

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

CITY OF BAKERSFIELD

COUNCIL CHAMBERS

1501 TRUXTUN AVENUE

BAKERSFIELD, CA 93301

TUESDAY, OCTOBER 16, 2018

10:00 A.M.

Reported by:  
Martha Nelson

APPEARANCESBOARD MEMBERS

Dan Richard, Chairman

Tom Richards, Vice Chair (Joined the meeting after roll call)

Lynn Schenk (Absent)

Michael Rossi (Absent)

Daniel Curtin

Nancy Miller

Bonnie Lowenthal (Absent)

Ernest Camacho

EX OFFICIO BOARD MEMBERS

Assemblymember, Dr. Joaquin Arambula (Absent)

Senator, Jim Beall (Absent)

STAFF

Joseph Hedges, Chief Operating Officer

Douglas Drozd, Chief of Board Management

Tom Fellenz, Chief Counsel

PRESENTERS:

Diana Gomez, Central Valley Regional Director

Andrew Bayne, Environmental Task Manager

Mark McLoughlin, Director of Environmental Services

APPEARANCES (Cont.)

PRESENTERS: (Cont.)

Michelle Boehm, Southern California Regional Director

Juan Carlos Velasquez, Project Manager Bakersfield to Palmdale Section

Jim Andrew, Assistant Chief Counsel

PUBLIC COMMENT:

Alan Tandy, Senior Manager, City Of Bakersfield

Jim Ledford, Mayor of Palmdale

Steve Roberts, Rail Passenger Association of California

Troy Hightower, TDH Associates International

Swanee Edwards, Self

Alan Scott, Citizens for California High-Speed Rail  
Accountability

Tina McIntyre, CalPortland

Jerry Vancuren, Self

Carol Bender, Self

Todd Turley, Farmland Reserve, Inc.

Terry Maxwell, Self

Tony Amarante, Self

Lee Ann Eager, Fresno EDC

Marvin Dean, Kern Minority Contractors Association

<u>INDEX</u>		<u>PAGE</u>
	Roll Call	5
1.	Staff Presentation on the Fresno to Bakersfield Section Locally Generated Alternative (LGA) for the Bakersfield area, and the associated Final Supplemental Environmental Impact Report (EIR)	7
2.	Staff Presentation on the Recommended State Preferred Alternative for the Bakersfield to Palmdale Project Section	25
	Public Comment	42
3.	Consider: (a) Certifying the Fresno to Bakersfield Section Final Supplemental EIR for the LGA under the California Environmental Quality Act (CEQA); and, (b) Approving the LGA from approximately Poplar Avenue near Shafter to and including the Station at F Street in Bakersfield, and Related Decisions Making CEQA Findings and Approving Mitigation Program	68
4.	Consider Concurring with the Staff Recommended State Preferred Alternative for the Bakersfield to Palmdale Project Section	77
5.	Consider Approving the Board Meeting Minutes from the September 13, 2018 Board Meeting	67
6.	Closed Session Pertaining to Litigation	80
	Adjourned	80

P R O C E E D I N G S

10:11 a.m.

PROCEEDINGS BEGIN AT 10:11 A.M.

BAKERSFIELD, CALIFORNIA, TUESDAY, OCTOBER 16, 2018

CHAIRMAN RICHARD: Good morning and this meeting of the California High-Speed Rail Authority Board of Directors will come to order.

Let me just first apologize. I was a little late this morning when we got here. I apologize for any inconvenience to people. My colleague, Tom Richards, who drove me down -- and it's my fault, not his -- is parking. But since we're going to start with a staff briefing I know that members of the public will want to have a full Board here for their comments. But we are going to start with a staff briefing this morning, so I thought while he's doing that we'd go ahead and commence the meeting.

So let me begin by asking the Secretary to please call the roll.

MR. DROZD: Director Schenk?

BOARD MEMBER SCHENK: (Absent).

MR. DROZD: Vice Chair Richards?

VICE CHAIR RICHARDS: (Absent).

MR. DROZD: Director Rossi?

BOARD MEMBER ROSSI: (Absent).

MR. DROZD: Director Curtin?

1 BOARD MEMBER CURTIN: Here.

2 MR. DROZD: Director Lowenthal?

3 BOARD MEMBER LOWENTHAL: (Absent).

4 MR. DROZD: Director Camacho?

5 BOARD MEMBER CAMACHO: Here.

6 MR. DROZD: Director Miller?

7 BOARD MEMBER MILLER: Here.

8 MR. DROZD: Senator Beall?

9 EX OFFICIO BOARD MEMBER BEALL: (Absent).

10 MR. DROZD: Assemblymember Arambula?

11 EX OFFICIO BOARD MEMBER ARAMBULA: (Absent).

12 MR. DROZD: Chair Richard?

13 CHAIRMAN RICHARD: I'm here.

14 Director Miller, will you lead us in the Pledge  
15 of Allegiance?

16 BOARD MEMBER MILLER: Yes. Stand and remove your  
17 hats.

18 (The Pledge of Allegiance is made.)

19 CHAIRMAN RICHARD: Thank you. As I said, we're  
20 going to do things slightly differently this morning.  
21 Normally, we take public comment first, but we're here  
22 today to take action on an alignment decision affecting  
23 this community. And many of the people from the community  
24 have come here to comment on that.

25 What we've done in these kinds of situations is

1 first to have the staff do the briefing to the Board about  
2 the relevant issues, because we believe that that helps the  
3 public inform their comments to the Board.

4 So with that, our CEO Brian Kelly is not with us  
5 today. He's on medical leave. And so our Chief Operating  
6 Officer Joseph Hedges is assuming that role today.

7 So Mr. Hedges would you like to proceed to  
8 introduce the staff?

9 MR. HEDGES: Yes, I'll say --

10 COURT REPORTER: Microphone, please?

11 MR. HEDGES: Well there we go, sorry.

12 First of all I'd like to thank the Board for the  
13 privilege of sitting in for Brian, huge shoes to fill.  
14 Brian will soon be back, so I'm excited to have him back.  
15 It will allow me to go back to being just the Chief  
16 Operating Officer.

17 So it's with great pleasure that I'm going to  
18 allow the staff to introduce this to you. To be able to go  
19 through a series of slides and in doing so they're going to  
20 roll out basically the concept, the environmental  
21 implications and the community implications to you.

22 So with that Diana and crew, please?

23 CHAIRMAN RICHARD: Okay. Ms. Gomez, good  
24 morning.

25 MS. GOMEZ: Good morning. Good morning, Chairman

1 and Board Members. So today, we're going to be requesting  
2 for the Board to certify the Fresno to Bakersfield Section.

3 Today, we're going to be asking the Board to  
4 certify the Fresno to Bakersfield Section Final  
5 Supplemental Environmental Impact Report for the Locally  
6 Generated Alternative. We're going to approve the Locally  
7 Generated Alternative from approximately Poplar Avenue near  
8 Shafter and including a station at F Street in the City of  
9 Bakersfield. We'll also discuss the CEQA findings and then  
10 ask you to approve the Mitigation Program.

11 There'll be three of us presenting this morning:  
12 myself along with Andrew Bayne, our Environmental Task  
13 Lead, and then our Director of Environmental Services, Mark  
14 McLoughlin, will also present.

15 So in terms of the background, in 2014 the  
16 Authority certified the Final EIR/EIS for the Fresno to  
17 Bakersfield Section and approved the Preferred Alternative  
18 to 7th Standard Road reserving the decision on the  
19 alignment and station location south of 7th Standard Road  
20 to a future proceeding.

21 In June of 2014, the City of Bakersfield filed a  
22 state court lawsuit challenging the Authority's ERI and  
23 approvals under the CEQA Act. By December, in December of  
24 2014 the City and the Authority reached a settlement and  
25 where we both agreed to work together to develop, and for



1 us to study, a Fresno to Bakersfield Locally Generated  
2 Alternative to address concerns and meet our design  
3 requirements.

4           What we did is what you see on the map is what we  
5 reached an agreement to study what we call the Locally  
6 Generated Alignment Preferred Agreement, the LGA. It's a  
7 23-mile corridor with the station at F Street and Golden  
8 State Avenue State Route 204 that parallels the BNSF and  
9 the UPRR Railroad corridors.

10           The Draft Supplemental was published in December  
11 of 2017. It evaluated the environmental impacts associated  
12 with the alignment and compared those impacts to the  
13 Preferred Alternative that was in the May 2014  
14 environmental document.

15           Since then we have had numerous meetings,  
16 approximately we had open houses, approximately over 300  
17 community members attended, the first one in August of 2015  
18 in Bakersfield. We had over 200 community members attend  
19 in November, open houses also in Bakersfield. And then we  
20 had two other meetings in Shafter where we had over 100  
21 members, and then a second one where we had 60 interested  
22 community members.

23           So we've had approximately over 25 monthly agency  
24 coordination meetings, 125 stakeholder meetings, 5 open  
25 houses. And then in December of 2017, we had a public

1 hearing on the environmental document, where we had over  
2 130 members participate. That was held here at the  
3 Bakersfield Marriott.

4           Some of the results from our stakeholder  
5 engagement resulted, as what you see here is in Shafter, a  
6 retained fill option. That was another significant change  
7 from what we had approved of back in the early document, so  
8 Shafter retained fill option has both us and the BNSF on a  
9 retained fill section. And at grade crossing of the BNSF,  
10 through downtown in Shafter would also be eliminated.  
11 We've been coordinating with the City of Shafter to refine  
12 the alignment through Shafter.

13           The other thing is the --

14           UNIDENTIFIED SPEAKER: Could you guys turn down  
15 the lights that brighten the screen? We can't see this, or  
16 I can't. Thank you. That's perfect.

17           CHAIRMAN RICHARD: Thank you, ma'am. And by the  
18 way we have a screen here, so I don't want you to think  
19 that we're somehow off and uninterested. We're --

20           UNIDENTIFIED SPEAKER: Well, I think it's  
21 important that we have a screen.

22           CHAIRMAN RICHARD: I agree with that. I just  
23 wanted you to know that we're watching also, but thank you,  
24 ma'am.

25           Okay. Ms. Gomez, please proceed.

1 MS. GOMEZ: So this, the LGA has the station at F  
2 Street. In our 2018 Business Plan, it identified ridership  
3 revenue forecasts that show an initial line from San  
4 Francisco to Bakersfield would product revenues that could  
5 help fund construction from the Central Valley, southward,  
6 into the Los Angeles Basin.

7 The F Street Station would likely be phased into  
8 as service ramps up. So the Authority developed several  
9 options that would show how we would ramp up the F Street  
10 Station. We will continue to coordinate with the city as  
11 far as their vision plan and also the station design, as we  
12 proceed in getting to an initial operating segment.

13 We evaluated, in terms of the F Street Station,  
14 so it would be a phased -in approach. We evaluated four  
15 concepts at F Street and documented those findings in a  
16 technical appendix of the Final Supplemental EIR.  
17 Evaluation proved feasibility of a concept and that  
18 recirculation of that environmental document, the  
19 supplemental, would not be required.

20 As you can see, this is one of the concepts that  
21 shows proposers' alternate station platforms, which would  
22 be an aerial stretch and would require vertical access  
23 either through escalators and elevators.

24 Opening year service at F Street site could be as  
25 early as 2026, as outlined in our baseline. The phased-in

1 station may be in operation for up to several years while  
2 service southeast of the station is initiated.

3           Once service southeast of the station is  
4 operable, the ultimate F Street location would encompass 46  
5 acres and would be located between the UPRR, State Route  
6 204 and the Carrier Canal and Chester Avenue. Vehicular  
7 access to the station would occur from the F Street  
8 underpass, the 34th Street overpass and the right-hand  
9 right out driveway from Chester Avenue. Pedestrians and  
10 bicycles could also access -- access would also occur from  
11 connection to the Kern River Parkway, shown just in the  
12 green just south of the Carrier Canal.

13           So the Board also identified the LGA as the  
14 Preliminary Preferred Alternative in May 10th, 2016 here in  
15 Bakersfield, where we held the Board Meeting. Based on the  
16 benefits mentioned previously, the Board identified as the  
17 LGA as the Preliminary Preferred Alternative to be  
18 evaluated in the draft document.

19           As documented in the Draft Supplemental, the  
20 Preliminary Preferred is the Fresno to Bakersfield Local  
21 Generated Alignment that's shown in violet. The LGA  
22 extends from the southern terminus of Construction Package  
23 4, near Poplar Avenue in the City of Shafter and continues  
24 to the south and including, again a Bakersfield station at  
25 F Street.

1           The station associated with the Preferred  
2 Alternative, as I mentioned would be located at the  
3 intersection of F and State Route 204. It also shows  
4 maintenance of infrastructure facility, which would be  
5 located in Shafter, as indicated by the green square. The  
6 maintenance of infrastructure is not the heavy maintenance  
7 facility.

8           The Final Supplemental EIR evaluates impacts and  
9 proposed mitigation as necessary for our alignment all the  
10 way to Oswell to disclose impacts of the track as they  
11 might extend to the south beyond F Street. However,  
12 because the track southeast of F Street Station would not  
13 be required until the Bakersfield to Palmdale section is  
14 operable the Authority Board approval today would only be  
15 for construction and operation of the F Street Station and  
16 the alignment from that station towards Fresno, as shown in  
17 the map.

18           Any alignment to the southeast of the station  
19 would be approved following environmental evaluation of  
20 Bakersfield to Palmdale section currently programmed via  
21 another document, which you will hear of in our second  
22 presentation.

23           Also, mitigation measures for impacts related to  
24 the alignment southeast of the F Street Station would be  
25 imposed as part of the approval of the Bakersfield to

1 Palmdale section.

2 At this time, I'm going to have our Environmental  
3 Lead, Andrew Bayne, go through the details of the document.

4 MR. BAYNE: Thank you, Diana. Thank you Chairman  
5 Richard. Thank you, Board.

6 CHAIRMAN RICHARD: Good morning.

7 MR. BAYNE: Good morning.

8 I get to talk about the nuts and the bolts. The  
9 environmental document that was prepared, the Draft  
10 Supplemental EIR/EIS covered the comparable alternative to  
11 the May 2014 Project. That is it was an apples-to-apples  
12 comparison. The project footprint was established using  
13 the same methodology that was used in the May 2014 Project.  
14 And they were compared. So we have the same methodology  
15 used for both projects.

16 We circulated the draft document in November  
17 2017, asking for comments from the public and from public  
18 agencies. We had a 60-day review period, during which we  
19 received 286 submissions and over 1,000 individual  
20 comments.

21 At the close of the comment period we responded  
22 to the comments. I'd like to first talk about the kinds of  
23 comments that we received, why I think that they were the  
24 types of comments that we received, and then how we  
25 responded to those comments.

1 I'd like you to understand that we included in  
2 your Board meeting materials our standard responses to  
3 comments, our methodology for responding to comments from  
4 the public and from public agencies, was to classify the  
5 comments. And if they were recurring comments, we would  
6 provide a standard response to those. I'd like you know  
7 that they're in your packet, so that when you're hearing  
8 public testimony today, you can kind of see how we went  
9 about responding to those comments.

10 Frequently submitted comments resulted in  
11 standard responses, particularly for the proximity of the F  
12 Street Station to the downtown and Amtrak station. A  
13 recurring theme was that there is a difference in the  
14 station location. Some see it preferred in the Truxtun  
15 location and other see it preferred at F Street. And  
16 there's a difference of opinion there.

17 Why that is perhaps, is that we decided to  
18 identify a preferred location in the draft, allowing the  
19 public and public agencies to respond to that. A criticism  
20 that we received on the initial Fresno to Bakersfield  
21 EIR/EIS was that we did not indicate where our preference  
22 was. And so we received a barrage of comments that were  
23 saying that we didn't give them any indication of where we  
24 were going. So with this document, we gave the public an  
25 indication of where we were going. And the comments that

1 we received were indicative of that indication.

2           Again, we have a number of comments that were  
3 what we would classify as opinion only. We like it, we  
4 don't like it. We want it here, we don't want it there.  
5 These are not substantive to the environmental analysis  
6 that's contained in the document. Again, we studied the  
7 Locally Generated Alternative impacts, identified  
8 mitigation measures for those impacts, compared the impacts  
9 with mitigation and then compared those with the May 2014  
10 Project.

11           We also received comments about the study area.  
12 This graphic right here shows the City of Bakersfield  
13 Station Area Vision Plan. One of the things that we were  
14 able to conclude in the Final was that the Locally  
15 Generated Alternative station location at F Street is  
16 consistent with Bakersfield's vision for high-speed rail in  
17 downtown Bakersfield. Again, apples-to-apples comparison,  
18 side-by-side, this is how we came to our conclusions.

19           Now folks that had a support or opposition to the  
20 project may have cited they like it, because they perceive  
21 socioeconomic benefits for one station location, downside  
22 on the other. Again, transportation, noise, aesthetics,  
23 they were all factors that were supporting the commenter's  
24 position that one was better than the other.

25           A recurring theme that you may hear is that the



1 local area jurisdiction does not represent the feelings of  
2 all people or they don't represent the feelings of the  
3 people. We understand that. That is the nature of  
4 politics and government and we received feedback on that.  
5 We didn't feel we needed to respond to questions or  
6 comments regarding the legitimacy of the City of  
7 Bakersfield and their position on the Vision Plan and what  
8 they would like to see from a high-speed rail station.  
9 What we are concerned about is what's best for us as a  
10 transportation agency. And our focus here today is our  
11 recommendation for approval of what's best for the high-  
12 speed rail.

13           One of the issues that was raised early on was  
14 that we had displayed a graphic that incorrectly showed the  
15 heavy maintenance facility in our analysis. That was  
16 removed in the draft and we have an exact apples-to-apples  
17 comparison. What this map is showing you here is that the  
18 project footprint is defined in red for the Locally  
19 Generated Alternative and in blue for the May 2014 Project.  
20 It is defined.

21           CEQA requires us to consider alternatives  
22 proposed by commenters that would avoid a potentially  
23 significant impact. We received three alternatives, three  
24 alternative station locations as potentially reducing  
25 significant impacts. We did two things. Number one, we

1 reviewed the engineering feasibility of the three  
2 alternative sites and two, we looked at environmental  
3 constraints. Our methodology was if there was a  
4 significant change or increase in environmental impacts  
5 between the May 2014 Project and the LGA, it would push us  
6 back to the 2014 project, especially when it comes to  
7 federal law, Section 4(f) of the Transportation Act.

8           Okay. The first alternative station site was Old  
9 Town Kern, along Sumner Street, between Baker Street and  
10 Beale Avenue. This had challenges, because there were two  
11 historic properties located on this smaller station area,  
12 which would basically require us to go to the 2014 project,  
13 because it would be Section 4(f) impact that we hadn't  
14 previously had.

15           Old Town Kern along Sumner Street between Beale  
16 Avenue and Miller Street, this impacts a San Joaquin Valley  
17 Railroad spur. So there were engineering challenges with  
18 that. Overcomable, but there are two historic properties  
19 also located on this, two different ones, but one of them  
20 was previously studied in the Fresno to Bakersfield EIR/EIS  
21 as a culturally-sensitive property.

22           Saco Ranch is north of the Kern River, located  
23 across State Route 99 from the Bakersfield Airport. This  
24 is a giant agricultural field, which would require the  
25 conversion of agricultural property. This was proposed as

1 an alternative to the F Street Station, while it also  
2 contradicts our prevailing requirement to have inter-  
3 modality, connectivity. This just didn't make sense from a  
4 planning perspective.

5 All right, so we received comments that required  
6 us to make text changes to the document before you. We  
7 have 88 comments that resulted in text revisions. How we  
8 handled those were we would make a change to the document,  
9 highlight the change in gray shading and we don't see a lot  
10 of gray-shaded text in this final. In fact, there was so  
11 little gray-shaded text that we felt it was appropriate to  
12 provide a brief chapter to the Final Supplemental EIR,  
13 demonstrating that with the changes to the draft, we could  
14 advance a final. This created tremendous efficiencies for  
15 us and saved us quite a bit on production.

16 Also in your packet you have the Mitigation  
17 Monitoring and Reporting Program. What this is actually is  
18 taking the existing Mitigation Monitoring and Reporting  
19 Program from Fresno Station to Seven Standard Road, which  
20 you approved in May 2014, and updates it. It updates it to  
21 include the impacts and mitigation measures required  
22 between Poplar Avenue, the end of CP4 and F Street Station.  
23 So it identifies those measures that are required to  
24 minimize or reduce the significance of impacts in that  
25 area. And then it also carries forward those mitigation

1 measures that are required for the construction packages  
2 and eliminates those that may have been required for the  
3 May 2014 Project between 7th Standard Road and Poplar  
4 Avenue.

5           So I guess the note to you guys is that with  
6 approval of the Updated MMRP we're not going to see any  
7 problems with the construction packages and the design-  
8 build contractors having to revise their scopes of work.  
9 Nothing changes for them. We are not meddling with the  
10 existing projects that are under construction.

11           The Mitigation Monitoring and Reporting Program  
12 identifies the parties responsible for implementation. Is  
13 that the DD contractor? Yes.

14           (Off mic colloquy from unidentified speaker.)

15           MR. BAYNE: Sure. Is that the design-build  
16 contractor that's responsible for implementing or is it the  
17 High-Speed Rail Authority? It tells us when the mitigation  
18 is required for implementation. This is important for the  
19 Authority to plan their budgeting, so that we know when the  
20 funding needs to be there. Is it -- do we need to have it  
21 for acquiring offsite mitigation, so Mark can go get a  
22 contract for habit mitigation services? Or is it the  
23 design-build contractor, meaning we're going to see that  
24 cost show up in the bid. It also has the implementing  
25 mechanism, which is basically what is it? What is the

1 action? Are we building something, replacing something,  
2 putting a sign on something, putting a fence, etcetera?

3 Okay. This is a busy, busy slide. So I'll just  
4 summarize. We've made it through all of the regulatory  
5 agency coordination hoops, so to speak. We have  
6 determined, and that the Locally Generated Alternative is  
7 the least environmentally damaging practicable alternative  
8 for the Clean Water Act. We've received concurrence from  
9 the Corps and EPA on that. We had a consultation with the  
10 U.S. Fish and Wild Life Service about a new species, so new  
11 information and the potential occurrence within the Locally  
12 Generated Alternative, completed that, we have their  
13 biological opinion.

14 We worked with the City of Bakersfield to request  
15 that they concur that our impacts on Wheel Park and the  
16 Kern River Parkway are de minimis, as defined in Section  
17 4(f) of the U.S. Transportation Act. They concurred. It's  
18 important for us to understand that concurrence with the  
19 LGA as de minimis is different than the outcome with the  
20 May 2014 Project. The City of Bakersfield did not agree  
21 with our finding that the May 2014 Project would be de  
22 minimis under Section 4(f). So that's a key difference.

23 Now, I get to pass it off to Mark McLoughlin, who  
24 will talk about some of the pros and the cons and the  
25 comparisons. So thank you for your time. I appreciate it.

1           CHAIRMAN RICHARD: Thank you.

2           Mr. McLoughlin, good morning.

3           MR. MCLOUGHLIN: Good morning. Mark McLoughlin,  
4 the Director of Environmental Services for the Authority.  
5 Good morning Chair and Board Members. As Andrew indicated,  
6 I'm going to talk about some of the benefits of the LGA.

7           So one of the things that Andrew, he had  
8 mentioned before, so The Draft Supplemental EIR/EIS  
9 compared to the LGA and the Preferred Alternative presented  
10 in 2014, we compared both of those alternatives. For the  
11 FB, the Fresno to Bakersfield LGA, it would 23.12 miles  
12 while the May 2014 previously approved project would be  
13 24.16 miles, so it decreased distance in travel time. It  
14 also increased economic benefit around the F Street  
15 Station.

16           The other benefits that we would have from the  
17 Locally Generated Alternative, the LGA would result in  
18 displacement of 86 residences as compared to 384  
19 residential displacements associated with the May project  
20 in 2014. The LGA would also result in the displacement of  
21 377 businesses compared to the 392 businesses associated  
22 with the previous May 2014 Project.

23           In addition to that the LGA would displace seven  
24 community facilities while the May 2014 Project displaced  
25 roughly 11 community facilities.

1           One thing important to note too that -- I think I  
2 went backwards here. One thing to note, and very  
3 important, that the LGA would cost approximately \$200  
4 million less to construct than the May 2014 Project, which  
5 is a very interesting comparison there. The comparison is  
6 the blue is the previous project; the yellow of course is  
7 the LGA.

8           As Andrew had mentioned before on 4(f) previously  
9 he had mentioned on the 4(f) portion of that, that the city  
10 did not concur in May 2014 with the de minimis finding that  
11 we had. Therefore, the 2014 project would result in two  
12 permanent 4(f) uses while the FB LGA resulted in de minimis  
13 4(f) findings. This is very important as it relates to the  
14 City of Bakersfield.

15           Let's go back here. The other very important  
16 thing as it relates, Andrew mentioned before, are our  
17 integration process with the Corps and the EPA of our  
18 404(b) (1) Analysis. It's very important. The LGA would  
19 have roughly three fewer acres of impacts when compared to  
20 the previous project. So this is important in the future  
21 permitting of the project to allow that to go forward for  
22 construction.

23           The other indication, also very important to this  
24 area and especially in the Valley, is that the LGA would  
25 impact 372 acres of important farmlands compared to 485

1 acres under the previous May 2014 Project.

2           So to almost end with this, or to almost summary  
3 with this, I want to bring up another slide here, there's  
4 numerous benefits to the portion of the Preferred  
5 Alternative. In addition numerous benefits, which is very  
6 important to the HSR system as a whole, in which Fresno to  
7 Bakersfield is an integral part as the center of the  
8 system. These benefits were both individually and  
9 collectively reviewed and outweighed the significant  
10 unavoidable adverse effects of implementing this portion of  
11 the Preferred Alternative. The benefits are in the areas  
12 of transportation, the environment, land use planning,  
13 economics and social considerations.

14           So when we look at that collectively, all of  
15 these different benefits we've looked at and weighed  
16 collectively to get to where we are today that's before you  
17 for the LGA.

18           So that ends the presentation for the LGA. We'll  
19 listen to, as the Chair had mentioned, public comments.  
20 We'll be asking to have us directed to address those public  
21 comments as required and then requesting the Board action  
22 on the Fresno to Bakersfield LGA. With that, I conclude  
23 the presentation.

24           CHAIRMAN RICHARD: Okay. Thank you very much  
25 staff for that. Before we move on to the Bakersfield to



1 Palmdale Section, I did get a notice from one citizen that  
2 are we having some problems with the webcast on this, are  
3 we? Mr. Drozd, are you aware of that?

4 MR. DROZD: We're looking into it currently. We  
5 apologize for any inconvenience.

6 CHAIRMAN RICHARD: Okay. What's the impact?  
7 We're just not able to --

8 MR. DROZD: We're recording. We're trouble  
9 shooting an application.

10 (Off mic colloquy.)

11 CHAIRMAN RICHARD: Okay. But it is being  
12 recorded, so while there may be some disruption to the real  
13 time review then the public will be able to access that.  
14 Okay.

15 All right, thank you very much.

16 MR. MCLOUGHLIN: Thank you.

17 CHAIRMAN RICHARD: And I appreciate the staff  
18 efficiently moving through that presentation. And before  
19 we have public comments, because we have a second  
20 environmental document that we're dealing with today, we're  
21 going to have the staff presentation on that.

22 MR. HEDGES: Michelle? Thank you.

23 MS. BOEHM: Thank you Chairman, Board, Chief  
24 Operating Officer. We're pleased to be here to present  
25 information on the Bakersfield to Palmdale Project Section.

1 And we will go through this rather expeditiously. I --

2 CHAIRMAN RICHARD: And for the record you are  
3 Michelle Boehm, who is our Regional Director for Southern  
4 California, which includes Bakersfield today, so.

5 MS. BOEHM: Correct. Yes, I'm Michelle Boehm.  
6 I'm the Southern California Director. This is as far north  
7 as the Southern California Section goes, so we're really  
8 pleased to be up here. I do bring a team with me. Juan  
9 Carlos Velasquez, the Project Manager for the Bakersfield  
10 to Palmdale Section as well as Mark McLoughlin, our  
11 Environmental Manager for the entire project.

12 We are here today to present to you the staff  
13 recommended Preferred Alternative for the Bakersfield to  
14 Palmdale Section. You heard from the previous team the  
15 importance of identifying and signaling the Preferred  
16 Alternative in order for the public to be able to better  
17 weigh in and comment on the Preferred Alternative and the  
18 future Draft Environmental Document. So we will present  
19 that to you today and we are hopeful to receive your  
20 concurrence. I want to stress this does not constitute the  
21 adoption or approval of a Preferred Alternative for this  
22 project section.

23 So as you heard with the last section we have  
24 been actively studying how we cross the Tehachapi Mountains  
25 in order to complete the 500-mile Phase 1 High-Speed Rail

1 Project. In 2005 there was a programmatic EIR/EIS that set  
2 the parameters for the route. Since then we have been  
3 studying and developing preliminary alternative analyses  
4 documents, as well as supplemental alternative analyses  
5 documents, in order to make this crossing.

6 For your reference there is a railroad track  
7 across the Tehachapis right now that carries freight. That  
8 was built in 1874 to 1876. So we're really excited today  
9 to be able to build a modern, passenger railroad crossing  
10 across the Tehachapis.

11 You can see here, on this slide the evolution  
12 over time as we study the project, as we get feedback from  
13 the public, as we learn more about the environmental  
14 resources, we have been able to sharpen our pencils and  
15 refine the route. So you can see 2010, 2012, 2016, the  
16 route has successively gotten shorter. The grades have  
17 successively gotten lower and the impacts have successively  
18 been reduced. That does not mean that everything has been  
19 addressed yet, but we have made great strides in  
20 identifying a preliminary Preferred Alternative.

21 Our route here is about 80 miles long. We have a  
22 station at both ends and we have been studying four  
23 different routes here for the last several years,  
24 Alternatives 1, 2, 3 and 5. And again, this is really  
25 significant, because it closes a passenger rail gap across

1 the Tehachapi Mountains. We cannot take a train, if you're  
2 a passenger, across these mountains right now. You take an  
3 Amtrak bus. And it of course connects Central and Southern  
4 California.

5           So we, like all of the projects in the section,  
6 have done quite a bit of outreach. We hold one-on-one  
7 meetings. We hold stakeholder working group meetings. We  
8 hold broad public outreach meetings to solicit feedback on  
9 our plans in order for us to continue to refine, to develop  
10 the best project to recommend for this section. This  
11 summarizes those. And again those circles that you see are  
12 what we are striving to do, which is take the project's  
13 objectives, the environmental resources, and the community  
14 and bring those things together to identify the best  
15 possible route that balances those three considerations.

16           Here is a not-an-exhaustive, but a good list some  
17 of the things that we have heard the public say about this  
18 project over time. Certainly the concern about the wild  
19 lands and the agriculture, the downtown areas both as we  
20 leave Bakersfield through Tehachapi and Rosemond and  
21 Lancaster etcetera. Very important national resource, the  
22 Caesar Chavez National Monument is along this route, so we  
23 have spoken with them at great lengths. We have some  
24 really exciting things going on in the Antelope Valley with  
25 the green energy generation, the space business. And then

1 we have concerns certainly about typical things like  
2 seismic safety, air quality dust, Valley fever, etcetera.  
3 So these are all the kinds of comments that we are getting  
4 and that we are addressing as we move through the process.

5           So we recently did a suite of meetings in Edison,  
6 in Tehachapi, in Lancaster, to tell people the recommended  
7 states' Preferred Alternative, which is Alternative No. 2,  
8 referring to this map on the slide. Where it's purple,  
9 that's where this alternative is in tunnel. Where it's  
10 green, it's traveling at grade. And where it's blue it is  
11 on a bridge structure.

12           So over time as we've studied, this has really  
13 been the route that when we refine and we try to avoid  
14 things, minimize things and address our key operating  
15 issues like safety this is the route that has risen to the  
16 top. And with that, I will introduce Project Manager Juan  
17 Carlos Velasquez, and he will take you through a few of the  
18 details on the route.

19           CHAIRMAN RICHARD: Thank you. Good morning, Mr.  
20 Velasquez.

21           MR. VELASQUEZ: Good morning. Thank you Mr.  
22 Chair, Members of the Board. I'm just going to go through  
23 some of the details of the routes and the various  
24 alternatives and will walk through some maps to go north-  
25 to-south.

1           First, initially this is just a table summarizing  
2 some of the stats on the lengths, how many miles are in  
3 bridges and tunnels. Between the various alternatives you  
4 can see a little bit of a range there between those. And  
5 also, at the bottom there, you see the table, which shows  
6 the cost. Again, all around between 13 1/2, 14 billion,  
7 within about a 5 percent range, so there's not a big  
8 variation in that.

9           So again, walking north to south just some  
10 details about the route and the recommended alternative.  
11 Here in the Bakersfield and Edison area we joined of course  
12 the Fresno to Bakersfield Project that leaves the City of  
13 Bakersfield on the viaduct.

14           From there we got through the town of Edison. In  
15 that, with the recommended alternative we move farther away  
16 from the town of Edison, which has a school there and a  
17 residential community. With the recommended alternative we  
18 move farther away. There is some tradeoffs there. As we  
19 move farther away, we cross over on the viaduct, so you can  
20 see the photo there. So there is a little bit more visual  
21 impact, but it is farther away in terms of noise and other  
22 potential impacts.

23           From there we climb up in the Tehachapis. One of  
24 the main considerations of climbing the Tehachapis was the  
25 vertical grade and how to get through them. And you can

1 see on the picture on the lower right, the Union Pacific is  
2 the dark black line and the SR-58 is the solid white line.  
3 And they essentially use the same pass. There's one pass  
4 really to get through the mountains and that's where we've  
5 focused our studies for our alternatives. And as we go  
6 through we pass ranching lands and other areas.

7           Just south of this area as Michelle mentioned we  
8 pass through the community of Keene. And there at that  
9 location is the Caesar Chaves National Monument. Through  
10 our development of our project, and the finding of effects,  
11 we did find that there were potential visual and noise  
12 impacts with an alternative that we were looking at there,  
13 which does not go through the monument, but is about 400 or  
14 so feet away.

15           So we have been working through the, what's  
16 called the Section 106 Consultation Process where we work  
17 with the agencies that have jurisdiction, the Caesar Chaves  
18 Foundation is part of that, about how to minimize those  
19 effects. And so we'll continue to do that. But through  
20 process we've introduced a design option that you see here,  
21 which doubles the distance away and will minimize those  
22 visual and noise impacts.

23           Then, at the top of the Tehachapi Mountains we  
24 cross the City of Tehachapi. The recommended alternative  
25 here essentially goes -- skirts the city avoiding

1 development areas and their downtown.

2           At the south end you see a couple of lines there.  
3 Again, there's some tradeoffs here about how we interact  
4 with the mining areas and the green energy generation  
5 areas. You see there the Alternative 2 is the one on the  
6 right. It does have a shorter tunnel. And then it also  
7 reduces the impacts to those facilities.

8           Here in the community of Rosemond, you can see  
9 it's at grade, but slightly elevated. It does avoid the  
10 downtown areas of Rosemond, which are farther to the east,  
11 where you see the dark black line, which is the Union  
12 Pacific. We are slightly elevated to allow for street and  
13 wild life crossings through this rural area.

14           In the City of Lancaster we join the Union  
15 Pacific and Metrolink Corridor. We'll be in a consolidated  
16 corridor there. We have a couple of schemes in this area.  
17 The recommended alternative that we're looking at here  
18 avoids impacts to a couple of recreational and historic  
19 resources. And we also minimize residential and commercial  
20 properties.

21           And then finally at Palmdale, this project  
22 section would end at the Palmdale Station where we would  
23 have multi-modal connections. We do pass by the planned  
24 42, the U.S. military facility and the Palmdale Airport  
25 that dictates a little bit of how our alignment crosses



1 this section. But then we arrive at the station and we  
2 also will have -- made accommodations for future potential  
3 trains to Las Vegas.

4 With that, I will introduce Mark McLoughlin,  
5 Director of Environmental Services to go through the  
6 environmental details.

7 CHAIRMAN RICHARD: Thank you, Juan Gomez. Thank  
8 you.

9 MR. MCLOUGHLIN: Good morning, again Mark  
10 McLoughlin, Director of Environmental Services. So I'm  
11 going to go through some basics and some more details of  
12 identifying the Preferred Alternative here before you.

13 So we've developed these alternatives with the  
14 following three principles in mind. First, we are looking  
15 to avoid potential impacts to the resources through  
16 planning and thoughtful design. Second, if we can avoid  
17 and minimize to the extent the impacts through design and  
18 best management practices we take that into consideration  
19 also. And then lastly, if we still do have significant  
20 impacts we develop measures and strategies that try to  
21 avoid and minimize, reduce and eliminate or compensate to  
22 address those impacts.

23 The staff has made our recommendations by  
24 weighing the following factors before you: cost,  
25 environmental, community factors, input received from

1 public stakeholders, regulatory agencies including our  
2 federal partner, the Federal Railroad Association, the FRA.  
3 Of note also Alternatives 1, 2, 3, 4 and 5 share a common  
4 alignment. Our analysis is similar in some areas, but  
5 there are also three areas of meaningful design variation  
6 between these alternatives, and the variances lead to key  
7 differences in the environmental analysis.

8 I'm going to highlight some key resource areas  
9 next here, including socioeconomics and communities,  
10 environmental justice, agricultural lands, biological and  
11 aquatic resources in Section 4(f).

12 On Section 4(f), as we previously discussed we  
13 analyzed the potential effects here on 4(f) for all of the  
14 alignments. One key advantage of 2, Alternative 2 that it  
15 shares with 1 and 3, is that it would avoid impacts to 4(f)  
16 resources, which include Whit Carter Park and also a  
17 Denny's restaurant. It's now called the Village Grove and  
18 it's an historic property in Downtown Lancaster.

19 For socioeconomics and environmental justice,  
20 Alternative 2 would be farther away from community  
21 resources in Edison, would have fewer noise and vibration  
22 impacts to the businesses and residents including these  
23 environmental justice populations, as well as the Edison  
24 Middle School. The one downside, Alternative 2 is farther  
25 away from these resources, that it would be a viaduct for a

1 longer, longer run thus resulting in more severe visual  
2 impact in this area.

3           And also to note along with Alternative 2,  
4 Alternatives 1 and 3 would not require the relocation of  
5 Sierra Highway, which would result in fewer impacts to the  
6 businesses, residents and environmental justice facilities  
7 in this area. Alternative 2 would have fewer impacts to  
8 affordable housing, motels and in Downtown Lancaster.

9           The next area is agricultural land, which again  
10 is another important topic for the program, is that this  
11 design in the Edison area would generally have fewer  
12 impacts to agricultural resources in this area.

13 Alternative 2 would require the least, fewest partial  
14 agricultural parcel acquisitions and require the second  
15 fewest full agricultural parcel acquisitions and the least  
16 amount of net parcel acquisition acreage.

17           It's important to note, which is very important  
18 to farming operations, it would avoid impacts to access  
19 roads used by agricultural packing houses in the area,  
20 which is a major economic driver in this region.

21           Next is noise and vibration. Alternative 2 would  
22 have fewest severe impacts to these sensitive residential  
23 receptors when compared to other of the three alternatives.  
24 This is largely due to the fact that it is farther away  
25 from these residential communities of Edison.

1           Next, as Michelle previously mentioned, the  
2 biological and aquatic resources are important in this  
3 region as Alternative 2 would have the least overall plant  
4 and wildlife impacts. And of note, there are no -- of the  
5 four alternatives we do not have jurisdiction from the  
6 Corps of Engineers. We have an approved jurisdictional  
7 determination from the Corps of Engineers for that fact,  
8 which results in -- we have aquatic resources to state  
9 waters under jurisdiction of the State Water Resources  
10 Control Board. This is unique section as these waters do  
11 not flow to any other full waters of body that are  
12 contained inland.

13           So Alternative 2 with the Caesar Chavez  
14 Alternative Design, based on the environmental analysis to  
15 date for the draft when compared to Alternatives 1, 3 and  
16 5, Alternative 2 is preferable as it will have fewer  
17 relocations and displacements, and minimize effects on  
18 environmental justice populations. It would have fewer  
19 impacts to protected Section 4(f) resources again,  
20 including Whit Carter Park and the historic Denny's  
21 Restaurant in Lancaster. It would minimize land  
22 acquisitions and avoid impacts to agricultural packing  
23 house access roads. It would have fewer impacts to future  
24 CalPortland mining operations just north of Rosemond. It  
25 would reduce and optimize tunnel length in the area north

1 of the Rosemond community, which in turn reduces  
2 construction durations and construction related effects in  
3 that area. And also incorporate the Caesar Chavez design  
4 option, which would minimize noise and visual impacts to  
5 the national monument.

6 So for identification of the Preferred we  
7 recognize that there are tradeoffs among the four  
8 alternatives. And the recommendation we're making today is  
9 based on the data and the analysis that we have completed  
10 to date for the EIR/EIS.

11 If alternative is identified -- Alternative 2 as  
12 our State's Preferred Alternative, our staff will continue  
13 to analyze these alternatives equally to the level of  
14 detail in the draft documents.

15 Going forward we will consider carefully the  
16 comments we receive today at this meeting, in addition to  
17 the comments received to date in public and stakeholder  
18 meetings. And we will also continue to coordinate with our  
19 resource agencies and stakeholders on the key issues as it  
20 relates to their jurisdictions.

21 The comments today in this other process may lead  
22 to modifications between now and when the Final is adopted,  
23 which is scheduled to take place in the mid-2020. Also,  
24 that I want to make sure that identifying today's State's  
25 Preferred Alternative does not constitute the adoption of

1 approval or of a Preferred Alternative.

2 So next steps, these are the rough dates here of  
3 release of the Draft EIR/EIS in the summer of next year, of  
4 2019, roughly the same timeframe for the final adoption a  
5 year later.

6 CHAIRMAN RICHARD: Before you leave -- well, go  
7 ahead and finish this slide.

8 MR. MCLOUGHLIN: Okay.

9 So today we have before you to concur with our  
10 staff recommendation to identify alternative to the Caesar  
11 Chavez National Monument Design Option as our State's  
12 Preferred Alternative in the Bakersfield to Palmdale  
13 Project Section Draft EIR/EIS. Thank you.

14 CHAIRMAN RICHARD: Before you leave, I want to  
15 make sure, because I think this is going to be confusing to  
16 the public. They're hearing us talk about the adoption of  
17 a State's Preferred Alternative, but saying, "But that's  
18 not a Preferred Alternative." So I understand these are  
19 legal terms but perhaps you, or if you need some help from  
20 Counsel, could just quickly explain what that means.

21 MR. MCLOUGHLIN: Sure.

22 CHAIRMAN RICHARD: And I presume it's because of  
23 our federal partners?

24 MR. MCLOUGHLIN: Correct.

25 CHAIRMAN RICHARD: Okay. I just want to make

1 sure the public is not confused by this, because on its  
2 face it's kind of confusing.

3 MR. MCLOUGHLIN: Agreed.

4 MR. ANDREWS: Good morning, Chair Richard, Board  
5 Members. I'm Jim Andrew, the Assistant Chief Counsel at  
6 the High-Speed Rail Authority. So what you are being asked  
7 to do today is simply to concur in a staff recommendation  
8 of identification of a Preferred Alternative for  
9 identification in the Draft Environmental Document. It is  
10 not approval or adoption of anything.

11 The state environmental laws, under CEQA,  
12 generally require that the Draft Environmental Document  
13 identify the agency's proposed project. And federal  
14 environmental laws, a similar equivalent, they just call it  
15 the Preferred Alternative. It is just so that the Draft  
16 Environmental Document, when the public gets a chance to  
17 look at it, has an indication of where the agency's initial  
18 inclinations are at that point, so the public can focus on  
19 that alternative knowing that that's where the agency is  
20 headed. And so that's all you're being asked to do today.  
21 And it's just under the state laws.

22 We could have called it the State's Proposed  
23 Project, because those are the terms of art under CEQA.  
24 We're calling it the State's Preferred Alternative/Proposed  
25 Project. It is not approval or adoption of anything. It

1 is just an indication to the public at this early stage,  
2 with lots of environmental analysis, public input to go,  
3 where the agency is potentially headed.

4 And I think the Draft Environmental Document for  
5 public comment is due next year. And then there'll be a  
6 public round of comments, responses by the staff to those  
7 comments, more public meetings and then back to the Board  
8 in 2020 for consideration of adoption of this Preferred  
9 Alternative, or some other alignment depending on the  
10 process over the next couple of years.

11 CHAIRMAN RICHARD: Okay. I'm only going to spend  
12 30 more seconds on this. So just again to help the public  
13 understand, that is it correct for me to point out that as  
14 we build this project we're required to comply with both  
15 the California Environmental Quality Act and the Federal  
16 National Environmental Policy Act and that these are terms  
17 of art that are used in those environmental processes? So  
18 what we're signaling to the public today is this is where  
19 draft environmental document the staff's indication is.  
20 They're asking the Board to concur with that; that this  
21 could emerge as the option that is favored. It may be that  
22 there's no other step taken to declare a Preferred  
23 Alternative before we do the Final; is that correct?

24 MR. ANDREWS: That is correct. And part of the  
25 process we're involved in today is that the Board's



1 delegation of authority to the CEO has from since its  
2 inception, reserved to the Board this step of  
3 identification of the Preferred Alternative at any stage in  
4 the process whereas many other projects would not have the  
5 Board take this step. I think in part to make sure that  
6 the Board was able to listen to public comment and be  
7 involved in this step of the process. Reserved to itself  
8 this step, which is why we're here today.

9 CHAIRMAN RICHARD: Okay. Yeah, all I wanted to  
10 do was to take something that on its face didn't look like  
11 it made much sense and try to explain to people that it  
12 only makes sense if you're a lawyer. (Laughter). So, with  
13 that --

14 MR. HEDGES: You did a good job on that, Jim.

15 CHAIRMAN RICHARD: -- we'll go.

16 MR. ANDREWS: Thank you.

17 CHAIRMAN RICHARD: Yeah, Vice Chair Richards?

18 VICE CHAIR RICHARDS: Yeah. Jim, can I just -- I  
19 want to just clarify one other thing for the public. Does  
20 it mean then that between now and the final selection  
21 certification by this Board that the other alternatives  
22 will continue to be studied between now and then?

23 MR. ANDREWS: Absolutely. And part of the  
24 presentation that Mark gave is that those differences  
25 between those alternatives will be fully fleshed out with

1 comment through that process.

2 VICE CHAIR RICHARDS: Okay. Thank you.

3 CHAIRMAN RICHARD: Okay. Thank you very much.

4 I appreciate both of those staff presentations.  
5 And I know a lot of work went into those. At this point,  
6 we're going to take public comment on both of the items  
7 that have been prepared here today, the adoption of the  
8 final environmental reports on the Locally Generated  
9 Alternative here in Bakersfield, as well as this request  
10 that the Board concur in the staff's designation of a State  
11 Preferred Alternative for the Bakersfield to Palmdale  
12 section.

13 I'm going to go through the comments in the order  
14 that I've received them with the exception that we always  
15 afford our public officials the first opportunity. So I  
16 have as far as I can see two comments from public  
17 officials.

18 First, I'd like to welcome Mr. Alan Tandy, the  
19 City Manager of the City of Bakersfield. And as you're  
20 coming to the microphone, I want to also express our  
21 appreciation to you for making the City's facilities  
22 available to us today. Thank you, sir.

23 MR. TANDY: Good morning, Mr. Chairman and Board  
24 Members and staff members. And welcome to California's  
25 ninth largest city and the point of delivery for your

1 initial operating segment.

2 Bakersfield is a success story for you and the  
3 High-Speed Rail Authority. In 2014, under previous Board  
4 and previous staff and administration, local input was not  
5 regarded reasonably by the Authority who has been in place.  
6 About five agencies, including the City filed litigation.

7 But that has evolved and has become a positive  
8 working relationship, a friendly and cooperative  
9 relationship. We have worked through dozens of meetings  
10 with impacted parties that were impacted by the  
11 Supplemental EIR. We have worked through dozens and dozens  
12 of problems with the respect to issues pertaining to  
13 design, compatibility. We have worked compatibly with your  
14 staff now on a long-term vision plan for Downtown  
15 Bakersfield at the F Street location. And we now have a  
16 good relationship and a positive relationship.

17 We all read newspaper stories that somebody  
18 doesn't greet you warmly at an initial segment. That  
19 happens, but we have here a story of turning a failure into  
20 a complete success. The City of Bakersfield supports the  
21 adoption of the Supplemental Alignment. We appreciate the  
22 close working relationship we've established with the  
23 Authority over the four years since the initial litigation  
24 was filed. And we're looking forward to working with your  
25 staff on the delivery point and the inner station and

1 getting you your operating segment going.

2 So thank you very much and we appreciate your  
3 efforts.

4 CHAIRMAN RICHARD: Thank you, Mr. Tandy. And  
5 without jumping ahead of the vote that my colleagues and I  
6 will take, let me just say that we very much appreciate the  
7 working relationship that we've had with the City of  
8 Bakersfield and we appreciate your leadership on this.  
9 Thank you.

10 MR. TANDY: Thank you.

11 CHAIRMAN RICHARD: Next is the Mayor of the City  
12 of Palmdale, the Honorable Jim Ledford. Mr. Mayor, good to  
13 see you again.

14 MAYOR LEDFORD: Good morning Authority Members,  
15 Mr. Chairman. We appreciate the opportunity to speak. I  
16 can't tell you how excited we are about high-speed rail  
17 coming to the City of Palmdale. And I go back to 1993 and  
18 our first meeting of the High-Speed Rail Commission in  
19 Downtown L.A. It's been a long road. But it's been a  
20 great road and we've been able to work through lots of  
21 issues.

22 I can tell you the latest announcement by  
23 Brightline, I think brings an exciting component to the  
24 system. It really brings Palmdale as a convergent point of  
25 two high-speed rail systems that are coming together in our

1 city. And we're very, very excited about that. And when  
2 we look at things like a Palmdale to Burbank Segment, we  
3 think that this may be a good P3 candidate and possible the  
4 Brightline might help move that process along as well. So  
5 I think that's something to look forward to.

6 Our station planning work is underway. We  
7 appreciate the Authority's engagement in that area. And  
8 certainly, Michelle, we work her and run her hard, but she  
9 is keeping up. We appreciate that. Our airport's got some  
10 very exciting new news coming. I think our airport is  
11 going to be sooner than later. And we think certainly  
12 these systems are going to nothing but promote that better  
13 inter-modalism. So I think for us, we just want to show  
14 our appreciation.

15 The dialogue, we've had to deal with some tough  
16 issues. We've worked through a lot of those issues and we  
17 look forward to continuing that dialogue and working  
18 relationship. Because like you say it's all coming to  
19 Palmdale and we're just excited to be part of the process.  
20 So thank you for allowing us to be here today and speaking  
21 on behalf of our collective effort. Good work.

22 CHAIRMAN RICHARD: Thank you, Mayor. Appreciate  
23 it.

24 Okay. Members of the general public, I'm going  
25 to ask that you limit your comments to three minutes. We

1 do have a number of citizens who wish to speak and we'd  
2 like to be able to hear from all of you. So with that,  
3 we'll start with Steve Roberts. And he'll be followed by  
4 Troy Hightower and Swanee Edwards.

5 MR. ROBERTS: Good morning Chairman and Board.  
6 My name is Steve Roberts and I'm representing the Rail  
7 Passenger's Association of California, an all-volunteer  
8 organization focused on improved rail passenger service.

9 First of all, I want to compliment the staff for  
10 all of their hard work in developing these two  
11 alternatives. They show some real creativity and in moving  
12 through some of the challenges involved in them.

13 Members of our group, we've reviewed the  
14 documents and we recommend that the Board approve both the  
15 Bakersfield Locally Generated Alternative as well as the  
16 Bakersfield to Palmdale Alternative too. Thank you.

17 CHAIRMAN RICHARD: Thank you, sir.

18 Troy Hightower then Swanee Edwards than Alan  
19 Scott.

20 MR. HIGHTOWER: Good morning Mr. Chair, Members  
21 of the Board and staff. My name is Troy Hightower. I'm an  
22 independent transportation consultant here locally.

23 Before I got started, I was asked to relay a  
24 comment from Kern Transportation Foundation. Their Chair,  
25 Mr. Ron Brummett, wanted to come and make comments, but he

1 wasn't able to make it. They're very brief. He just  
2 wanted to mention that the members of KTF have supported  
3 high-speed rail since the mid-1980s. And he was on the  
4 original High-Speed Rail Commission. And then also that  
5 KTF will continue to work with high-speed rail in the  
6 future and continue to evaluate the development of the  
7 system.

8           Switching hats, I have three key comments I'd  
9 like to make. One is asking the Board, as I mentioned in  
10 your August meeting in Sacramento, to consider an interim  
11 station downtown at the Amtrak station. The second key  
12 point is the response to comments. I did supply a written  
13 comment and I did receive responses and then finally, a  
14 discussion about the comparison of the Fresno Bakersfield  
15 to the LGA.

16           The reason that I'm recommending the downtown  
17 station, there's a number. Some of the key ones are it was  
18 originally designed with over-capacity for high-speed rail.  
19 I think that's a key factor. Its location is downtown. By  
20 electrifying the existing track, it could be done in a  
21 cost-effective way and very timely. This is a list of what  
22 I call readiness for high-speed rail. And there's a number  
23 of reasons on here. Some of them are that it's a direct  
24 connection to Amtrak's throughway bus service that goes to  
25 all of Southern California, the Coast, Vegas, and could

1 even connect to Palmdale through the proposed Vegas high-  
2 speed rail. And it's also supported by the ten-year plan  
3 in the City of Bakersfield Station Area Plan.

4 It's also been evaluated in the Fresno  
5 Bakersfield EIR for interim service of just what I've  
6 mentioned, which could be not only electrifying the  
7 existing track, but could consider diesel or clean diesel  
8 high-speed rail service.

9 Here I have a letter, a copy of a letter, from  
10 the City of Bakersfield dated in April of 2016. The letter  
11 really focuses on opposing an interim station at Poplar.  
12 But it does mention, and I'm quoting now, "As an additional  
13 option to consider is to electrify the adjacent BNSF Amtrak  
14 rail line in order to allow high-speed trains to continue  
15 to the existing Bakersfield Amtrak Station on an interim  
16 basis."

17 CHAIRMAN RICHARD: Mr. Hightower, I know you're  
18 used to my situation in Sacramento where I basically don't  
19 run a clock, but today we do have to do that. So --

20 MR. HIGHTOWER: I'll try and wrap up real quick.  
21 Thank you Mr. Chairman.

22 CHAIRMAN RICHARD: -- can you do this in about 15  
23 seconds please?

24 MR. HIGHTOWER: Certainly.

25 CHAIRMAN RICHARD: I want to be fair to



1 everybody.

2 MR. HIGHTOWER: Chapter 16 that was mentioned  
3 before, the changes to the document. It states in here  
4 that a majority of the comments made, 1,068, generally  
5 support a station at Truxtun Avenue. And I would take  
6 certain exception to the comments made earlier by Mr. --  
7 the environmentalist, that comments made by the public were  
8 considered just opinions and not substantive. I think  
9 that's a bad signal to send to the public. I think it's  
10 important that the public participate in these processes  
11 and I disagree with that statement.

12 CHAIRMAN RICHARD: Understood. Thank you, sir.

13 MR. HIGHTOWER: Thank you.

14 CHAIRMAN RICHARD: Next is Swanee Edwards. I  
15 hope I got that right and then --

16 MS. EDWARDS: You did. Thank you. My name is  
17 Swanee Edwards. I'm a community activist and political  
18 operative in Santa Clara County. I'm not here to talk  
19 about this particular alignment. I was invited to come  
20 down for this meeting and tour the existing construction  
21 sites. And I get a good idea of what's involved to take  
22 back to Morgan Hill where I actually live.

23 I'm a grandmother of seven. And I'm concerned  
24 about my grandchildren's future. I think that from what  
25 I've seen, this project -- the Phase 1 isn't near ready to

1 considerably start generating revenue for at least another  
2 four or five years.

3           And the other thing that kind of blew my mind is  
4 that these little pieces of construction are just kind of  
5 sitting out there. I've watched so many videos at  
6 community group meetings. And I've tried to get so much  
7 information about what's really going on here, because my  
8 opinions opposed to this High-Speed Rail Project are strong  
9 and deep. And the videos are well done. You see all these  
10 men out there just working away and everything. But what I  
11 saw yesterday was maybe a dozen workers on a bridge, but  
12 the rest of the segments were absolutely deserted.

13           The other thing that concerned me, especially for  
14 Morgan Hill where the Valley is only three miles wide, in  
15 South Santa Clara County, is the actual footprint of the  
16 construction site itself. It's horrific. It will destroy  
17 our quality of life, our two cities, our small valley. And  
18 my mind is pretty blown about the information I'm going to  
19 take back.

20           Thank you very much for your time.

21           CHAIRMAN RICHARD: Thank you Ms. Edwards.

22           Alan Scott followed by Tina McIntyre and then  
23 Jerry Vancuren, it looks like.

24           MR. SCOTT: Good morning Mr. Chair and the Board.

25           CHAIRMAN RICHARD: Mr. Scott, good morning.

1 MR. SCOTT: I have two things to say.

2 Yesterday, I woke up to two articles from the  
3 *Sacramento Bee* that had no favorability to what's going on  
4 today with the high-speed rail. I don't know how many  
5 items I have, but I could probably stack them about this  
6 high in the last six months of where the negativity is not  
7 working well for you folks at all.

8 I'm just going to say that you're over 3.0  
9 billion in debt. You said it was 2.8 a little while back,  
10 but I'm sure it's more than that right now. Where the  
11 funding's going to come from, wherever it's going to come,  
12 I don't think it's going to come from anyone other than our  
13 taxpayers. And we can't afford it. We just cannot afford  
14 it. I don't know what you people are seeing, but when I go  
15 and look online and find out how much the funded and  
16 unfunded debt is for the State of California, it's not good

17 The second thing is you guys have been at it for  
18 ten years. And nothing's connected to nothing. And that's  
19 shameful. And with that, I'll say thank you very much and  
20 good luck.

21 CHAIRMAN RICHARD: Thank you, Mr. Scott.

22 Tina McIntyre followed by Jerry Vancuren and then  
23 Carol Bender.

24 MS. MCINTYRE: Good morning.

25 CHAIRMAN RICHARD: Good morning.

1 MS. MCINTYRE: My name is Tina McIntyre, General  
2 Manager of Marketing and Government Affairs. And on behalf  
3 of CalPortland Company I'm here to convey our strong  
4 opposition to selection of Alternative 2 as the State  
5 Preferred Alternative Route.

6 We have submitted an official letter to Chairman  
7 Richard and the members of the Board outlining our official  
8 position on this matter. Alternative 2 crosses through the  
9 middle of Kern and future mining operations on  
10 CalPortland's land. Our detailed reviews of Alternative 2  
11 determine that it will result in severe financial, safety  
12 and environmental issues.

13 CalPortland is one of the largest businesses in  
14 the local community. The Mojave Cement Plant and quarries  
15 have been operating since 1955. We have the equivalent of  
16 200 full-time employees and contractors. Under the  
17 Alternative 2 Alignment and necessary safety buffers,  
18 CalPortland would suffer approximately 25 years of lost  
19 mine and plant life and a gross revenue loss of \$5 billion.

20 The effects of this revenue loss would not only  
21 affect CalPortland, but also the workers at the plant and  
22 quarries, the Mojave community, downstream customers such  
23 as ready mix concrete producers, building product  
24 manufacturers, oil field service companies that are  
25 familiar to this area, but also Caltrans paving projects

1 and any other consumers of cement, who could be forced to  
2 pay higher prices in a less competitive cement market.

3           The route is not feasible from an engineering,  
4 environmental and safety perspective. CalPortland Mojave  
5 quarries are surface mines with active pits running  
6 approximately 1,000 feet below the surface. Alternative 2  
7 calls for the construction of portions of the route  
8 adjacent to existing pits, and within the safety buffer  
9 zone. The blasting exclusion zone shown in the proposed  
10 tunnel design for Alternative 2, are only 220 feet to  
11 either side of the train. This is simply inadequate to  
12 protect the train.           CalPortland recommends a  
13 2,000-foot buffer zone between the rail line and quarries,  
14 as fly rock from mining blast areas can strike the rail  
15 tracks or trains, resulting in potential derailment and  
16 other significant hazards including fatalities.

17           We are aware of one recent fatality to a mine  
18 pickup truck driver from fly rock that came through the  
19 truck's roof while the driver was parked only 1,200 feet  
20 from the blast zone. CalPortland simply has not seen any  
21 documentation indicating that Alternative 2 was developed  
22 in a manner that would avoid this hazard.

23           We look forward to working with the High-Speed  
24 Rail Authority to assist in avoiding the significant issues  
25 that Alternative 2 proposes. Thank you.

1           CHAIRMAN RICHARD: Thank you for those comments.  
2 I assure you we will take them quite seriously.

3           Jerry Vancuren followed by Carol Bender and then  
4 Michael Turnipseed.

5           MR. VANCUREN: Good morning. My name is Jerry  
6 Vancuren. Pardon me; I'm a little nervous here. I own a  
7 building. It's a 15,000 square office building at 2623 F  
8 Street. And I'm concerned that the traffic exiting and  
9 entering this new facility is going to be harmful to us.  
10 I'm not against the project. What I against is I think one  
11 of the thoughts is creating another lane going south on F  
12 Street by eliminating the left turn lanes. And that would  
13 be really disastrous for the property owners in there and  
14 also the businesses along there. Thank you.

15           CHAIRMAN RICHARD: Thank you, sir.

16           Carol Bender followed by Michael Turnipseed and  
17 then Todd Turley.

18           MS. BENDER: Good morning.

19           CHAIRMAN RICHARD: Good morning.

20           MS. BENDER: My name is Carol Bender. I am a  
21 citizen of Bakersfield. I'm not affiliated with any group.

22           I've been involved in this public process  
23 studying the proposals and submitting comments for over ten  
24 years. And originally the High-Speed Rail Authority only  
25 fully studied three alternatives that were just a few

1 hundred feet apart from each other. And I would have  
2 preferred a few more studies, but here we are with two to  
3 compare in a situation of which alignment is the better of  
4 two imperfect choices. And when assessing the impacts I  
5 won't go over what Mr. McLoughlin talked about, because  
6 he's pretty clear. But when assessing those one can't  
7 overlook the fact that with regard to residential  
8 displacements there's 78 percent fewer on the LGA and with  
9 regard to important farmlands, nearly 25 percent fewer.  
10 That is significant.

11 And given the climate of California's economic  
12 and political situation there's no guarantee that this  
13 alignment will ultimately even reach the Bakersfield  
14 Station. Perhaps at best the F Street location may be the  
15 southern terminus of the high-speed rail. Given that, the  
16 LGA Alignment is the one that makes the most sense and  
17 creates the fewest impacts to our community. And it allows  
18 for us to expand our downtown area and to have plenty of  
19 time for future planning.

20 Having 70-plus feet viaducts going through the  
21 middle of our town, on the original 2014 Proposed  
22 Alignment, on the BNSF, and having those viaducts  
23 potentially be in place for decades, perhaps forever until  
24 the money is found, if ever, to attach to the Palmdale  
25 Section is just unacceptable. It makes absolutely no

1 sense.

2           What I would say in conclusion, in talking about  
3 the carryover into the next segment, I would hope that the  
4 Board would look very closely at the Homeless Center.  
5 Right now they're scrambling and would like to expand. We  
6 know we have an extreme situation with the homeless in  
7 California. Since they will be in the path, regardless of  
8 what is chosen on the Palmdale Section, if that property  
9 could be purchased, so that they can move and expand would  
10 further our community greatly. Thank you very much.

11           CHAIRMAN RICHARD: Thank you, Ms. Bender. And  
12 stay tuned on the Homeless Shelter. I think you'll be  
13 hearing something on that soon.

14           Michael Turnipseed followed by Todd Turley and  
15 then, I'm hoping I'm reading it, is it Terry Maxwell, Terry  
16 McFall? I'm not quite sure. But anyway, Mr. Turnipseed?

17           UNIDENTIFIED SPEAKER: He had to leave.

18           CHAIRMAN RICHARD: He did? Okay.

19           Todd Turley? Good morning, sir.

20           MR. TURLEY: Good morning. Thank you for the  
21 opportunity to provide comments on the Supplemental EIR.  
22 My name is Todd Turley. I represent Farmland Reserve, Inc.  
23 which owns approximately 1,300 acres of pistachio trees  
24 that will be bifurcated by the Fresno to Bakersfield  
25 Locally Generated Alternative Alignment or F Street Route.



1           We believe the originally selected Preferred  
2 Route, the BNSF Alignment best balances all impacts and  
3 provides the best route. We strongly recommend the High-  
4 Speed Rail Authority to stick with the BNSF alignment for  
5 this segment of the line.

6           If however, the F Street Route is ultimately  
7 selected, it would split up pistachio operations leaving  
8 hundreds of acres of mature and producing trees on opposite  
9 sides of the rail line. This would disrupt our state-of-  
10 the-art irrigation and place a significant and costly  
11 burden on our farming operation.

12           Most importantly, it would create a significant  
13 public safety hazard. Any time we need to work on the  
14 other side of our farm, workers, trucks and other various  
15 farm equipment, would have to be transported via Burbank  
16 Street after accessing the only currently planned underpass  
17 in the area. Burbank Street is ultimately planned to  
18 become the north beltway, a major six-lane highway which  
19 would not provide safe transport of our employees and  
20 equipment nor the traveling public.

21           We attempted to resolve this matter with staff,  
22 but were deferred to the appraisal process. However, we  
23 strongly recommend that the matter be addressed now. And  
24 that (1) conduits be placed along the rail line sufficient  
25 to maintain all services to the bifurcated sections or our

1 farm and (2) agricultural underpasses be constructed and  
2 included in the design of the rail line as shown on this  
3 map. And we have provided a copy of the map to staff.

4 These underpasses, away from busy highways will  
5 significantly reduce the impact to our farming operation,  
6 maintain wildlife migration corridors, and most importantly  
7 protect the safety of our workers and the public at large.

8 Thank you. And I would like to submit a copy of  
9 the comments and map for the record.

10 CHAIRMAN RICHARD: Absolutely, if you could give  
11 it to the gentleman here. Thank you, Mr. Turley.

12 MR. TURLEY: Thank you.

13 CHAIRMAN RICHARD: I apologize, because I didn't  
14 bring my reading glasses. So it's the person who lives on  
15 Pine Street. Sir, I'm so sorry.

16 MR. MAXWELL: Oh, it's my fault for not writing  
17 it very plainly.

18 CHAIRMAN RICHARD: I wasn't going to say that,  
19 but I'll just take the blame. (Laughter).

20 MR. MAXWELL: I can be self-effacing.

21 CHAIRMAN RICHARD: Could you introduce yourself  
22 for the record, since I've done such a poor job of doing  
23 that.

24 MR. MAXWELL: Chairman Richard, it's good to see  
25 you again. My name is Terry Maxwell. And I am a former

1 City Councilman here at the City of Bakersfield. As a  
2 matter of fact, I was part of the group the sued the --  
3 that voted to sue your Authority. If I knew then what I  
4 know today, I would not have agreed to sue you.

5 In 2014, you got it right. You absolutely got it  
6 right. We got it wrong. If this is going to be about  
7 cost, if this is going to be about impact then I've got a  
8 better alternative for you. Bypass Bakersfield completely,  
9 because that wouldn't cost you hardly anything. But if  
10 this is really about putting a station in the Bakersfield  
11 area that you want to be successful, that you want to put  
12 in a place that is going to generate ridership, economic  
13 impact and benefit the City of Bakersfield, there's only  
14 one place to put it and that's on Truxtun Avenue.

15 Right now, Truxtun Avenue has got 50 percent of  
16 the things that you want. It's already got other modes of  
17 transportation that it can hook up to. It already has  
18 hotels. It has a convention center. It has everything you  
19 need within walking distance of where you're going to put  
20 that station. Over 50 percent of what you want already  
21 exists.

22 The F Street location? Zero. Nothing of what  
23 you need exists at F Street. Not a thing. Go there and  
24 look at it, transportation-wise you can't get there. You  
25 just can't get to the F Street location. It's not an easy

1 place to get to even after they do some of this  
2 construction. If it's on Truxtun Avenue it's right down  
3 the street from where we're at right now. You could walk  
4 there from here. You could have come by your high-speed  
5 rail to get to this meeting. If you took the F Street you  
6 would have a tough time getting from F Street to here.

7 So pretend you're not on this Board right now and  
8 you're just a resident or business owner in the downtown  
9 area of Bakersfield. And you have submitted 1,000 comments  
10 saying, "We don't want it on F Street. It's a poor  
11 location." I was born and raised here in 1954. I've seen  
12 Bakersfield grow. F Street is a horrible location for  
13 this. You've got a relatively small number of people and a  
14 relatively single-focused City Manager and City Council  
15 that is trying to convince you F Street's a good location.  
16 It's not. Put it on Truxtun. Thank you.

17 CHAIRMAN RICHARD: Thank you, Mr. Maxwell. Tony  
18 Amarante followed by Lee Ann Eager and then Marvin Dean.

19 MR. AMARANTE: Good morning. My name is Tony  
20 Amarante. Thank you for this opportunity to speak to you.  
21 I'd like to support putting the train station where it's  
22 supposed to go, down on Truxtun Avenue where the Amtrak is  
23 now.

24 You know, I hear the City say that if they have  
25 to put the train station down on Truxtun Avenue then

1 they're going to have to move the Corporation Yard. And I  
2 also hear the City saying that they want to develop  
3 downtown and revitalize it and make it more attractive to  
4 people. Well, they already have a train station on  
5 Truxtun. Can't you just use the vacant lot up there F  
6 Street and 30th? Can't you just put the garbage trucks and  
7 the street sweepers up there on that vacant lot? And then  
8 you know, you'd have people come into downtown to work and  
9 you'd have the train station and -- sorry to be so nervous  
10 there, but I'm just a private citizen.

11 And I think it's important to Bakersfield and all  
12 of California that we connect Bakersfield to the economic  
13 orbit of Los Angeles, so that people who live here could  
14 work an hour away. And you can get a house in Bakersfield  
15 for a reasonable price compared to what you get in Southern  
16 California. It's a big lot, lots of -- it's better. And I  
17 just think the best place to put the train station would be  
18 down on Truxtun Avenue. Put the Corporation Yard over on F  
19 Street.

20 And I'm not even from Bakersfield. I was born in  
21 Brooklyn, New York. I think it's a good idea. Thanks.

22 CHAIRMAN RICHARD: Thank you.

23 Lee Ann Eager and then Marvin Dean.

24 MS. EAGER: Good morning. I'm Lee Ann Eager.

25 I'm President and CEO of Fresno County Economic Development

1 Corporation and I'm always pleased to come to support my  
2 friends here in Bakersfield, my friends in Palmdale. I'm  
3 excited that the clock is starting now for the Preferred  
4 Alternative out to Palmdale. But I also want to give you a  
5 quick little summary of a trip that we took, that we just  
6 got back a couple of weeks ago. And that was to Germany.

7           The Fresno Works group, with our training and  
8 education team, went to go look at training facility in  
9 Germany. We also were accompanied by the folks in Palmdale  
10 who are honorary members of the Fresno Works. We looked at  
11 a training facility in Frankfurt. And I was so excited  
12 about the work that they were doing there in getting young  
13 people excited about high-speed rail, getting young people  
14 excited about the work that they were going to be doing.  
15 And we want to make sure that we bring that to the Valley.

16           The woman that spoke about no one working on the  
17 system, obviously she hasn't been in Fresno, because there  
18 are people up and down that alignment every single day. I  
19 have to drive around them all the time, I know. But we  
20 want to make sure that our local people are getting hired.  
21 So we did go to the training facility there. We went to  
22 numerous cities to look at stations. Palmdale and Fresno  
23 wanted to make sure we're going to do this right, so we  
24 looked at stations. We looked at station area planning.  
25 What does that mean?

1           We had two really great highlights, at least two  
2 for me. One, I was able to drive a train. The new Siemens  
3 ICE 4 that no one had ever touched before, I was the first  
4 person to drive that train and no one was killed. So  
5 that's a good thing.

6           The other thing is we went to this small town,  
7 called Kinding and we talked to the Mayor there. And the  
8 Mayor in Kinding fought and fought and fought for years to  
9 have a high-speed rail station. And it's a tiny little  
10 town and people said, "What are you, crazy?" And the  
11 reason was not because she wanted industry to come there.  
12 It wasn't because she wanted to build around the station.  
13 It was for the young people of her city. They were leaving  
14 and they weren't coming back. And she needed to give them  
15 a way to be able to stay in her city and so they built a  
16 station. And now they have a new generation of people that  
17 are staying in their community. And certainly that's one  
18 of the things that we look at here, right? As our folks  
19 graduate from whether it's Bakersfield or Fresno State we  
20 want to keep them here.

21           But I have to tell you real quick, the most  
22 exciting thing and this is where my high-speed rail nerd  
23 comes in, is that the City of Kinding was where the video  
24 is where they did the test for the fastest high-speed train  
25 in the entire world. And we saw the video and all the

1 people were waving and cheering when they -- I was standing  
2 on that platform, in Germany, the exact same one where the  
3 train came in. So, and I know the folks in Palmdale said,  
4 "You are the biggest high-speed rail nerd in the entire  
5 planet" (Laughter.) Because I'm the one that knew about  
6 that, so thank you for attending though. That was great.  
7 Thank you.

8 (Off mic colloquy.)

9 CHAIRMAN RICHARD: Okay. Thank you, Ms. Eager.  
10 Marvin Dean?

11 MR. DEAN: Good morning. My name is Marvin Dean.  
12 I'm the President of the Kern Minority Contractors  
13 Association. And I'm your BAC, Business Advisory Council  
14 Member here in Bakersfield. And I want to welcome the  
15 Board members and thank you for holding this meeting in  
16 Bakersfield.

17 But let me dissect for a minute before I get into  
18 the rest of my presentation. And this is to the leadership  
19 of Bakersfield, City and County. We really need to follow  
20 the leadership of what Lee Ann Eager is doing in Fresno  
21 championing jobs, local jobs in contracting, and doing  
22 amazing things in terms of bringing money into their city  
23 with high-speed rail. So I'm asking those of us, those  
24 that live here in the leadership, economic development,  
25 please check on what she's doing and adopt some of that



1 here in Bakersfield. We need that kind of spirit here.

2 I'm here to, first of all, say at this point I'm  
3 okay with either location. Just so we get this doggone  
4 thing built. And then I would have preferred downtown for  
5 a lot of reasons, but I can live with the F Street Station.

6 And then my only thing would be to say at this  
7 point is once the final decision has been made on the route  
8 let's do early acquisition of the property of the people  
9 that's going to be affected for the right-of-way. Not only  
10 the Homeless Center, but I know a lot of other people that  
11 are affected. They've got plans for development of their  
12 projects. And they just need some stability as to, if the  
13 project is going to come there, they need to move on with  
14 their lives so that they can plan their development and not  
15 have their property tied up. Because they're not going to  
16 make any more investments in those properties until the  
17 decision is made.

18 And then what it also will do for us as you all  
19 know, I ain't got to tell you guys, one of the reasons why  
20 you're hop-skipping around from Fresno coming this way is  
21 you haven't acquired all the right-of-way. And it's been a  
22 really challenge for you to do the right-of-way, so we  
23 don't want to make that -- and when you do, that cost runs  
24 up.

25 So if you get into an early acquisition of the

1 property, once you finalize those routes you will find some  
2 people willing to sell, because they want to move on with  
3 their lives. So we need a land bank and start preparing,  
4 so that the next time we get to put in a phase of  
5 construction we won't have to wait on acquiring the land  
6 and also having the contractors that skip around and try to  
7 do development in a kind of a patch past way. That's why  
8 the lady talked about, probably when they came and rode the  
9 route, you only see different parts of construction going  
10 on instead of a straight line where you've got full  
11 sections built out because of the challenges you have by  
12 not acquiring all that property.

13           So let's learn from our mistakes early on. And  
14 I'm a big champion and supporter of high-speed rail, been  
15 doing this for years. And again, I want to say that I know  
16 that you guys got a lot of challenges, but keep up the good  
17 work and carry on and just push right ahead.

18           And then I want to say to Kelly Brian, I know  
19 that he took a leave of absence because of some sickness or  
20 something. So I wish him and pray his early recovery,  
21 because he's one of the best CEOs we're going to have. So  
22 I wish him well. Thank you.

23           CHAIRMAN RICHARD: Thank you, Mr. Dean.

24           Okay. That concludes the public comment period.  
25 I want to thank everybody for coming and sharing your

1 comments with us. As part of this process the staff would  
2 be responding to public comments. They've asked for a few  
3 minutes to get their responses together. They asked for  
4 15, I'm giving them 10. And while they're doing that, I'm  
5 going to skip down to the Board minutes from the last  
6 meeting and ask if I can get a motion to adopt those.

7 BOARD MEMBER CAMACHO: Move.

8 BOARD MEMBER MILLER: Second.

9 CHAIRMAN RICHARD: It was moved by Director  
10 Camacho, seconded by Director Miller. Will the Secretary  
11 please call the roll?

12 MR. DROZD: Vice Chair Richards?

13 VICE CHAIR RICHARDS: Yes.

14 MR. DROZD: Director Curtin?

15 BOARD MEMBER CURTIN: Yes.

16 MR. DROZD: Director Camacho?

17 BOARD MEMBER CAMACHO: Yes.

18 MR. DROZD: Director Miller?

19 BOARD MEMBER MILLER: Yes.

20 MR. DROZD: Chair Richard?

21 CHAIRMAN RICHARD: Yes.

22 Okay. Those are adopted. We'll stand in recess  
23 for about 12 minutes. Right at high noon, we're going to  
24 reconvene, and the Board will then act. Thank you.

25 (Off the record at 11:48 a.m.)

1 (On the record at 12:02 p.m.)

2 CHAIRMAN RICHARD: Could I ask people to take  
3 their seats please? Okay, we'll be back in session.

4 At this point, I'm going to ask Diana Gomez, our  
5 Regional Director for the Central Valley, to briefly offer  
6 staff's response to comments from this morning.

7 MS. GOMEZ: So we felt that we needed to respond  
8 to three of the comments. The first one was the  
9 electrification of the Amtrak BNSF Interim. We wouldn't be  
10 able to do that. The danger with the electrical currents  
11 that are very close to the refineries, so that alignment is  
12 very close to refineries. The other would be a substantial  
13 throughway cost. And then it would most definitely  
14 increase our travel time.

15 The other comment was the issue with bifurcating  
16 the pistachio farms? They did submit a comment letter. We  
17 did respond. And we will continue to work with them  
18 during the implementation to minimize those impacts.

19 The other thing this morning, the City of Shafter  
20 wrote a letter and in their letter, they claim we did  
21 inadequate analysis about the potential locations of a  
22 protected species, the shrew. In our environmental  
23 document we appropriately identified the locations and  
24 which then it was concurred by the U.S. Fish and Wildlife  
25 Services.

1           Those are the three that we thought that we  
2 should respond to. And now Jim Andrews is going to walk  
3 through the resolutions.

4           MR. ANDREW: Board Members, again Jim Andrews,  
5 the Assistant Chief Counsel. I'm going to walk you through  
6 the two resolutions that staff has asked me to adopt today  
7 regarding the LGA.

8           So there's two distinct steps, it's been four  
9 years since the Board did this before and some of the Board  
10 Members are new. So there's two distinct steps here this  
11 morning, the first one is to certify the environmental  
12 document as compliant with CEQA, that's your first step.  
13 And that's in Draft Resolution 18-16, which the Board has  
14 been -- you have a copy of. And then there'll be a second  
15 distinct step of actually approving for implementation the  
16 Alignment, the LJ Alignment.

17           So let's walk through briefly Resolution 18-16.  
18 In this resolution there's three items that the Board is  
19 certifying. First, is that the Final Supplemental  
20 Environmental Impact Report has been completed in  
21 compliance with CEQA. The second is that the Final  
22 Supplemental EIR has been presented to the Board and that  
23 the Board has reviewed and considered the information in  
24 it, prior to taking any action on the project. And the  
25 third, that the Final Supplemental EIR reflects the

1 Authority's independent judgment.

2           So on the first one, that the EIR has been  
3 completed in compliance with CEQA, it's the opinion of  
4 staff that the EIR functions as a sufficient informational  
5 document for decision makers and the public to disclose the  
6 environmental impacts of the project, proposes reasonable  
7 and feasible mitigation measures, and is it comprises a  
8 reasonable range of alternatives.

9           All the Final Supplemental EIR documents have  
10 been presented to the Board. It consists of the Draft  
11 Environmental Document, sorry a multi-volume document,  
12 three volumes circulated in November of 2017 and then the  
13 four-volume Supplemental EIR. And then these documents  
14 supplement the six-volume 2014 Final Fresno to Bakersfield  
15 document.

16           And just to be clear, because this is a Final  
17 Supplemental EIR, you're not being asked to do anything  
18 with respect to the 2014 document. It's just you're not  
19 recertifying it just with respect to the modifications to  
20 it that are reflected in the Final Supplemental EIR.

21           Okay. So at this point, if there's any Board  
22 questions, deliberation this first item, now is the time to  
23 talk.

24           CHAIRMAN RICHARD: I think it makes sense to do  
25 each one separately, right? so you'll walk us through?

1           MR. ANDREW: Yes. And then we'll walk through  
2 the second, so we're now focused on Resolution 18-16, which  
3 is the Certification of the EIR, that you have been  
4 presented with it and that it reflects the Authority's  
5 independent judgment.

6           And on that last item, just briefly, you're not  
7 being asked to simply rubber stamp a consultant-drafted  
8 document. Mr. McLoughlin, Ms. Gomez, Authority Legal, has  
9 been heavily involved in the development of that document  
10 and it does reflect the independent judgment of the  
11 Authority. And we believe it's a satisfactory document.

12           CHAIRMAN RICHARD: Okay, before I seek a motion  
13 on this, I want to just turn to my colleagues and ask each  
14 of them in turn, if they have questions for staff or  
15 comments that they wish to make at this point, looking down  
16 to my left and to my right?

17           (No audible response.)

18           CHAIRMAN RICHARD: Okay. I'm going to make one  
19 just very quick comment, which is that I just wanted to say  
20 having sat on this Board in 2014, I'm sympathetic to a lot  
21 of the arguments that people made about the Truxtun  
22 Station. If you look at high-speed rail stations around  
23 the world there are some that are located in downtown  
24 areas, there are some that are located at the edge of  
25 downtown. And I understand theoretically that there could





1 at this document and listening to numerous comments. And  
2 I've even gone back through prior meetings, because I am  
3 the newest member on the Board. I've reviewed those and I  
4 believe that the document is prepared in accordance with  
5 law, as discussed a reasonable range of alternatives,  
6 reasonable mitigation measures, and therefore I move it.

7 CHAIRMAN RICHARD: Thank you.

8 Is there a second?

9 BOARD MEMBER CAMACHO: Second.

10 CHAIRMAN RICHARD: Okay. It's been moved by  
11 Board Member Miller and seconded by Board Member Camacho.  
12 Without other comments, will the Secretary please call the  
13 roll?

14 MR. DROZD: Vice Chair Richards?

15 VICE CHAIR RICHARDS: Yes.

16 MR. DROZD: Director Curtin?

17 BOARD MEMBER CURTIN: Yes.

18 MR. DROZD: Director Camacho?

19 BOARD MEMBER CAMACHO: Yes.

20 MR. DROZD: Director Miller?

21 BOARD MEMBER MILLER: Yes.

22 MR. DROZD: Chair Richard?

23 CHAIRMAN RICHARD: Yes. Okay. So that's  
24 adopted.

25 Mr. Andrew?

1 MR. ANDREW: Yes. Moving on to the second step,  
2 which is actually approval of the LGA Alignment for  
3 implementation as stated in Draft Resolution 18-17. And  
4 there are three sections of that resolution. I'll go over  
5 them briefly with you.

6 The first section, in Section 1 of the Resolution  
7 the Board will be approved what are called CEQA Findings of  
8 Fact. These are required under the law to be stated and  
9 the Board has received a copy of those. It articulates  
10 each of the significant environmental impacts of the LGA  
11 Alignment and lays out mitigation, feasible mitigation for  
12 those impacts.

13 It also includes in it what's called the  
14 Statement of Overriding Considerations. And that's  
15 required under the law when significant impacts of a  
16 project that you are about to adopt would remain despite  
17 application of mitigation. And the Statement of Overriding  
18 Considerations effectively say that the benefits of  
19 implementing the project are worth enduring the significant  
20 environmental impacts that will remain after mitigation.  
21 It's called the Statement of Overriding Considerations as  
22 the name implies.

23 And then Section 3, sorry, the last part of  
24 Section 1 is where the Board would adopt a Mitigation  
25 Monitoring and Reporting Program that staff has mentioned

1 before. It is a listing of the same mitigation and Chair  
2 Richard is holding that document up that you received  
3 already on CD and by reference to the website and there's a  
4 copy of it there. It contains the same mitigation that are  
5 listed in the Findings of Fact, which is much more detailed  
6 about the implementation and timing and the like, as Mr.  
7 Bayne articulated earlier.

8 In the second section of the Resolution is the  
9 part where you would actually be approving the alignment,  
10 the F Street Alignment, and -- sorry, the LGA Alignment and  
11 the station. There's a map included with your documents  
12 that actually shows in detail the approximate footprint of  
13 what -- the footprint of what you're approving, including  
14 the F Street Station, but stopping at the F Street Station.

15 CHAIRMAN RICHARD: All right.

16 MR. ANDREW: And then one other thing, the  
17 Resolution also points out that the -- so the project that  
18 the Board approved in 2014 actually included the alignment,  
19 the old alignment, through the City of Shafter. This LGA  
20 Alignment actually revises the alignment, only vertically  
21 not horizontally, within the City of Shafter. So this  
22 Resolution would approve the LGA, but would also rescind  
23 the 2014 approval just for that small portion of the  
24 alignment between Poplar Avenue and 7th Standard Road, so I  
25 wanted to be clear that that's what you would be doing

1           And then finally the resolution notes next steps  
2 that we would file what's called a Notice of Determination,  
3 which it formalizes notice to the public of the action if  
4 you take it here in the next step.

5           CHAIRMAN RICHARD: Okay.

6           Director Miller?

7           BOARD MEMBER MILLER: Yes, I'd like to move  
8 Resolution 18-17 for adoption. We understand that includes  
9 the CEQA Findings of Fact, the Statement of Override, the  
10 Mitigation Monitoring and Reporting Program, as well as  
11 approving the LGA Alignment and this additional City of  
12 Shafter minor change.

13           So with that, thank you staff and thank you all  
14 that came and talked to us today about this project.

15           CHAIRMAN RICHARD: Okay. It's been moved.

16           BOARD MEMBER CAMACHO: Second.

17           CHAIRMAN RICHARD: It's been moved by Board  
18 Member Miller, seconded by Board Member Camacho. And I  
19 just want to say I'm going to ask the staff to make sure  
20 that they take a closer look at the farming impacts that  
21 were described today.

22           UNIDENTIFIED SPEAKER: Yes, sir.

23           CHAIRMAN RICHARD: Thank you. Will the Secretary  
24 please call the roll?

25           MR. DROZD: Vice Chair Richards?

1 VICE CHAIR RICHARDS: Yes.

2 MR. DROZD: Director Curtin?

3 BOARD MEMBER CURTIN: Yes.

4 MR. DROZD: Director Camacho?

5 BOARD MEMBER CAMACHO: Yes.

6 MR. DROZD: Director Miller?

7 BOARD MEMBER MILLER: Yes.

8 MR. DROZD: Chair Richard?

9 CHAIRMAN RICHARD: Yes. Okay. So that completes  
10 the items on the Bakersfield LGA. We've adopted -- we've  
11 both certified the CEQA analysis and adopted the Locally  
12 Generated Alternative, so we have an alignment here through  
13 Bakersfield. I want to thank everybody who's been involved  
14 in this process for that. Thank you.

15 Okay. Our final item then relates to the staff  
16 recommended, staff preferred, but not completely Preferred  
17 Alternative (Laughter) from Bakersfield to the center of  
18 the universe at Palmdale.

19 BOARD MEMBER MILLER: I think you want a motion  
20 here; is that correct?

21 MS. BOEHM: Yes, correct. We're seeking  
22 concurrence and we had all of those slides about the fact  
23 that this is neither an approval, but this is just a step  
24 along the way. So we are here, basically we've presented  
25 you the staff recommendation. We are able -- obviously you

1 are able to make some comments to us if there's anything  
2 else we should consider as we move forward. But we believe  
3 that the Alternative 2 is the appropriate recommendation to  
4 move forward with.

5 BOARD MEMBER MILLER: I'd like to move forward  
6 the concurrence with the staff recommendation for the  
7 preliminary alternative from Bakersfield to Palmdale.

8 BOARD MEMBER CAMACHO: Second.

9 CHAIRMAN RICHARD: Okay. It's been moved by  
10 Director Miller, seconded by Director Camacho.

11 And again, I just want to ask the staff to  
12 redouble efforts to work with CalPortland to look at  
13 minimization of impacts on that significant business  
14 facility.

15 MS. BOEHM: Duly noted.

16 CHAIRMAN RICHARD: Thank you.

17 Secretary, please call the roll.

18 MR. DROZD: Vice Chair Richards?

19 VICE CHAIR RICHARDS: Yes.

20 MR. DROZD: Director Curtin?

21 BOARD MEMBER CURTIN: Yes.

22 MR. DROZD: Director Camacho?

23 BOARD MEMBER CAMACHO: Yes.

24 MR. DROZD: Director Miller?

25 BOARD MEMBER MILLER: Yes.

1 MR. DROZD: Chair Richard?

2 CHAIRMAN RICHARD: Yes.

3 Thank you, staff.

4 Okay, with that we've completed the agenda today.  
5 Before we go into closed session I do want to recognize  
6 that we also had the participation today from the Mayor of  
7 Wasco, Gilberto Reyna, as well as City Manager Daniel  
8 Ortiz-Hernandez, so thank you for coming here today. And  
9 we appreciate the good work of the City of Wasco.

10 I want to thank everybody today. I want to thank  
11 the staff. I noticed a lot of work to get to this point.  
12 It's a significant milestone for the high-speed rail  
13 system, because our 2018 Business Plan identifies the first  
14 real phase of the high-speed rail system is extending from  
15 here in Bakersfield, the Central Valley to the Silicon  
16 Valley and up to San Francisco. So with that we've  
17 completed yet another piece of the environmental work that  
18 has to be done. There's still some segments that have to  
19 be cleared, but this is a very important step for us.

20 And I also want to say that contrary to what you  
21 may read in the press this is a community that in the end  
22 has worked with us, welcomed us as has been the case in  
23 Wasco, Fresno and other communities. So we're moving  
24 forward with this program.

25 With that, the Board of the High-Speed Rail

1 Authority will enter into closed session, in some facility  
2 nearby. Where are we going, right back there? So we'll  
3 recess this meeting. I'll report back afterwards if there  
4 are any actions in the closed session. Thank you all for  
5 coming here.

6 (Off the record at 12:18 p.m.)

7 (On the record at 12:36 p.m.)

8 CHAIRMAN RICHARD: Okay. We're back in session.  
9 The closed session of the High-Speed Rail Authority Board  
10 has been completed. We have no items to report, so with  
11 that this meeting is adjourned. Thank you.

12 (Chairman Dan Richards adjourned the Board Meeting  
13 at 1:37 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 31st day of October, 2018.



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MARTHA L. NELSON, CERT\*\*367

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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.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of October, 2018.



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Myra Severtson  
Certified Transcriber  
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