



CALIFORNIA HIGH-SPEED RAIL RESOLUTION #HSRA 21-04

Revision of the CEO Delegation of Authority Regarding Local Sponsor Project NEPA Issues

Whereas, the California High-Speed Rail Authority (Authority) is responsible for planning, constructing, and operating an intercity high-speed rail service pursuant to Public Utilities Code section 185030 et seq;

Whereas, pursuant to Public Utilities Code section 185024, the Authority has appointed an Executive Director/Chief Executive Officer (CEO) who, subject to the direction of the Authority, has charge of administering the work of the Authority;

Whereas, the Authority delegated authority to the CEO in Board Policy HSRA 11-001, originally approved via Resolution #HSR 11-09, which Policy the Board amended in January 14, 2014, via Resolution #HSR 14-01, in August 2018, via Resolution #HSR 18-14, again in September 2019, via Resolution #HSRA 19-09; and recently in April 2021, via #HSR 21-03;

Whereas, in July of 2019, the Federal Railroad Administration (FRA) granted National Environmental Policy Act (NEPA) Assignment to the State, making the Authority the federal lead agency for project delivery of the high-speed rail program. Also in July of 2019, under 23 U.S.C. 327, the FRA and the State, through the California State Transportation Agency and the Authority, entered into a Memorandum of Understanding (the MOU) setting out the terms allowing the State of California to assume federal responsibilities under NEPA and other federal environmental laws and to conduct environmental reviews and approvals otherwise performed by the FRA.

Whereas, under the MOU, the scope of the NEPA Assignment includes the entirety of the high-speed rail systems and other specific local sponsor projects, including LA Metro Link Union Station project in Los Angeles, as well as the ACEforward project in the Altamont Corridor. The MOU also indicated that the FRA and the State could mutually agree to additional local sponsor projects that would be appropriate for assignment under the MOU.

Whereas, given the work the Authority has begun under NEPA Assignment on local sponsor projects, the Board has determined that a revision of the delegation of authority to the CEO is appropriate for timely execution of actions to advance the Program.

Therefore, it is resolved:

The Board amends the Delegation of Authority to the CEO, Board Policy HSRA11-001, last amended April 22, 2021 to add Section H.3, with staff proposed revisions and further Board recommended changes to item 3C to read: Approve the release of a draft EIS and final EIS and approve the project in a ROD, provided the CEO and Local Sponsor representative present a project summary to the Board between the time the local project sponsor issues an FEIR/FEIS and prior to signing a ROD approving the project, as discussed at the May 20, 2021 Board meeting.

Vote:

Yes: Richards; Miller; Schenk; Perea; Camacho; Butros; William; Ghielmetti; Escutia

No: N/A

Absent: N/A

Date: May 20, 2021

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