specific -- the exact issues that were raised.

10 And we really do see the opportunity for that as  
11 we advance design to, you know, as both Jim and Brian  
12 mentioned. There are paths forward on those. The EIR is  
13 an important milestone, but it's not the -- it's not a  
14 final design, and there's plenty of work in front of us  
15 here.

16 So I think we have included the appropriate  
17 commitments that would make sure that from hopefully to  
18 give the Board confidence that we take that very seriously,  
19 and we will continue to work with the jurisdictions here.

20 So sorry to jump in before you Jim.

21 CHAIR RICHARDS: Thank you Boris. Director  
22 Ghielmetti?

23 BOARD MEMBER GHIELMETTI: Yeah, I think we need  
24 to move forward with the certification. It enables us  
25 especially in the case of Millbrae to consider doing some



1 exact -- advanced funding for land acquisition that would  
2 actually be helpful to the city of Millbrae. So I would  
3 encourage us to move forward.

4 As for Brisbane, I think staff is doing some  
5 advanced design work that we can present to them in the  
6 very near future. And hopefully that satisfies a lot of  
7 their concerns. And they had some very serious concerns,  
8 by the way. You know, their firehouse would have to be  
9 relocated. They had access problems. There were a number  
10 of things that I think the staff has reviewed and may have  
11 some really potential beneficial solutions to that. So I  
12 would like to see us move forward and continue these  
13 discussions.

14 You know, we're a long way off from total funding  
15 of this segment anyway. So there's time to get everything  
16 done. But I would like to get Millbrae moved forward,  
17 because the developer's been anxiously waiting to get his  
18 project started.

19 CHAIR RICHARDS: Thank you Director Ghielmetti.  
20 And I'll only echo what our CEO said. It is a fact that as  
21 we've been in other parts of the state in our alignment, we  
22 have worked diligently both before and after the  
23 environmental documents have been certified, and we've been  
24 pretty successful in each of those areas. Together we've  
25 always found some sort of a resolution that I think is fair

1 to both sides. And people have walked away from the table  
2 ultimately without the sense that somehow they got -- they  
3 didn't get their fair share. And I think that that is  
4 basically a policy that we've lived with from the outset,  
5 and it's the only way that we can be successful going  
6 forward.

7 BOARD MEMBER PEREA: If the Chairman could --

8 CHAIR RICHARDS: Yes.

9 BOARD MEMBER PEREA: Mr. Chairman, could I just  
10 make one last comment?

11 CHAIR RICHARDS: Sure.

12 BOARD MEMBER PEREA: I certainly -- I wasn't  
13 aware of all of the involvement of Member Ghielmetti in  
14 that area. So that raises my confidence level. So I  
15 certainly will follow his lead as we move forward tomorrow.  
16 But what I would ask if it's appropriate, and I don't know  
17 if public comment is completely closed, but I just want to  
18 be sensitive to the elected officials and what they said.  
19 And what they were saying and what we're saying kind of  
20 sounds different. So I just don't know if they're in a  
21 'trust and verify' mode, but if there can be some  
22 discussions with them between now and tomorrow, and if  
23 they're allowed to comment to say if their comfort level is  
24 better that we are going to be partners with them going  
25 forward, I think that would help a lot.

1 CHAIR RICHARDS: Okay. With that ladies and  
2 gentlemen we are going to adjourn for one hour for lunch.  
3 It's now let's say 12:25, so let's just make it at 1:30.  
4 At 1:30 will reconvene and move on forward with the other  
5 agenda items that we've got for today.

6 (Off the record at 12:23 p.m.)

7 (On the record at 1:30 p.m.)

8 CHAIR RICHARDS: Good afternoon ladies and  
9 gentlemen. This is the California High-Speed Rail  
10 Authority's Board Meeting for August the 17th. We've just  
11 returned from lunch. We will now take up the addition of  
12 the balance of the items for today, August 17th.

13 Before we do so, we're going to turn it over to  
14 the Board Secretary to explain to the members of the public  
15 how they can access the interpreters. Moe?

16 BOARD SECRETARY RAMADAN: Thank you Mr. Chairman.  
17 Good afternoon. Thank you all for joining. I  
18 would like to go over some important technical aspects for  
19 listening in the appropriate language. Today we'll be  
20 conducting this meeting in English, Spanish, and Mandarin.

21 First, to ensure that you are hearing this  
22 meeting in the correct language, everyone please go to the  
23 bottom of your screen and click on the globe icon labeled  
24 'interpretation.' From there you need to select either  
25 English or Spanish or Mandarin.

1           After you select your language, if you hear both  
2 languages at the same time, please click "mute original  
3 audio." If you hear everything clearly, there is no need  
4 to click the "mute original audio" button.

5           Now I'll ask for our Spanish interpreter provide  
6 these instructions, and then after that our Mandarin  
7 interpreter to provide those instructions.

8           SPANISH TRANSLATOR CARDENAS: Hello. Good  
9 afternoon everyone. Thank you so much for being a part of  
10 this meeting. I am one of the Spanish interpreters. I  
11 will be giving instructions in Spanish.

12           (Whereupon the Spanish Interpreter translates  
13 instructions from English to Spanish)

14           BOARD SECRETARY RAMADAN: Now I'd ask for our  
15 Mandarin interpreter. Yep.

16           MANDARIN INTERPRETER CHEN: Hello everyone. This  
17 is the Mandarin interpreter and I'm going to give you  
18 Mandarin interpreter instruction.

19           (Whereupon the Mandarin Interpreter translates  
20 instructions from English to Mandarin)

21           BOARD SECRETARY RAMADAN: Thank you Ken.

22           Mr. Chairman, we can move on.

23           CHAIR RICHARDS: Thank you Moe.

24           Ladies and gentlemen in the public who may not  
25 have been with us this morning, we are taking up where we

1 left off. We have already completed agenda items 1, 2, and  
2 3. For your information, items 5 and 10 have been moved to  
3 the September 15th Board meeting.

4 So we will now move on to item number four which  
5 is the State Budget Agreement Summary in consideration of  
6 adopting the 2022-23 fiscal year budget. And with us is  
7 our chief financial officer Brian Annis.

8 Brian?

9 MR. ANNIS: Good afternoon Mr. Chair and Board  
10 members. I'm happy to present today the annual fiscal year  
11 budget, and here it is on a PowerPoint.

12 We can go to the next slide. So this is an  
13 annual action item we bring to the Board requesting  
14 approval of the fiscal year budget in two parts. In this  
15 case we're requesting approval of a 2022-23 fiscal year  
16 capital budget of 2.3 billion and a [sic] administrative  
17 budget of 93.3 million.

18 In this presentation we also want to update you  
19 on the actions the legislature took in June of 2022 to  
20 provide new appropriation authority to the High-Speed Rail  
21 Authority. We'll review revenues available for '22-'23  
22 expenditures, delve into just a little bit of detail on the  
23 '22-'23 expenditure budget, and finally we'll ask for Board  
24 approval.

25 Next slide. This is the first Board meeting

1           since the administration of the legislature on  
2           transportation funding. So this is very significant  
3           for the Authority. There was a three-bill package  
4           that provides funding for the Authority. The first  
5           was Senate Bill 154. That was the primary budget act  
6           bill for '22-'23 fiscal year. And in that it included  
7           our state operations funding. And again that totals  
8           93.3 million for the fiscal year including Prop 1A,  
9           Cap-and-Trade, and also a small fund we have called  
10          the Property Fund for some property maintenance.

11                 Assembly Bill 180 was the second bill. It's  
12          called a budget bill junior because it amended an existing  
13          budget act, in this case the '21-'22 budget act. And this  
14          is where the legislature appropriate the remaining 4.2  
15          billion of Prop 1A bond authority.

16                 Finally Senate Bill 198 was the budget trailer  
17          bill for transportation issues, and this is where a  
18          statutory provisions were enacted to guide the expenditure  
19          of the transportation funds. For high-speed rail we note  
20          four specifics that are important: the bill specifies that  
21          the 4.2 billion of 1A be exclusively expended in the  
22          Central Valley. It also adds new legislative reporting  
23          requirements, specifically some information to be included  
24          in the 2023 Project Update Report which is due March 1st.  
25          It establishes an Inspector General to provide independent

1 oversight of the High-Speed Rail Program. I'll mention  
2 those two together.

3 Part of the appropriation of 4.2 billion, about  
4 half of that, is not available until we put out the Project  
5 Update Report and allow the Inspector General to review it,  
6 and at that point the full 4.2 billion is available for  
7 expenditure. But the first half is available for  
8 expenditure this fiscal year.

9 And lastly the bill specifies that Cap-and-Trade  
10 dollars as well are to be prioritized on building an  
11 operable passenger rail service between Merced and  
12 Bakersfield that's a two-track electrified system and does  
13 allow for up to 500 million to be used on other commitments  
14 or new commitments outside the Central Valley to the extent  
15 those are efficient for the program. But again the  
16 emphasis is on getting the high-speed service up and  
17 running between Merced and Bakersfield, so we're very happy  
18 with the package that came together, and appreciative of  
19 the legislative support, including the support of our ex  
20 officio legislators on the Board.

21 CHAIR RICHARDS: Mr. Annis, could you just take a  
22 moment if you're prepared to do so just to give the Board  
23 the background on how a Inspector General is to be selected  
24 and how that -- how he or she will work, and where we might  
25 be at this point within that process.

1 MR. ANNIS: Well, this is a structure that does  
2 exist elsewhere right now. The United States Department of  
3 Transportation has an Inspector General. Caltrans has one.  
4 There's one for the State Corrections Department as well.

5 So this is set up to be an independent entity.  
6 It's not part of the High-Speed Rail Authority or part of  
7 the Transportation Agency. It's a new entity that'll exist  
8 in state government.

9 The process for appointment is that the Joint  
10 Legislative Audit Committee will nominate three individuals  
11 to be the Inspector General, and from among those three  
12 nominations, the Governor will then nominate an Inspector  
13 General that will then go on to be confirmed in the Senate.

14 It's also independent in that that person has a  
15 term in office, which I believe is six years, but can only  
16 be removed for cause. So it's set up to be an independent  
17 office to provide that, again, independent oversight of the  
18 activities of the Rail Authority.

19 BOARD MEMBER SCHENK: Mr. Chairman, may I?

20 CHAIR RICHARDS: Yes. Yes, Lynn.

21 BOARD MEMBER SCHENK: Yeah. So Brian -- or  
22 either Brian -- what do we see as the impact in terms of  
23 any slowing us down or not meeting certain deadlines? What  
24 could go wrong in having something like this now imposed on  
25 us?



1           MR. KELLY: Well I would first say that this is  
2 something that we welcome because we think that the  
3 oversight is fine. And I think that the risk is if for  
4 example if the Project Update Report that we develop, if  
5 they found it insufficient in terms of meeting the  
6 statutory requirements or the needs of what's in it, and  
7 that caused a long back-and-forth that could certainly slow  
8 things down.

9           But we don't anticipate that. Our objective is  
10 to put together a Project Update Report that for example  
11 will get the full review, and ultimately, for lack of a  
12 better term, a blessing of the Inspector General to the  
13 Joint Legislative Budget Committee. And that's our intent.

14           And so we would look forward to working with the  
15 Inspector General on a lot of this issues. In fact I would  
16 say that even in the negotiations, we ask for the ability  
17 to bring issues to the Inspector General ourselves. So we  
18 think there's a good opportunity to again get the  
19 independent oversight that people are looking for. And I  
20 think for us, it's just a matter of working as efficiently  
21 as we can with this new oversight entity.

22           But I think our intention is to make sure the  
23 product that we produce can certainly pass the muster of an  
24 independent review, and that's kind of how we operate  
25 anyway. So --

1 BOARD MEMBER SCHENK: I know we do.

2 MR. KELLY: I think the risks are if we're  
3 falling short, and the Inspector General thinks we're  
4 falling short, that can cause some longer discussions. But  
5 building it into what we do I don't think will cause any  
6 unnecessary delay.

7 BOARD MEMBER SCHENK: Thank you.

8 CHAIR RICHARDS: Thank you Lynn. Go ahead,  
9 Brian.

10 MR. ANNIS: Great.

11 I think we're ready to go the next slide. So  
12 we've finished I would say our major steps in accessing the  
13 new Prop 1A bond funds, but there is one more step to go  
14 and I wanted to make sure we covered that. Prop 1A does  
15 include many requirements in the statutory mechanisms. It  
16 sets up to access bond proceeds, and we have completed the  
17 first two here.

18 The Authority Board in February of 2021 approved  
19 an initial funding plan for the bond funds, somebody called  
20 a Part C plan because that's the statutory subdivision that  
21 requires this. After the Board adopted that in February it  
22 went to the legislature, and again in June of '22 the  
23 legislature did appropriate the funds.

24 So the final stage in the Prop 1A mechanism is to  
25 update the funding plan, produce a final funding plan, and

1 we're working on that now. It's a requirement that an  
2 independent entity review that and comment on that. So we  
3 do have that independent entity engaged. It's a firm  
4 called PFAL, and they've reviewed our past funding plans,  
5 such as for LA Union Station as well.

6 So we anticipate coming back to the Board at next  
7 month's meeting in September and asking for Board approval  
8 of this final funding plan to expend the final 4.2 billion  
9 of Prop 1A.

10 We're also concurrently working with the  
11 Department of Finance and the Treasurer's office, taking  
12 the steps necessary to be included in the Fall bond sale,  
13 which we expect to be in November. And if we proceed on  
14 this timeline, we expect to be able to meet that timeline  
15 and the Treasurer to sell some of the Prop 1A bonds in  
16 November, which would -- then would have those available to  
17 us for expenditure. We will be using some Cap-and-Trade  
18 funds in the short term until Prop 1A bonds are sold, but  
19 we think primarily after that we'll focus on the  
20 expenditure of 1A for our Central Valley construction  
21 expenditures.

22 Next slide. I mentioned Cap-and-Trade and this  
23 is just to indicate that the cash balance in that fund is  
24 very robust right now. The last four quarterly auctions  
25 have been record-breakers in terms of proceeds coming to

1 high-speed rail. We've received about a billion -- 90  
2 million dollars over the last four auctions.

3 One thing here to note as well is all of the  
4 prior auctions are now credited as cash to the Authority,  
5 so we have a balance of about 2.1 billion dollars of Cap-  
6 and-Trade proceeds currently. The Department of Finance  
7 and the Comptroller's office moved very quickly after the  
8 May auction and had that posted in about five or six weeks.  
9 It often takes three months or more before we see the cash  
10 posted, but in this case it was a very quick process.

11 So we have a good cash balance of Cap-and-Trade,  
12 and again expect to have access to the Prop 1A in November.  
13 So happy to say we don't have any significant cash flow  
14 risk going into this fiscal year like we did last year, due  
15 to both the legislative appropriation of the bonds and the  
16 strong Cap-and-Trade proceeds.

17 Next slide. So this is a bit of detail on our  
18 capital budget for '22-'23. The column here that's really  
19 relevant is Column C, or the '22-'23 budget, the total at  
20 the bottom, 2.3 billion. And then we break it into the  
21 three categories of project development, construction, and  
22 bookend projects.

23 Project development near the top is budgeted at  
24 177 million for the fiscal year, and that's all out of Cap-  
25 and-Trade. I will note that does include some of the

1 contracts that come up later in this agenda, the Merced  
2 Extension Design and the Bakersfield Extension Design as  
3 well as the Central Valley Station Design which will come  
4 at a later Board meeting. So again part of that  
5 expenditure is some of that new activity that we'll be  
6 proceeding with this fiscal year.

7           Next line down, Construction. As indicated, we  
8 expect primarily to use 1A for that, and we'll do some  
9 expenditure updates to change Cap-and-Trade to Prop 1A when  
10 it becomes available to cover the first few months of the  
11 fiscal year. But about 1.9 billion of construction budget.  
12 That does also include some assumption of expenditures on  
13 the Track and Systems contract, which we do expect to get  
14 underway early next calendar year.

15           And lastly our bookend projects. That's the L.A.  
16 Union Station Project, Caltrans -- Caltrain  
17 Electrification, and the Rosecrans BART grade separation in  
18 Southern California. We have expenditures totaling 243  
19 million budgeted for those three projects.

20           Next slide please. This is our administrative  
21 budget or state operations budget, which is primarily a  
22 state staff, office building facilities, things of that  
23 nature. Here the -- again the middle column, Column C, is  
24 our '22-'23 budget, 20 -- 93.3 million. That is consistent  
25 with the budget approved by the legislature in SB154 as

1 well. This displays the expenditures for each office which  
2 I won't go through, but I will point out that this year we  
3 are funding a greater share of this budget with Cap-and-  
4 Trade funds. In the past it's primarily been Prop 1A  
5 funds, with just a very small portion of Cap-and-Trade, but  
6 working with the Department of Finance, this year we're  
7 about two-thirds Cap-and-Trade and one-third Prop 1A for  
8 our State Operations Budget.

9           Next slide. So the Board action requested is in  
10 your packet and there's a Board resolution. We are asking  
11 for Board approval of the capital budget of 2.3 billion and  
12 the administrative budget of 93.3 million. We do note with  
13 the administration budget, that is subject to some smaller  
14 adjustments the Department of Finance might make related to  
15 employee compensation and other small adjustments they make  
16 as they allocate statewide money to specific departments,  
17 and that's typical, so. It may ultimately be somewhat  
18 different than 93.3 million, but that's currently what's  
19 scored.

20           Lastly just want to clarify that at this time  
21 we're not asking the Board to approve any updates to our  
22 multiyear program baseline budget. It was last December,  
23 December of '21, when the Board last approved an adjustment  
24 to an Expenditure Authorization. That was a bit of an  
25 interim baseline adjustment because the Board did want to

1 wait for the legislature to act on the Prop 1A  
2 appropriation, additionally for some of the final design to  
3 get put into the construction contracts through change  
4 orders.

5           And here in this bullet I also mention that  
6 certainly since December of 2021, inflation has been a  
7 growing concern across the nation and really across the  
8 world as construction inflation and general consumer  
9 inflation is at record levels for the forty years or so is  
10 what we're seeing. So that's something else we're looking  
11 at. And we do anticipate coming back to the Board at some  
12 point in the future with some program baseline budget  
13 adjustments, but again none are requested at this time.  
14 And of course in SB198 we will comprehensively be reviewing  
15 our budget, or our program baseline budget, for Central  
16 Valley costs as required in that legislation.

17           That concludes the presentation. Thank you Mr.  
18 Chair.

19           CHAIR RICHARDS: Thank you Mr. Annis. Any  
20 questions for Brian from any of the members?

21           BOARD MEMBER PENA: I have one.

22           CHAIR RICHARDS: Yes please Director Pena.

23           BOARD MEMBER PENA: Brian, is there a target date  
24 at well for when the Inspector General is supposed to be  
25 appointed and get up and running?

1 MR. ANNIS: There's not one in statute. There is  
2 a -- I can delve a little more into the process beyond what  
3 I said before. There is in the legislation an idea that  
4 the Joint Legislative Audit Committee would do a public  
5 call for applicants --

6 BOARD MEMBER PENA: Um-hmm.

7 MR. ANNIS: -- and I believe that at a 120-day  
8 process.

9 BOARD MEMBER PENA: Okay.

10 MR. ANNIS: So it doesn't appear likely that  
11 there would be a recommendation of three candidates for  
12 another three-plus months.

13 So my best guess is sometime next Spring we would  
14 say a person nominated by the Governor.

15 BOARD MEMBER PENA: Okay. Thank you.

16 BOARD MEMBER SCHENK: As a follow-on to that,  
17 would that delay impact us in anyway, or we're still moving  
18 ahead aren't we?

19 MR. KELLY: We have to move ahead on developing  
20 the project update report. I think the question is,  
21 they're going to want to get the Inspector General in place  
22 to do the review on the project update report. And I think  
23 that's what's going to be important for the Joint  
24 Legislative Audit Committee. And so that's what I think we  
25 want to see the most of.



1 I'm hopeful that they all have nominations to the  
2 Governor before the end of the year, and we'll be in  
3 communications on JLAC on their process as we go forward.

4 BOARD MEMBER PENA: Have they even put a notice  
5 out yet, do we know?

6 MR. KELLY: I don't know the answer to that.

7 MR. ANNIS: I'm not -- yeah, I'm not aware of  
8 one.

9 BOARD MEMBER PENA: Okay.

10 CHAIR RICHARDS: Thank you, any other --

11 BOARD MEMBER PEREA: Mr. Chairman? Mr. Chairman,  
12 I have a question.

13 CHAIR RICHARDS: Yes?

14 BOARD MEMBER PEREA: And I don't know if this  
15 went into that auditor piece, but my sense of budget is  
16 always tied to performance. And what documents do we have  
17 that that support the expenditures we're asking to approve?

18 I know late last year we were waiting for a  
19 report on milestones to complete CP1 and 2. A lot of  
20 issues there. And we have not received that report yet.  
21 So how are performance indicators going to be tied to these  
22 expenditures?

23 MR. ANNIS: If I could mention maybe some Finance  
24 & Audit Committee-related documents? And you're right,  
25 Director, we do report for CP4 right now some of the

1 specific indicators in terms of -- terms of earned cost  
2 index and those type of measures. And as we work really --  
3 we provided in the '22 Business Plan a list of large change  
4 orders that were still pending for CP1 and 2-3.

5 I think the majority of those -- we still have a  
6 left -- but I think more than half in each case are now  
7 implemented. So we are working through those issues that  
8 would allow some of that reporting like we do for CP4 that  
9 we do for the other CPs as well.

10 MR. KELLY: I'll just add one other thing. I  
11 want to separate the fiscal year budget from the baseline  
12 budget. We come back for any baseline adjustment to the  
13 broader budget with an updated schedule. That is the time  
14 when we would go through each of the elements in the CPs,  
15 1, 2, 3, and 4, and tie that to any baseline adjustments  
16 included with the deliverables on the schedule.

17 For the fiscal year, it's really just tied to the  
18 expectations we have for what we would deliver in '22-'23,  
19 and I think -- I think that's what's driven the number that  
20 we have in the document here at 2.3 million -- billion.

21 BOARD MEMBER PEREA: Okay. Yeah, Brian, and I  
22 understand -- I understand the issues with, you know, CP1,  
23 2, 3, and I mean I just I'm trying to get to the point of  
24 when are we going to know when things are going to get  
25 done.

1 I know we still have significant issues with  
2 third-party, right-of-way, et cetera. But they have to get  
3 done or this project doesn't move.

4 MR. KELLY: Yeah. There's no question about it.  
5 And that's exactly what we're driving toward. We are  
6 finalizing our estimative schedules as I indicated to you  
7 recently, at the end of August, and we'll be coming back to  
8 the Board with an update on that. And all of that has to  
9 feed the project update report that's due to the  
10 legislature in March, but we'll be having discussions with  
11 this Board on that, you know, later this fall, well in  
12 advance of the project update report.

13 But we're working through those schedules. We're  
14 meeting with contractors and the construction team at the  
15 end of August to work through those issues and come back on  
16 what that looks like.

17 BOARD MEMBER PEREA: Alright. Thank you.

18 CHAIR RICHARDS: Thank you Henry. Any other  
19 questions?

20 Alright, then do we have a motion for approval  
21 for the 2022-'23 budget?

22 BOARD MEMBER PEREA: So moved. So moved.

23 BOARD MEMBER CAMACHO: Second.

24 CHAIR RICHARDS: Director Perea. Second please?

25 BOARD MEMBER CAMACHO: Second.

1 CHAIR RICHARDS: Is that Director Camacho?  
2 BOARD MEMBER CAMACHO: Yes.  
3 CHAIR RICHARDS: Okay. Moe, please call the  
4 roll.  
5 BOARD SECRETARY RAMADAN: Director Schenk?  
6 BOARD MEMBER SCHENK: Yes.  
7 BOARD SECRETARY RAMADAN: Chair Richards?  
8 CHAIR RICHARDS: Yes.  
9 BOARD SECRETARY RAMADAN: Director Camacho?  
10 BOARD MEMBER CAMACHO: Yes.  
11 BOARD SECRETARY RAMADAN: Vice Chair Miller?  
12 VICE CHAIR MILLER: Yes.  
13 BOARD SECRETARY RAMADAN: Director Perea?  
14 BOARD MEMBER PEREA: Yes.  
15 BOARD SECRETARY RAMADAN: Director Ghielmetti?  
16 BOARD MEMBER GHIELMETTI: Yes.  
17 BOARD SECRETARY RAMADAN: Director Escutia?  
18 BOARD MEMBER ESCUTIA: Yes.  
19 BOARD SECRETARY RAMADAN: Director Williams?  
20 BOARD MEMBER WILLIAMS: (Off mic.)  
21 BOARD SECRETARY RAMADAN: Director Pena?  
22 BOARD MEMBER PENA: Yes.  
23 BOARD SECRETARY RAMADAN: Mr. Chairman, the  
24 motion carries.  
25 CHAIR RICHARDS: Thank you. Thank you

1 colleagues.

2           Moving on to agenda item 6 to consider providing  
3 approval to award the contract for design services for the  
4 Merced to Demera (phonetic) -- or Madera Project. I'm not  
5 sure who's going to step up here right away.

6           MR. KELLY: Yeah, Mr. Chairman, if I could  
7 introduce the presenter?

8           CHAIR RICHARDS: Of course.

9           MR. KELLY: Presenting on this will be the head  
10 of our Strategic Delivery Unit, who has also mentioned the  
11 procurement for us on -- this is the advanced design work  
12 for both expanding design for the Merced extension and the  
13 Bakersfield extension. We went through a robust RFQ  
14 process with three bidders on one of them, four on another,  
15 went through that scoring process. And now we're back to  
16 you to approve the awarding of this work.

17           This is also important for you guys to know. The  
18 Merced extension was also the subject of a federal grant  
19 that we just received and announced last week for about 25  
20 million dollars, so you'll see in the presentation a cost  
21 estimate of about 41 million to do the initial design  
22 extension work to Merced. That's offset a bit by the award  
23 of that federal grant, so that was very good -- good news  
24 for us.

25           And I also just think it's a good thing

1 generally. The legislature that Brian -- or the  
2 legislation that Brian referenced in the budget, it really  
3 called out the priorities for what the Authority needs to  
4 be focusing on and completing next, and that priority is a  
5 double-track electrified high-speed rail system between  
6 Merced and Bakersfield, and that's in the statute. So this  
7 is our first meeting since that budget deal, and we're  
8 coming to you now to move forward on the advanced design  
9 work so we can advance this work in a timely way.

10 So that's the -- that's my setup. And again I'll  
11 hand it to our head of Strategic Delivery, Christine  
12 Inouye, to go through the presentation. Thank you.

13 MS. INOUYE: Good afternoon Chair Richards and  
14 the Board of Directors. I am Christine Inouye, Chief  
15 Engineer of Strategic Delivery at the High-Speed Rail  
16 Authority.

17 Today I will be presenting two agenda items  
18 together, number 6 and number 7, Consider Approving --  
19 Providing Approval to Award the Contract for Design  
20 Services for the Merced to Madera Project, and for the  
21 Fresno to Bakersfield Locally Generated Alternative , LGA,  
22 Project.

23 The Authority is recommending approval to award  
24 two architectural and engineering contracts. One is for  
25 Merced to Madera, and the second is for the Fresno to

1 Bakersfield LGA. The services will include configuration  
2 footprint design, a minimum of 30 percent; value  
3 engineering; cost refinements; travel time enhancements;  
4 right-of-way mapping; and utility relocation requirements.

5           Next slide please. The procurement process for  
6 both contracts was managed directly by Authority staff.  
7 The qualification-based contracts are governed by the  
8 states A&E requirements, government code, Authority  
9 regulations, Board policies, and other applicable state and  
10 federal requirements. The requirements included a 30  
11 percent Small Business Utilization goal, inclusive of 10  
12 percent Disadvantaged Business Enterprise goal, and 3  
13 percent Disabled Veterans Business Enterprise goal.  
14 Offerors were scored following the criteria in the RFQ.  
15 Final scores were computed weighted scores in accordance  
16 with the RFQ requirements, and as shown in this table.

17           Next slide please. The contract value for Notice  
18 to Proceed 1 for Merced to Madera is 41 million dollars,  
19 and the contract term is two years and three months. This  
20 is consistent with the Expenditure Authorization approved  
21 by the Board in December 2021. The project includes 40  
22 structures with three viaducts and 29.9 miles of guideway  
23 embankment in Merced and Madera County. The contract  
24 includes options to complete the final design and  
25 construction-ready documents, NTP-2, and to progress design

1 through configuration footprint for the section between R  
2 Street and Martin Luther King, Jr. Way in downtown Merced,  
3 NPT-3.

4           Next slide please. The Authority released the  
5 Request for Qualifications on March 18th, 2022, consistent  
6 with the Board's direction from February of this year.  
7 Statements of Qualifications were due on or before May  
8 26th, 2022. Three Offerors submitted Statements of  
9 Qualifications in response to the RFQ. They are: Stantech  
10 Consulting Services, Incorporated; Parsons Transportation  
11 Group, Incorporated; and RSE Corporation.

12           ESG efforts were incorporated as a pass/fail  
13 requirement. Scoring of the Statements of Qualifications  
14 and Discussions was completed pursuant to the criteria set  
15 forth in the RFQ. All three Offerors were invited to  
16 Discussions with the Authority.

17           Next slide please. For the Merced to Madera  
18 contract, the weighted scores, final score, and ranking for  
19 each Offeror are shown in this table. Stantec Consulting  
20 Services with a final score of 91.06 is ranked number one,  
21 Parsons Transportation Group is ranked number two, and RSE  
22 corporation is ranked number three. The Authority released  
23 the notice of proposed award on June 17th, 2022 and no  
24 protests were received. The pre-award audit review was  
25 completed, and the contract was successfully negotiated



1 with Stantec Consulting Services.

2           Next slide please. The contract value for Notice  
3 to Proceed 1 for the Fresno to Bakersfield LGA is 44.9  
4 million, and the contract term is two years and three  
5 months. This contract is also consistent with the  
6 Expenditure Authorization approved by the Board in December  
7 2021. The project includes 31 structures with two viaducts  
8 and twelve miles of guideway embankment in Kern County.  
9 The contract includes an option to complete final design  
10 and construction-ready documents, NPT-2.

11           Next slide please. The Authority released the  
12 request for qualifications on March 18th, 2022, consistent  
13 with the Board's direction from February. Statements of  
14 Qualifications were due on or before June 10th, 2022. Four  
15 offerors submitted Statements of Qualifications in response  
16 to the RFW. They are: HNTB Corporation; Stantec Consulting  
17 Services, Incorporated; T.Y. Lin International; and PGH  
18 Wong Engineering, Incorporated.

19           ESG efforts were also incorporated as a pass/fail  
20 requirement. Scoring of the Statements of Qualifications  
21 and Discussions was completed pursuant to criteria set  
22 forth in the RFQ. All four Offerors were invited to  
23 Discussions with the Authority.

24           Next slide please. For the Fresno to Bakersfield  
25 LGA Project, the weighted scores, final score, and ranking

1 for each Offeror are shown in this table. HNTB  
2 Corporation, with a final score of 94.22, is ranked number  
3 one, Stantec Consulting Services is ranked number two, T.Y.  
4 Lin International is ranked number three, and PGH Wong  
5 Engineering is ranked number four.

6 The Authority released the Notice of Proposed  
7 Award on July 13th, 2022, and no protests were received. A  
8 pre-award audit review was completed, and the contract was  
9 successfully negotiated with HNTB corporation.

10 Next slide please. The procurement schedule for  
11 both contracts is shown here. With Board approval, the  
12 Authority will reward and execute the design services  
13 contracts in August. Notice to Proceed 1 for both  
14 contracts is scheduled for late August.

15 Next slide please. And this concludes my  
16 presentation. Thank you for your time and consideration  
17 today. I'll be happy to take any questions.

18 CHAIR RICHARDS: Thank you very much. Any  
19 questions from any of the Members on the Board?

20 BOARD MEMBER PEREA: I move approval for number  
21 six and number seven.

22 CHAIR RICHARDS: Thank you.

23 BOARD MEMBER GHIEMMETTI: I've got -- I've got  
24 one question.

25 CHAIR RICHARDS: Yes. Go ahead Jim.

1 BOARD MEMBER GHIELMETTI: You know, this timeline  
2 to get these things done stretches out to two years. And  
3 I'm wondering if we can't have some sort of an incentive to  
4 speed these things up.

5 Do you have any thoughts Christine?

6 MS. INOUYE: We -- after NTP-1 is issued, the  
7 Authority and the consultants will be working together on  
8 the schedule during the first month of contract. And so  
9 although the contract is two years, three months, we are  
10 going to work together to try to get that work done a lot  
11 sooner. And so we are planning for regular updates on both  
12 the schedule and the progress of the work once NTP-1 is  
13 issued.

14 BOARD MEMBER GHIELMETTI: So I would appreciate  
15 it after you have the meeting if they could put together a  
16 tentative schedule for us so we can look at it.

17 MS. INOUYE: I'm sure we can -- we can accomplish  
18 that.

19 BOARD MEMBER GHIELMETTI: Thank you.

20 BOARD MEMBER PEREA: Mr. Chairman, I had a  
21 question along the same lines, and so I won't repeat what  
22 Member Ghielmetti has said other than to say or ask once  
23 the schedule is completed, and maybe what we need to have  
24 as a part of this motion are quarterly updates after we  
25 have agreement with this vendor of performance milestones.

1           And the other side of that coin for me is, how do  
2 we hold them or any other awardee accountable if they do  
3 not meet their standards? I know there may be incentives  
4 to get it done, but maybe what are the disincentives for  
5 them to not get it done? How do we make sure they meet  
6 their guidelines?

7           MR. KELLY: Christine, do you want to jump? Do  
8 you want to answer that question a little bit, on the  
9 disincentive? I mean the contract would have cause for  
10 terminations under a couple of scenarios, right? Wouldn't  
11 the lack of performance be one?

12           MS. INOUYE: Correct. We do have those  
13 provisions and that flexibility in the contract if the  
14 performance was very poor.

15           BOARD MEMBER PEREA: Okay. Can we include  
16 quarterly performance updates as a part of this motion? So  
17 we clearly know that everybody is on track to getting it  
18 done?

19           MR. KELLY: Alicia, is there any issue with that.

20           MS. FOWLER: No. So just Board Member Perea, I  
21 want to make sure I understand, we have two resolutions  
22 we're talking about, 22-15 and 22-16, and you're proposing  
23 adding language that the staff would come back quarterly to  
24 report to the Board on progress for both of those?

25           BOARD MEMBER PEREA: Yes. Yes.

1 MS. FOWLER: (Indiscernible.)

2 MS. SOUTHERN: And if I could add? We do have  
3 for both of these contracts a performance regime where  
4 they're for not as effective performance, which would mean  
5 they're not getting the work done as timely as we would  
6 like, the fee could go down from nine percent to eight  
7 percent. They also have an incentive to go up to 11  
8 percent. So their profit is tied to completing the work  
9 timely and working with us to get this accomplished.

10 BOARD MEMBER PEREA: Okay. Thank you.

11 BOARD MEMBER CAMACHO: So it is a design with a  
12 performance-driven component.

13 MR. KELLY: Yeah.

14 MS. SOUTHERN: Yes.

15 BOARD MEMBER CAMACHO: Yeah, that's --

16 BOARD MEMBER PEREA: Okay.

17 BOARD MEMBER CAMACHO: -- I think that's what  
18 Henry was asking, and I was going to interject to say  
19 that's probably what it is. Yeah.

20 BOARD MEMBER PEREA: Thank you.

21 CHAIR RICHARDS: Thank you Henry. Any other  
22 questions or comments? Alright, would you like, Ernie --  
23 would you like to amend your motion?

24 BOARD MEMBER CAMACHO: Oh, I would be more than  
25 happy to amend it to approve both number six and seven with

1 the --

2 CHAIR RICHARDS: Oh, no. We'd need to do just  
3 six.

4 BOARD MEMBER CAMACHO: Six --

5 CHAIR RICHARDS: I'm certain.

6 BOARD MEMBER CAMACHO: Six first. With the  
7 reporting back quarterly with where they are on time and  
8 schedule.

9 CHAIR RICHARDS: Okay. Does that work for you

10 BOARD MEMBER CAMACHO: Does that accomplish that,  
11 Henry?

12 BOARD MEMBER PEREA: Yeah, I'll second that  
13 motion.

14 CHAIR RICHARDS: Okay. We've got a motion and a  
15 second.

16 Moe, please call the roll.

17 BOARD SECRETARY RAMADAN: Director Schenk?

18 BOARD MEMBER SCHENK: Yes.

19 BOARD SECRETARY RAMADAN: Chair Richards?

20 CHAIR RICHARDS: Yes.

21 BOARD SECRETARY RAMADAN: Director Camacho?

22 BOARD MEMBER CAMACHO: Yes.

23 BOARD SECRETARY RAMADAN: Vice Chair Miller?

24 VICE CHAIR MILLER: Yes.

25 BOARD SECRETARY RAMADAN: Director Perea?

1 BOARD MEMBER PEREA: Yes.

2 BOARD SECRETARY RAMADAN: Director Ghielmetti?

3 BOARD MEMBER GHIELMETTI: Yes.

4 BOARD SECRETARY RAMADAN: Director Escutia?

5 BOARD MEMBER ESCUTIA: Yes.

6 BOARD SECRETARY RAMADAN: Director Williams?

7 BOARD MEMBER WILLIAMS: Aye.

8 BOARD SECRETARY RAMADAN: Director Pena?

9 BOARD MEMBER PENA: Yes.

10 BOARD SECRETARY RAMADAN: Mr. Chairman, the  
11 motion carries as amended with the reporting requirements.

12 CHAIR RICHARDS: Thank you. And if I can just  
13 clean up a little business also, on the last vote, Director  
14 Williams was unable to get unmuted but I believe his vote  
15 was a yes also.

16 BOARD MEMBER WILLIAMS: Yes, that's correct.

17 CHAIR RICHARDS: Okay.

18 BOARD MEMBER WILLIAMS: I voted aye on the  
19 previous item.

20 CHAIR RICHARDS: Okay. If you'd have the record  
21 reflect that, Moe.

22 BOARD SECRETARY RAMADAN: The record will reflect  
23 that, Mr. Chairman.

24 CHAIR RICHARDS: Thank you.

25 We're going to move to item 7. Before we start,

1 I have a conflict on item 7. One of the members of a  
2 team that is being recommended is a tenant in one of my  
3 projects, so I've asked Director Schenk to handle number 7  
4 and then Natalie to call me when you've completed the  
5 business of item 7. And I'll leave the room.

6 BOARD MEMBER SCHENK: Although Nancy is on, so --

7 CHAIR RICHARDS: Yeah, I'm just -- as she wasn't  
8 on, she's not on video, so she couldn't see if anybody had  
9 questions otherwise. Okay, thank you.

10 BOARD MEMBER SCHENK: No, honey.

11 With your permission then Nancy I'll do number 7.

12 VICE CHAIR MILLER: That sounds fine.

13 BOARD MEMBER SCHENK: Okay. We'll wait until Tom  
14 leaves.

15 Looks like he's left the meeting. Okay. So  
16 Brian, on number 7 --

17 MR. KELLY: Yeah.

18 BOARD MEMBER SCHENK: -- who's presenting?

19 MR. KELLY: Yeah. Number 7 was presented with  
20 the prior, so what we're looking for here is a motion  
21 similar to that of number 6 with the quarterly updates to  
22 the Board from the Staff. It's -- this is the Bakersfield  
23 extension.

24 BOARD MEMBER SCHENK: So there's nothing more to  
25 add on that?



1 MR. KELLY: Right. I think -- I think if Member  
2 Camacho wants to restate the --

3 BOARD MEMBER CAMACHO: I will restate that.

4 MR. KELLY: -- the motion here. Yeah.

5 BOARD MEMBER CAMACHO: Let me -- is to approve  
6 item number 7 with the stipulation that they have the same  
7 reporting requirements as number 6.

8 BOARD MEMBER SCHENK: And is --

9 BOARD MEMBER CAMACHO: In terms of quarterly  
10 reporting.

11 BOARD MEMBER SCHENK: Right. And is there a  
12 second?

13 BOARD MEMBER PEREA: Second.

14 BOARD MEMBER SCHENK: Who --

15 BOARD MEMBER PEREA: Henry.

16 BOARD MEMBER SCHENK: Is that you Henry? Oh,  
17 okay.

18 BOARD MEMBER PEREA: Yes.

19 BOARD MEMBER SCHENK: Sorry. I'm on a little  
20 iPad so I can't see and hear everybody. Okay.

21 So there's a motion and a second, so if we could  
22 call for the vote?

23 BOARD SECRETARY RAMADAN: Director Schenk?

24 BOARD MEMBER SCHENK: Yes.

25 BOARD SECRETARY RAMADAN: Director Camacho?

1 BOARD MEMBER CAMACHO: Yes.

2 BOARD SECRETARY RAMADAN: Vice Chair Miller?

3 VICE CHAIR MILLER: Yes, and thank you, Lynn.

4 BOARD MEMBER SCHENK: Appreciate it.

5 BOARD SECRETARY RAMADAN: Director Perea?

6 BOARD MEMBER PEREA: Yes.

7 BOARD SECRETARY RAMADAN: Director Ghielmetti?

8 BOARD MEMBER GHIELMETTI: Yes.

9 BOARD SECRETARY RAMADAN: Director Escutia?

10 BOARD MEMBER ESCUTIA: Yes.

11 BOARD SECRETARY RAMADAN: Director Williams?

12 BOARD MEMBER WILLIAMS: Aye.

13 BOARD SECRETARY RAMADAN: Director Pena?

14 BOARD MEMBER PENA: Yes.

15 BOARD MEMBER SCHENK: Sounds like the motion  
16 carries unanimously, so we can let our Chairman that he can  
17 come back.

18 Natalie, were you going to let him know, or --

19 MS. MURPHEY: Yes, I just did.

20 BOARD MEMBER SCHENK: Oh, you did.

21 MS. MURPHEY: He should be coming on now.

22 BOARD MEMBER CAMACHO: Very good job --

23 BOARD MEMBER SCHENK: I think he was hoping that  
24 there would be a longer break for him.

25 BOARD MEMBER CAMACHO: Good job, Lynn.

1 BOARD MEMBER SCHENK: Yeah.

2 BOARD MEMBER SCHENK: See, he only authorized me  
3 to go to 7, so I can't go to 8.

4 BOARD MEMBER ESCUTIA: Is that a motion to vacate  
5 the chair.

6 BOARD MEMBER SCHENK: Goodness no.

7 MR. KELLY: Natalie and I both let him know that  
8 we concluded the work, so I think we're just waiting.

9 VICE CHAIR MILLER: Do you want me to call item  
10 8?

11 BOARD MEMBER SCHENK: Sure.

12 MR. KELLY: We could certainly presentation.

13 BOARD MEMBER SCHENK: Yeah, why don't we start  
14 it. Yeah. Good idea.

15 Can you do that -- can you do that, Nancy?

16 VICE CHAIR MILLER: Yes, I'm calling item 8. I  
17 don't have that in front of me, so Brian, can you take it  
18 away?

19 MR. KELLY: Sure.

20 VICE CHAIR MILLER: Thank you.

21 MR. KELLY: Sure. Members, this is a proposal  
22 that you've seen in the materials prepared for the meeting  
23 today to move forward on an adjustment to our stipend  
24 that's available for the Track and Systems contract. This  
25 is not changing the budget for the stipend, but really how

1 we allocate the dollars within that stipend.

2           Bruce Armistead is the director of our Rail  
3 Operations Division, and that is the entity that's the  
4 program responsibility over the Track and Systems. So  
5 Bruce has a brief PowerPoint presentation that's also in  
6 your background material on how we would propose to change  
7 the stipend here. So I'll hand it to Bruce Armistead and  
8 let him present to the Board.

9           CHAIR RICHARDS: Brian, if I could just interject  
10 for a minute? This is my first step out the door but it  
11 says you cannot start your video because the host has  
12 stopped it. Maybe somebody can --

13           MR. KELLY: Sure. Let me check on that.

14           CHAIR RICHARDS: And then go ahead.

15           MR. KELLY: Bruce, why don't you start the  
16 presentation while we work on that.

17           MR. ARMISTEAD: Very good. As was mentioned, my  
18 name is Bruce Armistead. I'm Acting Chief of Rail  
19 Operations, and this request is to amend the Track and  
20 Systems stipend contracts.

21           A summary of this request. This request seeks to  
22 amend the approval given by the Board in Resolution HSRA19-  
23 11 which authorized the adjustment of stipend -- which will  
24 authorize the adjustment of stipend amounts to the -- for  
25 the Track and Systems procurement. As mentioned by Mr.

1 Kelly, this will not change the total budget amount. It  
2 will simply just provide us authorization to adjust the  
3 stipend amounts made available to the individual Proposers.

4           The Board unanimously approved the release of a  
5 Track and Systems Request for Proposals to three  
6 prequalified Proposers in December 2019. The resolution  
7 gave specific authorization to include stipends in the  
8 amounts of two million for the prequalified Proposers who  
9 submit a responsive bid -- a responsive proposal but are  
10 not awarded the contract, and up to two million in proven  
11 costs to the prequalified Proposers in the event the  
12 procurement was cancelled by us.

13           These amounts are in line with industry standard,  
14 and the stipends awarded in our civil procurements. The  
15 stipends are used to encourage valuable industry  
16 participation, competition, and to partially proposals for  
17 the cost of preparing a responsive bid. The total Board-  
18 approved budget was six million in 2019.

19           Since the stipend budget and allocation was  
20 approved in 2019, the Track and Systems contract has met  
21 numerous challenges related to COVID-19. Of course the  
22 pandemic began in March of 2020. Major market and industry  
23 major projects; inflation; policy deliberation in approving  
24 the electrified system; delays and changes to our civil and  
25 construction packages; and substantive improvements to --

1 substantive updates to the Requests for Proposals based on  
2 programmatic needs. These changes have resulted in  
3 approximately 24 months of extensions, and all Proposers at  
4 one time or another have requested at one time or another  
5 that the stipend amounts be adjusted.

6 Our current status. We have two active  
7 Proposers. The teams have had more than 30 one-on-one  
8 meetings with the Authority. The teams have asked over  
9 1100 questions, and they have provided valuable feedback to  
10 the Authority that has informed this procurement. And  
11 currently our proposals are due on September 21st, 2022.

12 Next slide please. A reminder of the Track and  
13 Systems contract. Some highlights are: the Track and  
14 Switches; the ATC systems; communication system; earthquake  
15 detection; station platforms and canopies were approved in  
16 2019, but since that time they have been removed from this  
17 procurement. Overhead catenary systems are included, high-  
18 voltage substations, maintenance-of-way facilities, and we  
19 have a 30-year maintenance responsibilities for the  
20 constructed civil structures and the assets that will be  
21 provided by this procurement. And as with all our  
22 procurements, there's a 30 percent Small Business  
23 Participation goal.

24 This requests is to approve the Resolution to  
25 adjust the stipend amounts available to individual

1 Proposers. This new authorization would award four million  
2 to a Proposer who submits the bid but is not awarded the  
3 contract, and up to three million in proven costs to the  
4 active Proposers, of which there are two, in the event that  
5 we cancel the procurement. Again this request is based on  
6 the duration of this procurement, its complicated technical  
7 nature, and the value we receive from engagement of these  
8 Proposer teams.

9 At this time I'd like to try and answer any  
10 questions you might have.

11 CHAIR RICHARDS: Thank you Mr. Armistead. Any  
12 questions for Mr. Armistead?

13 BOARD MEMBER CAMACHO: Yeah, Bruce. The stipend  
14 that only goes to the -- since there's only two  
15 Proposers -- the Proposer that did not win? Is that  
16 correct?

17 MR. ARMISTEAD: Yes.

18 BOARD MEMBER CAMACHO: So the winning Proposer  
19 only gets whatever he negotiated as a winning bid?

20 MR. ARMISTEAD: Correct.

21 CHAIR RICHARDS: Any other questions?

22 BOARD MEMBER SCHENK: Who could come up with 1100  
23 questions? My God.

24 CHAIR RICHARDS: I was just asking for one more.  
25 That's all.

1 BOARD MEMBER CAMACHO: Well, it's to justify the  
2 four million dollars.

3 BOARD MEMBER SCHENK: Yeah. Wow.

4 CHAIR RICHARDS: Okay. Well I don't see any  
5 requests for additional questions, so do we have a motion?

6 BOARD MEMBER CAMACHO: I move approval.

7 BOARD MEMBER SCHENK: Second.

8 BOARD MEMBER WILLIAMS: Second.

9 CHAIR RICHARDS: Okay, Director Camacho and  
10 Director Schenk. Please call the roll.

11 BOARD SECRETARY RAMADAN: Director Schenk?

12 BOARD MEMBER SCHENK: Yes.

13 BOARD SECRETARY RAMADAN: Chair Richards?

14 CHAIR RICHARDS: Yes.

15 BOARD SECRETARY RAMADAN: Director Camacho?

16 BOARD MEMBER CAMACHO: Yes.

17 BOARD SECRETARY RAMADAN: Vice Chair Miller?

18 VICE CHAIR MILLER: Yes.

19 BOARD SECRETARY RAMADAN: Director Perea?

20 BOARD MEMBER PEREA: Yes.

21 BOARD SECRETARY RAMADAN: Director Ghielmetti?

22 BOARD MEMBER GHIELMETTI: Yes.

23 BOARD SECRETARY RAMADAN: Director Escutia?

24 BOARD MEMBER ESCUTIA: Yes.

25 BOARD SECRETARY RAMADAN: Director Williams?



1 BOARD MEMBER WILLIAMS: Aye.

2 BOARD SECRETARY RAMADAN: Director Pena?

3 BOARD MEMBER PENA: Yes.

4 BOARD SECRETARY RAMADAN: Mr. Chairman, the  
5 motion carries.

6 CHAIR RICHARDS: Thank you Mr. Secretary.

7 We'll now move on to the last agenda item for  
8 today which is number 9, Consider Approving Interagency  
9 Agreement with Caltrans for the Wasco State Route 46 Grade  
10 Separation Improvement Project. Garth Fernandez? Or do  
11 you want to go ahead and introduce him, Brian?

12 MR. KELLY: Yeah, thanks. Thanks Tom. I just  
13 would introduce Garth Fernandez who would present this.  
14 This has been sort of a long time in the making, work that  
15 we've done, ending in a cooperative agreement with Caltrans  
16 where just at a high level we -- back in 2017, the  
17 Authority agreed to a litigation settlement that included  
18 the improvements to State Route 46, a highway down in Kern  
19 County near the city of Wasco.

20 And Caltrans was also conducting a Safety Project  
21 pretty much in or next to that community scope. And so the  
22 opportunity for us here is to take the Caltrans take the  
23 lead for the work on the highway improvements while we  
24 focus on getting the work done on CP4, which is really the  
25 rail needs that we have through that Kern County area in

1 the southernmost part of our construction segment in the  
2 Central Valley. So there's a great opportunity here to  
3 work closely to work closely with Caltrans. They would  
4 pick some of the right-of-way responsibilities, utility  
5 responsibilities, and essentially we're paying them to help  
6 advance the work on a State Highway improvement. So that's  
7 kind of a high level thing.

8 We also did receive a federal grant that is going  
9 towards some of the costs here. And Garth Fernandez, our  
10 Regional Director here in the Central Valley, has a short  
11 presentation to roll through the details of this  
12 cooperative agreement.

13 Garth, thank you.

14 MR. FERNANDEZ: Thank you Brian and good  
15 afternoon Chairman Richards and members of the Board.

16 Like Brian said, Garth Fernandez. I am the  
17 Central Valley Regional Director, and today I'm presenting  
18 for your consideration item 9. That's a new interagency  
19 agreement with Caltrans.

20 So staff recommends that the Board authorize this  
21 Chief Executive Officer to execute this interagency  
22 agreement with Caltrans for the Wasco State Route 46 Grade  
23 Separation Improvement Project, and this agreement will  
24 help fulfill the Authority's obligation, contained within  
25 the 2017 settlement agreement with Kern County.

1           Next slide please. So as background, on January  
2 17th, 2017, the County of Kern and the Authority entered  
3 into a settlement agreement to fully resolve a current  
4 County lawsuit against the Authority challenging the  
5 Authority's approval of the Fresno to Bakersfield  
6 environmental document under CEQA. So Section 5.1.a of  
7 that settlement includes the Authority's obligation to  
8 widen State Route 46 to four lanes, two in each direction  
9 from F Street to the west to the State Route 46/J Street  
10 intersection to the east, approximately a third of a mile.  
11 This obligation also resulted in the need to construct the  
12 existing -- or reconstruct the existing BNSF grade  
13 separation structure.

14           So as a result of this obligation, in July of  
15 2018 the Authority added the design component of this scope  
16 award to the CP contract by the change order. Now if you  
17 pay attention to this figure on the right, that's an aerial  
18 view of the project. Orientation is supposed to be a  
19 yellow arrow, but that is not. That's the top of the page.  
20 So the light, orange-shaded portion highlights the project  
21 area between the F Street to the west and J Street to the  
22 east, and our alignment is the blue line in the middle of  
23 the picture. The BNSF railroad is to the east of our  
24 corridor. And also to the right, at the intersection of  
25 State Route 46 and 43 is the proposed Caltrans route of our

1 project we can talk about in the next slide.

2           Next slide please. So this is an aerial view of  
3 the easterly limits of the project, the intersection of  
4 State Route 46 and 43 and J Street which is within the  
5 limits of the Authority's 46 widening obligation. And this  
6 is where Caltrans is separately developing a safety  
7 roundabout project.

8           So as the Authority project team began  
9 collaborating with Caltrans to refine the scope and  
10 interaction between the two projects, they determined that  
11 due to staging and (indiscernible) these challenges, the  
12 best approach would be to combine the two projects. So we  
13 took this opportunity to work with Caltrans and partner  
14 with them and develop a strategy that addressed both of the  
15 project's needs. Now Caltrans has agreed with the strategy  
16 to perform the work. Now this is for us the smart thing  
17 and the right approach for the Authority.

18           As Brian mentioned, this scope award is not  
19 required for the completion of the Authority's operating  
20 corridor. It also reduces the number of properties the  
21 Authority to deliver for construction. It allows us to  
22 focus on the rail elements of the corridor.

23           Also Brian mentioned that in November of 2021,  
24 the Authority was awarded 24 million for this scope award  
25 through the RAISE program.

1           Next slide please. So Caltrans and the Authority  
2 staff have negotiated and agreed to the scope in terms of  
3 this agreement. The Caltrans scope award contains  
4 completion of the 46 roadway design work; acquisition of  
5 all right-of-ways necessary for the project; management of  
6 third-party agreements, utility design, and relocations,  
7 except PG&E electrical facilities that the Authority will  
8 itself perform through current contract; also construction  
9 of the actual widening of 46; the new BNSF underpass  
10 structure. There is a pump plant and associated drainage.

11           As you can see from that aerial photograph, that  
12 high-speed rail corridor is to the west of BNSF. This  
13 structure is currently under construction and accommodates  
14 the future widening of State Route 46 below. This  
15 structure will be completed by the end of this year as part  
16 of the CP4 Project.

17           Next slide please. So the term of this agreement  
18 will begin when all parties actually sign the agreement,  
19 tentatively September of this year. Caltrans is committed  
20 to immediately begin design finalization and critical  
21 property acquisition work. Beginning construction for this  
22 is scheduled for April 2025, and the agreement end date is  
23 July 30th of '28. This includes the closeout phase.

24           Now this is separate from the completion of our  
25 CP4 contract for our corridor which is scheduled for Spring

1 of 2023. Now the maximum contract amount on this contract  
2 will be 77 million dollars, and the funds associated with  
3 this request include State Proposition 1A, Cap-and-Trade,  
4 and 24 million in RAISE program funds. This request is  
5 consistent with the expenditure authorization approved by  
6 the December 2021 Board meeting.

7           Going to note, separate Caltrans funds will be  
8 the source of the Caltrans roundabout scope award, and that  
9 project is program -- in the SHARP program with Caltrans.

10           Next slide please. So there are a couple of  
11 other agreements I'd like to highlight. So as the RAISE  
12 grant by FSWA, a separate agreement with the Authority,  
13 FSWA, and Caltrans is currently being negotiated, and that  
14 is to outline the commitments on deliverables and reporting  
15 requirements of the RAISE grant, and Caltrans will act as  
16 the lead agency for deliverables and required reporting. I  
17 work very closely with the Caltrans District 6 director.  
18 You all know my predecessor Diana Gomez, and she's ensured  
19 me that the entire team understands the importance and  
20 commitments to be met on this project.

21           Additionally the city of Wasco has made several  
22 appeals to this Board regarding assistance with the  
23 demolition of the former Wasco farmworker housing facility,  
24 and the Authority is fully committed to the city of Wasco  
25 to fund that work, and I am currently negotiating a

1 reimbursement with that -- with the city of Wasco to  
2 perform that work which will be accomplished in -- by the  
3 city of Wasco in the next nine to twelve months.

4 And with that I conclude my presentation and I'm  
5 happy to answer any questions you may have.

6 CHAIR RICHARDS: Thank you Garth. Any questions  
7 for Garth?

8 BOARD MEMBER GHIELMETTI: I've got one.

9 CHAIR RICHARDS: Yes. Yes, Jim.

10 BOARD MEMBER GHIELMETTI: Can we go back to slide  
11 four? Yeah.

12 First off, I'm glad we're cooperating with  
13 Caltrans and letting them do this work. I think that's --  
14 that's the right thing to do down here.

15 But my question is: In Wasco, do they drive on  
16 the wrong side of the street, Garth?

17 MR. FERNANDEZ: No, they are -- they are the  
18 right side.

19 CHAIR RICHARDS: No they're not.

20 BOARD MEMBER GHIELMETTI: Not in this photo. It  
21 looks like we're in Great Britain.

22 CHAIR RICHARDS: Yeah.

23 MR. FERNANDEZ: Oh, Oh, yeah. (Indiscernible.)  
24 Sorry.

25 CHAIR RICHARDS: I saw you did this just to show

1 us how absurdist this problem is.

2 BOARD MEMBER GHIELMETTI: Anyway. Thank you very  
3 much.

4 MR. FERNANDEZ: That's a good catch, by the way.

5 BOARD MEMBER PENA: Yeah. Good observation  
6 skills.

7 CHAIR RICHARDS: Any other questions?

8 BOARD MEMBER SCHENK: No, not a question, just a  
9 comment that --

10 CHAIR RICHARDS: Yes Lynn?

11 BOARD MEMBER SCHENK: -- just making sure that  
12 the record shows it -- and Brian Annis helped me with this  
13 yesterday -- that Caltrans only charges us for their direct  
14 costs. They don't have any, under law, any right to any  
15 indirect costs, so that they're not like an outside  
16 subcontractor.

17 CHAIR RICHARDS: Thank you Lynn.

18 MR. FERNANDEZ: So Caltrans does confirm that  
19 they do charge us direct costs and functional overhead as  
20 part of that. They do not charge us administrative  
21 overhead.

22 BOARD MEMBER SCHENK: Right.

23 MR. FERNANDEZ: Roughly around 20 -- 28, 29  
24 percent of full cost recovery.

25 CHAIR RICHARDS: Okay.



1 BOARD MEMBER SCHENK: Okay. I'd like to move.

2 CHAIR RICHARDS: I just wanted to ask a question.

3 Garth, you said something that it will not exceed  
4 77 million. What kind of a contract is it?

5 MR. FERNANDEZ: So this is an interagency  
6 agreement right now?

7 CHAIR RICHARDS: No I just mean is it a  
8 guaranteed maximum price? Is it --

9 MR. FERNANDEZ: No. Just we have the obligation  
10 to perform the work, but right now we believe that the 77  
11 million -- if there needs to be an increase in cost, then  
12 we will have to come back to the Board to get that  
13 appropriate increase.

14 CHAIR RICHARDS: Then I don't understand. What  
15 you said is, it will not exceed 77 million.

16 MR. FERNANDEZ: Yes. This interagency agreement  
17 will be limited to 77 agreement [sic]. Any subsequent  
18 action that needs to happen will be a separate action item.

19 CHAIR RICHARDS: Okay. It just is a little bit  
20 different than the way it sounds when I -- when you say  
21 something, it will not exceed, it means to me it's a fixed  
22 contract or a fixed or a guaranteed maximum price.

23 MR. KELLY: Caltrans hasn't entered into the  
24 construction contract itself yet. They're still doing  
25 design and right-of-way.

1 CHAIR RICHARDS: Okay, it's subject --

2 MR. KELLY: It is the estimate.

3 CHAIR RICHARDS: -- it is subject to change, is  
4 it, if costs go up?

5 MR. FERNANDEZ: Yes.

6 CHAIR RICHARDS: Alright. Do we have a motion?

7 BOARD MEMBER SCHENK: Yeah. I so move.

8 BOARD MEMBER GHIELMETTI: Second.

9 CHAIR RICHARDS: Director Schenk, Director  
10 Ghielmetti.

11 Moe, please call the roll.

12 BOARD SECRETARY RAMADAN: Director Schenk?

13 BOARD MEMBER SCHENK: Yes.

14 BOARD SECRETARY RAMADAN: Chair Richards?

15 CHAIR RICHARDS: Yes.

16 BOARD SECRETARY RAMADAN: Director Camacho?

17 BOARD MEMBER CAMACHO: Yes.

18 BOARD SECRETARY RAMADAN: Vice Chair Miller?

19 VICE CHAIR MILLER: Yes.

20 BOARD SECRETARY RAMADAN: Director Perea?

21 BOARD MEMBER PEREA: Yes.

22 BOARD SECRETARY RAMADAN: Director Ghielmetti?

23 BOARD MEMBER GHIELMETTI: Yes.

24 BOARD SECRETARY RAMADAN: Director Escutia?

25 BOARD MEMBER ESCUTIA: Yes.

1 BOARD SECRETARY RAMADAN: Director Williams?

2 BOARD MEMBER WILLIAMS: Aye.

3 BOARD SECRETARY RAMADAN: Director Pena?

4 BOARD MEMBER PENA: Yes.

5 BOARD SECRETARY RAMADAN: Mr. Chairman, the  
6 motion carries.

7 CHAIR RICHARDS: Thank you Moe.

8 Ladies and gentlemen, the Board will now be in  
9 recess, the first day's work being completed. We will  
10 reconvene tomorrow at noon. That's the 18th of September  
11 [sic].

12 I might also provide an invitation to anybody in  
13 the public who would like to join us tomorrow at 10 o'clock  
14 in the morning for the Board Finance & Audit Committee  
15 Meeting. You can find the link on the website. That's 10  
16 o'clock tomorrow morning, the Board meeting at noon.

17 If there are no other questions or comments, the  
18 Board is in recess.

19 (The California High-Speed Rail Authority Board  
20 meeting recessed for the day at 2:42 p.m.)

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## CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of August, 2022.



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MARTHA L. NELSON, CERT\*\*367

## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



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MARTHA L. NELSON, CERT\*\*367

August 29, 2022