

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD OF DIRECTORS MEETING

WEDNESDAY, APRIL 27, 2022
10:00 AM

TRANSCRIPT OF PROCEEDINGS

CALIFORNIA DEPARTMENT OF HEALTHCARE SERVICES

THE AUDITORIUM

1500 CAPITOL AVENUE

SACRAMENTO, CALIFORNIA 95814

Reported by:
E. Hicks

APPEARANCESBOARD MEMBERS

Tom Richards, Chair

Nancy Miller, Vice Chair

Lynn Schenk

Ernest Camacho

Henry R. Perea, Sr.

James C. Ghielmetti

Martha M. Escutia

Margaret Pena

Anthony Williams

EX OFFICIO BOARD MEMBERS

Assembly Member, Dr. Joaquin Arambula

Senator Lena A. Gonzalez (Absent.)

STAFF

Brian P. Kelly, Chief Executive Officer

Boris Lipkin, Northern California Regional Director

Serge Stanich, Director of Environmental Services

Alicia Fowler, Chief Counsel

Moe Ramadan, Acting Board Secretary

APPEARANCES (Cont.)

PRESENTERS:

Brian P. Kelly, Chief Executive Officer

Boris Lipkin, Northern California Regional Director

Serge Stanich, Director of Environmental Services

Gary Kennerley, Northern California Director of Projects

Brian Annis, Chief Financial Officer

Bruce Armistead, Director, Operations and Maintenance

Margaret Cederoth, Director, Planning and Sustainability Office

Minming Wu Morri, In-house Environmental Attorney

Jessica Tucker Mohl, California Office of the Attorney General

PUBLIC COMMENT:

Frank Quintero, Deputy City Manager, City of Merced

Daniel Leavitt, San Joaquin Joint Powers Authority, San Joaquin Regional Rail Commission

Laura Uden, High-Speed Rail Business Advisory Council

Keith Dunn, Association for California High-Speed Trains

Rod Diridon, U.S. High Speed Rail Coalition

Matthew Serratto, Mayor of Merced

Sharon Gonsalves, Renne Public Policy Group, on behalf of the City of Bakersfield

John Ellis, City of Fresno

APPEARANCES (Cont.)

PUBLIC COMMENT: (Cont.)

Jeanette Owens, Senior Executive Officer, Los Angeles County Metropolitan Transportation Authority

Sean Jeans-Gail, Vice President, Rail Passengers Association

Roland Lebrun, Self

Andy Kunz, U.S. High Speed Rail Association

Alvaro Meza, Chief Business Official, Gilroy Unified School District

Miguel Arias, Councilmember, Fresno City Council

Cathleen Galgiani, California Senator

PUBLIC COMMENT: AGENDA ITEM 2, 8, 9, 10 & 11:

Sam Liccardo, Mayor of San Jose

Andy Russell, California Alliance for Jobs

Marie Blankley, Mayor of Gilroy

Jose Manzo, Superintendent, Oak Grove School District

Rebecca Long, Director, Legislation and Public Affairs, Metropolitan Transportation Authority

Ellen Wehr, Grassland Water District, GEA stakeholder group

Adrian Bryant, Self

Noah Cristman, SPUR

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P R O C E E D I N G S

10:00 a.m.

PROCEEDINGS BEGIN AT 10:00 A.M.

CALIFORNIA, THURSDAY, APRIL 27, 2022

CHAIR RICHARDS: Good morning, ladies and gentlemen and welcome to the California High-Speed Rail Authority's Board of Director's meeting for August 27th. And as you've seen, also, August 28th. It's wonderful to be back live. We thought that live meetings are so easy to put on, and we now find out that they're not. We thought Zoom calls were massively difficult, and they seemed to be a way of life, so we did that pretty well after a year and a half or so. So, this is what we've all looked forward to.

We don't have a full house here. We hope we do with people who are listening and we'll see our participation of people who join us in each of our meetings, we hope, over the next several meetings.

So, with that I'm going to call the meeting to order and ask the Secretary, who's usually on the screen in front of us and how is hiding in the back, Mo, would you please call the roll.

MR. RAMADAN: Thank you, Mr. Chairman.

Director Schenk?

1 BOARD MEMBER SCHENK: (No audible response.)
2 MR. RAMADAN: Chair Richards?
3 CHAIR RICHARDS: Here.
4 MR. RAMADAN: Director Camacho?
5 BOARD MEMBER CAMACHO: Here.
6 MR. RAMADAN: Vice Chair Miller?
7 VICE CHAIR MILLER: Here.
8 MR. RAMADAN: Assemblymember Arambula?
9 EX OFFICIO BOARD MEMBER ARAMBULA: Here.
10 MR. RAMADAN: Director Perea?
11 BOARD MEMBER PEREA: Here.
12 MR. RAMADAN: Director Ghielmetti?
13 BOARD MEMBER GHIELMETTI: Present.
14 MR. RAMADAN: Director Escutia?
15 BOARD MEMBER ESCUTIA: (No audible response.)
16 MR. RAMADAN: Director Williams?
17 BOARD MEMBER WILLIAMS: Here.
18 MR. RAMADAN: Director Pena?
19 BOARD MEMBER PENA: Here.
20 MR. RAMADAN: Senator Gonzalez?
21 EX OFFICIO BOARD MEMBER GONZALEZ: (No audible
22 response.)
23 MR. RAMADAN: Mr. Chair, we have a quorum.
24 CHAIR RICHARDS: Thank you, Mr. Secretary.
25 And do we have a flag this morning? All right,

1 if you'd stand and join me, please.

2 (Whereupon the Pledge of Allegiance was
3 recited.)

4 CHAIR RICHARDS: Thank you.

5 So, ladies and gentlemen, the meeting over these
6 two days will incorporate the staff presentation on the San
7 Jose, Merced environmental documents. And in tomorrow's
8 hearing, the Board action on those documents, as well as
9 other items on the agenda for today.

10 As you know from having watched or listened in
11 the past, we follow a pretty strict format on environmental
12 documents to make sure that we are abiding by the laws
13 governing same, both federally and for the State of
14 California.

15 With that, we will start with -- oh, that's
16 yours. What we have, we will follow this, as I mentioned,
17 pretty carefully. You will have noticed, if you've looked
18 at the agenda, there will be two opportunities for public
19 comment. The first opportunity will be for any items on
20 the agenda exclusive of those items dealing with the
21 environmental hearing, as well as anything else that
22 members of the public would like to address.

23 So, with that, as noted on the agenda, as is
24 custom, we will start by taking public comment at the very
25 beginning of the meeting. Since we are taking up the San

1 Jose to Merced Environmental Project section, we will also
2 have a dedicated opportunity for the public on that project
3 section later this morning.

4 Public comment at the outset of the meeting will
5 be for all remaining agenda items and non-agenda items not
6 related to the San Jose to Merced documents.

7 After the general comment period, we will then
8 have staff present the San Jose to Merced project,
9 including the Final EIR/EIS, and a proposed decision for
10 the Board to consider those decisions.

11 After staff presentation, we will then take
12 public comment on the San Jose to Merced Project section
13 proposed decisions, and all related agenda items. Those
14 are agenda items 2, 8, 9, 10, and 11. This way, members of
15 the public will have the opportunity to listen to the staff
16 presentation and they can incorporate any thoughts, or
17 questions, or concerns into their comments.

18 Board member input will be sought after the
19 public comment. And the Board will have an opportunity to
20 direct staff as to any issues or questions they may wish to
21 have addressed during Item 8, on Thursday.

22 We will then take a lunch break, and then
23 reconvene and move on to the other agenda items for today.

24 After that, we will adjourn for the day and then
25 reconvene tomorrow morning at 11:00 a.m. Tomorrow's

1 session will be focused first on Item 8, staff responses to
2 the issues identified by the Board. The Board will then
3 deliberate on Items 9, 10, and 11 related to the San Jose
4 to Merced Project section.

5 So, with that introduction, we will start with
6 general comments. As a reminder, this is for all agenda
7 and non-agenda items unrelated to the San Jose to Merced
8 Project section. So, unrelated to the Agenda Items Numbers
9 2, 8, 9, 10, and 11.

10 After the comment period we will -- or, after the
11 comment period will be -- excuse me, another comment period
12 will be offered for San Jose to Merced later this morning.

13 With that, I'm going to ask the Board Secretary
14 to conduct notification of who's going to be speaking to
15 us. And I had not gotten any cards, so I don't know if we
16 have any people in the -- are you going to go ahead and
17 hang on to them? That's fine, sure. Okay.

18 Okay, Mo, you're on.

19 MR. RAMADAN: Thank you, Mr. Chairman. Good
20 morning all. Before we begin public comment on all agenda
21 items unrelated to Agenda Item 2, 8, 9, 10, and 11, I would
22 like to go over some important information.

23 For members of the public who have joined us in
24 person and wish to provide comment, you'll be called in the
25 order that we have received your card. We are also

1 allowing members of the public to provide comment remotely
2 by telephone, after the in-person public comment.

3 We will start with Frank Quintero. Frank
4 Quintero.

5 MR. QUINTERO: Good morning Chairman Richards,
6 Board members, and what an awesome opportunity to be in
7 front of you today. It's been a while, so thank you and
8 thank you to the staff.

9 My name's Frank Quintero, I'm the Deputy City
10 Manager for the City of Merced, and I have two items to
11 speak about.

12 First of all, we encourage you to issue the RFQ
13 for the Central Valley design. We have four communities
14 eager to move forward with this program, and plan our
15 futures out with you. So, again, we're excited for this
16 opportunity and encourage you to approve issuing the RFQ.

17 Next, we encourage you to approve the 2022
18 Business Plan. We continue to strongly support all the
19 efforts of the Governor and the High-Speed Rail Project,
20 both those that are in progress and that are planned.

21 We look forward to continuing to work with the
22 High-Speed Rail Authority, and we look forward to great
23 things happening in California, as well as the Central
24 Valley. And thank you very much.

25 CHAIR RICHARDS: Thank you, Mr. Quintero.

1 MR. RAMADAN: Next up we have Dan Leavitt. Dan
2 Leavitt.

3 CHAIR RICHARDS: And I might introduce him as a
4 long time ago the head environmental staff member and
5 Director for the California High-Speed Rail Authority.

6 MR. LEAVITT: Thank you.

7 CHAIR RICHARDS: Welcome Dan.

8 MR. LEAVITT: Good morning Chair Richards and the
9 rest of Board, CEO Kelly. It is really, truly great to see
10 you here this morning. And as noted, I'm Dan Leavitt,
11 representing the San Joaquin Joint Powers Authority and the
12 San Joaquin Regional Rail Commission.

13 I did already provide comments at your last Board
14 meeting March 17th, but we did want to be here in person to
15 reiterate our support for the OR 2022 Business Plan and
16 your efforts to implement high-speed rail in California.

17 You have our commitment to partner with you, and
18 local, and regional agencies to ensure that the Merced,
19 Bakersfield High-Speed Rail Interim Service will be well
20 connected with our services and to other transit throughout
21 the valley, and will be a transformational investment in
22 the San Joaquin Valley that will help the state meet its
23 sustainability goals.

24 The success of interim high-speed rail service is
25 essential towards implementing the ultimate high-speed rail

1 service between the Bay Area, Sacramento, San Joaquin
2 Valley, and Southern California.

3 A key focus of my agencies is to continue to work
4 with your staff, your early train operator CALSTA and
5 Caltrans to make sure that both our San Joaquin's and A
6 services connect with high-speed rail in a multi-modal
7 station in downtown Merced.

8 And lastly, we do want to reiterate our strong
9 support for the Governor's budget proposal to provide the
10 remaining \$4.2 billion in Prop 1-A funding to the Authority
11 needed to implement electrified, true high-speed rail
12 service in the San Joaquin Valley. Thank you very much.

13 CHAIR RICHARDS: Thank you, Mr. Leavitt.

14 MR. RAMADAN: Next up we have Laura Uden. Laura
15 Uden.

16 CHAIR RICHARDS: And Ms. Uden is here
17 representing the Small Business Advisory Committee, the
18 Professional Services Division of that, specifically. And
19 so, I've had a conversation with her. And you, please, are
20 free to take five minutes.

21 MS. UDEN: Thank you. Thank you, Chair Richards
22 and Board members for your continued support of small
23 business. We appreciate everything you've done so far and
24 look forward to continuing to work with you.

1 I'm the owner of small, woman, disabled Veteran-
2 owned firm, called NSI Engineering, which is struggling to
3 stay in business. My military background taught me to try
4 to do the right thing and help others, and make the world a
5 better place.

6 I've driven here on a five-hour roundtrip to meet
7 with you in person, in the hopes that I can be more
8 impactful about the conflict of interest policy than I have
9 been in the past. These comments will continue that
10 discussion. Oh, please include these comments in the
11 meeting transcript, if you would.

12 When I first spoke at a Board meeting about the
13 High-Speed Rail Conflict of Interest Policy and Practices,
14 I was speaking on behalf of other small business owners, as
15 my firm had no conflict per the policy's own language.
16 However, my firm has since been given a determination of
17 conflict, which cannot be mitigated, other than to drop all
18 our existing contracts which are helping our firm survive.

19 It's now too late for my firm and many others to
20 participate in a PDS pursuit. The PDS teams have formed.
21 And although we were selected to be key personnel positions
22 by all primes pursuing the contract, last week had to ask
23 them to remove us from their teams.

1 After over 20 communications back and forth with
2 the HSR legal team and the Board, my firm has been given a
3 determination of conflict.

4 I've spoken at recent Board meetings about issues
5 with the High-Speed Rail Conflict of Interest Policy and
6 its implementation. These issues have only been
7 exacerbated over the last few months.

8 The five primary issues include, one; the High-
9 Speed Rail Legal Team appears to be incorrectly
10 interpreting their own policy. The March 8, 2022 letter
11 from Alicia Fowler, to my company, said: The quality
12 assurance row in the matrix is not applicable to NSI's
13 regional consultant work, which contemplates a direct
14 contract between the Authority and the quality assurance
15 consultants.

16 Meaning not through any prime consultants or
17 contractor.

18 Yet, the language in the matrix clearly indicates
19 otherwise. Attempts to clarify this interpretation in
20 subsequent communications and meetings with High-Speed Rail
21 Legal Team remain unresolved.

22 Two; multiple firms are receiving determinations
23 of conflict related to scopes of work that include subject
24 matter areas and procedures those firms do not perform. A
25 review of three different determination letters identified

1 multiple inconsistencies in what the firm's business scope
2 actually is and what the legal team thought it was.

3 The High-Speed Rail Legal Team does not
4 understand the scope of work for some of these small
5 businesses, and questions business owners' integrity when
6 we tell them what we do.

7 Our initial Conflict of Interest Determination
8 request offered mitigations that would have protected the
9 program, but allowed us to add value. High-Speed Rail
10 Legal Team's continued lack of understanding of our scope
11 and that of others stopped them approving these
12 mitigations.

13 The High-Speed Rail Legal Team has failed to
14 engaged their own subject matter experts to assist in an
15 understanding of scope and discussing possible mitigations.
16 Instead, in our case they engaged our authority contract
17 manager, who has no understanding of my firm's scope of
18 work. Yet, in the February 17, 2022 Board meeting and the
19 follow-on February 23rd, High-Speed Rail Business Advisory
20 Council meeting, the Legal Team committed to engage
21 relevant staff to discuss mitigations as part of the
22 determination process.

23 Four; currently the only understood oversight of
24 High-Speed Rail Legal Team's performance is provided by the
25 Board. However, the Legal Team refused to allow the Board

1 members to oversee the Conflict of Interest Policy in
2 action through meetings with small business owners. The
3 Board should be allowed to participate in determination
4 meetings between the Legal Team and business owners as part
5 of conducting their required due diligence oversight of the
6 Authority's Conflict of Interest Determination process.

7 Five; the approach for collecting objective
8 information and data through the determination process is
9 unclear and undocumented. The Legal Team is either not
10 taking minutes of the meetings or not sharing them with the
11 small business owners for review and to correct any
12 mistakes in understanding. These mistakes appear to be
13 leading to incorrect determinations and conflicts which are
14 likely to happen if the High-Speed Rail Legal Team
15 misunderstood what was said or inaccurately recorded what
16 was reported, and then used that information as a
17 justification for determination of conflict.

18 In some cases, the exact same question is
19 repeated multiple times in the same meeting, even when a
20 clear and unambiguous answer has been given. This
21 strategy, which may work in a courtroom to cross-examine a
22 witness, often leaves a feeling that the High-Speed Rail
23 Legal Team doesn't believe or doesn't trust business
24 owners.

1 When one issue from High-Speed Rail Legal Team is
2 addressed, suddenly new items crop up that has the
3 potential for conflict, even though in most cases the
4 reasoning behind this is faulty on the part of the Legal
5 Team. Then, when the new issues are addressed other issues
6 are brought forward.

7 This leaves the impression that the intent of the
8 Legal Team is to do everything they can to find a conflict,
9 regardless of what business owners tell them.

10 It appears the policy is not being implemented as
11 written or as promised. Alicia Fowler, in the February 1,
12 2022 Board meeting said: Some policies start with
13 exclusions, but we start by trying to ensure people can
14 participate.

15 And you, Chair Richards, added: I encourage a
16 conversation between those who have received letters of
17 disqualification to work with staff to provide a pathway
18 that allows qualification. This is not happening.

19 Whatever actions have been take by the Authority
20 and Board to date based on all this input from me, and
21 other small business owners, if any, they are not resulted
22 in changes being felt on the front lines.

23 The process is definitely broken. Because of
24 this, the extent of in-depth strategic skills and decades
25 of experience on the High-Speed Rail Program of all of

1 these small businesses will not be leverage for the benefit
2 of the program and the taxpayers of California.

3 The Primes are struggling to find staff with
4 skills and experience given the very late removal of so
5 many firms from their teams. We're being conflicted out
6 now, which is less than three weeks before the SFQs are
7 due. This late removal will weaken the teams and weaken
8 the ability of them to deliver on the PDS pursuit.

9 I respectfully request the Board take action to
10 stop this madness, to stop the continued harm to small
11 businesses. I ask you to work with us to identify and
12 correct issues that are impacting our ability to survive.
13 The Policy and its implementation are not only harming
14 small businesses, but the Primes, the Program, and the
15 taxpayers of California.

16 I plan to remain here for the next few hours in
17 the hope of meeting with any members of the Board that
18 would like to talk with me about this over lunch. I look
19 forward to speaking with you about that. Thank you for
20 this attention to this.

21 CHAIR RICHARDS: Thank you, Ms. Uden. And I will
22 talk with our CEO and with counsel, and we'll confer on
23 your comments. Thank you.

24 MR. RAMADAN: Mr. Chair, next up for public
25 comment we have Keith Dunn. Keith Dunn.

1 CHAIR RICHARDS: Good morning, Mr. Dunn.

2 MR. DUNN: Thank you, Mr. Chair, CEO Kelly, Board
3 members. Keith Dunn here on behalf of the Association for
4 California High-Speed Trains.

5 I wanted to commend the Board and your staff on
6 your Business Plan for 2020, encourage the acceptance of
7 it. In discussions with others in support of this effort,
8 and the Legislature, I think that there's real progress
9 being made. I've been involved in this project since its
10 inception. I'm very pleased with the direction of the
11 report and the Business Plan. I think that it lays out a
12 clear path.

13 I think that you've been doing some great
14 outreach. And the focus on jobs, and I'll just mention
15 specifically the recent media from a couple of iron
16 workers. And, you know, this -- we always talk about this
17 being a transformational project, but when you get to
18 actually interact and hear from direct individuals that are
19 having a life-changing experience working and building this
20 project, it really makes a difference when we communicate
21 that with other elected officials throughout the valley,
22 and the state, including the L.A. Basin.

23 I also would like to say that another tile in the
24 mosaic of high-speed rail that I like to discuss is the
25 fact that the Central Valley still has some of the worst

1 air quality in the nation. This is a transformational
2 project. That is, this Administration talks about the
3 Climate Action Plan for Transportation Infrastructure. I
4 like to remind people that this is the single-most largest
5 project that will reduce greenhouse emission from vehicles,
6 getting people out of their cars, out of airplanes, and
7 into high-speed rail. It's a transformational project on
8 the individual level, in the communities, and for our
9 environment.

10 I encourage the adoption of the 2022 Plan. I
11 appreciate the work of your staff and this Board, and I
12 look forward to continuing to work with you to get this
13 built. Thank you.

14 CHAIR RICHARDS: Thank you, Mr. Dunn.

15 MR. RAMADAN: Mr. Chairman, we only have one
16 public comment card, but it's for Agenda Item 2. So, I'm
17 going to begin to pivot to over-the-phone remote public
18 comment. Give me a moment.

19 AT&T OPERATOR: Ladies and gentlemen, if you wish
20 to provide public comment today you may press 1, and then 0
21 at this time. Once again, if you wish to provide public
22 comment you may press 1, and then 0.

23 If you've pressed 1 and 0 already, you have
24 removed yourself from queue. Press 1, and then 0 one time,
25 and you'll be placed in queue.

1 For those of you who joined as a speaker, your
2 lines are open.

3 MR. DIRIDON: Hello.

4 CHAIR RICHARDS: We can hear you. Please go
5 ahead. And if you'd start with your name.

6 MR. DIRIDON: I'm not sure how this works. And I
7 apologize, Mr. Chairman. This is Rod Diridon. And having
8 sat in the Chair, I understand that this is an awkward
9 time, especially with an electronic mess. So, thank you
10 for your service, and your service, and the service in the
11 city and county of the (indiscernible).

12 The U.S. High Speed Rail Coalition have been
13 working diligently at the national level, led by
14 Secretaries LaHood, and Foxx, and myself to obtain funding
15 at the national level for our project.

16 We have a \$56 billion in an infrastructure bill
17 for intercity rail, a portion of which will go to our
18 project, and we're looking at \$10 billion more in the
19 climate portion of the Bring Back Better Bill, which is due
20 to be introduced in the next couple of weeks.

21 Each of those sources of funds must be available
22 to every (indiscernible) projects, which means the money
23 has to be used immediately. And so delays are deadly.

24 There's some background noise, I'm sorry. The
25 delays are deadly. So, as you go through the day and are

1 considering the environmental work being done, which is
2 very important, very, very important to hear from the
3 public and to do the best you can in terms of mitigating
4 environmental difficulties, remember that whatever you do,
5 do not delay the project. Progress is necessary to set the
6 example, both in California and for the nation.

7 Remember that the Berkeley just now shows that 56
8 percent of the public supports you. That in the Bay Area,
9 that's over 65 percent. In the L.A. area, that's over 60
10 percent, and that's a landslide.

11 So, please, please know that you have the public
12 support to spend the \$4.2 billion in the Governor's Budget,
13 and know that you have the public support to identify high-
14 speed rail as the number one remedy for climate that so
15 threatens California, and the future for our children.

16 Please proceed with all courage, and vigor, and
17 know that you have support from us old folks out here,
18 also, that know how much difficult -- how difficult it is
19 for the project.

20 CHAIR RICHARDS: Chairman Emeritus Diridon, I
21 want to convey the thanks of all the members of this Board,
22 as well as all of the staff and management of the
23 California High-Speed Rail Authority.

24 For those in the audience, we refer to him with
25 great respect as Chairman Emeritus of this Board, one of

1 the founders of high-speed rail for California, and for
2 transportation advances in our state. And so, we thank you
3 very much for your comments.

4 And for me, personally, I can't tell you how much
5 I have appreciated, at the time I first joined this Board,
6 both your advice and guidance. And I hold that very dear.

7 So, thank you again for joining us today,
8 Chairman.

9 MR. DIRIDON: Thank you for your nice comments
10 and for your great service.

11 CHAIR RICHARDS: Thank you, sir.

12 Before we move on, I just want to let everybody
13 in the audience know that, if you have not been here
14 before, what we have always done is we've taken -- when
15 we're in a public session like this, we take comments from
16 the public in person only. So, we're trying to transition
17 back to that, but we didn't want to somehow leave out
18 people who were unable to come, or perhaps felt that it was
19 a little bit too soon for them to feel comfortable coming
20 to a public session like this.

21 So, some of the technical glitches that you may
22 have heard here, and maybe a little bit of unwariness on
23 our part with regards to how we're handling this is jitters
24 at doing something we haven't done before.

25 So, anybody else? Where is our Secretary?

1 MR. RAMADAN: I'm over here, Mr. Chairman. Can
2 we have next up for public comment Matthew Serratto?

3 MR. SERRATTO: Thank you, Mo. Thank you, Chair
4 Richards. Matt Serratto, Mayor of the City of Merced.
5 Thanks again for the time and the opportunity to comment
6 today.

7 Just wanted to reiterate a lot of the things that
8 our Deputy City Manager Frank Quintero said earlier,
9 commenting on Agenda Items 4 and 5.

10 First Item 5, the adoption of the Business Plan.
11 The City of Merced continues to support the Governor's
12 vision and plan for high-speed rail in California,
13 particularly the important infrastructure investments in
14 transportation in the heart of California, the Central
15 Valley.

16 We continue to support the Business Plan for
17 electrified high-speed service between Merced and
18 Bakersfield. We think that interim service will
19 demonstrate the incredible value of electrified high-speed
20 rail and spur the support necessary to complete the system
21 over time.

22 Further targeted investments in the Bay Area and
23 Los Angeles will enable the system to make the next logical
24 leap in valley-to-valley service, including opportunities
25 for both businesses and housing.

1 When the North High-Speed Rail connects Merced
2 and the Central Valley to the Bay Area we'll have more
3 tools to address the housing/workforce balance and opening
4 up educational opportunities by leveraging the state's
5 investments in UC Merced.

6 Finally, most importantly as mentioned earlier,
7 electrified high-speed rail improves air quality in the
8 Central Valley and reduces its greenhouse gas emissions.

9 Second, on Agenda Item 4, approving the release
10 of an RFQ for the design of the Central Valley Station, the
11 City strongly urges you to approve the release of this RFQ.
12 In order to move this project forward, we must begin this
13 design and preliminary engineering work as possible.

14 As your staff notes, stations are a critical
15 element of the high-speed rail system, enabling passenger
16 access to it.

17 We acknowledge that at this time we're only in
18 the design phase of each station, representing the minimum
19 necessary for a functional passenger station. But getting
20 those stations underway is critical to moving the project
21 forward.

22 In summary, the City of Merced has been and
23 remains supportive of high-speed rail and looks forward to
24 a continued partnership. So, thank you.

1 With that in mind, I urge you to approve the
2 staff recommendations for Agenda Items 4 and 5, and get
3 this train on its way. Thanks again.

4 CHAIR RICHARDS: Thank you, Mr. Mayor, and for
5 your support for this project, as well as that of your
6 city.

7 MR. SERRATTO: Well, we appreciate you guys' work
8 and we stand as a willing partner. So, thanks again for
9 everything you guys do, we know how difficult it is. Thank
10 you.

11 MR. RAMADAN: Next up for public comment we have
12 Sharon Gonsalves. Sharon.

13 MS. GONSALVES: Good morning, Mr. Chair and
14 fellow Board members. My name is Sharon Gonsalves. I'm
15 with the Renne Public Policy Group, testifying today on
16 behalf of the City of Bakersfield.

17 We wanted to first reiterate that we really
18 appreciate what the HSR planners are doing. The work that
19 they've been doing with the city. We want to reiterate
20 that the city would like to see the design, have the
21 station in Bakersfield include a landmark station, rather
22 than a platform, as it's guiding our Making Downtown
23 Bakersfield Vision Plan to establish a station that
24 connects high-speed rail and the diverse amenities of the
25 historic city core to the broader region, foster local

1 businesses, and empower the public to engage in the
2 transportation of the city all in an effort to truly create
3 a unique and vibrant sense of community.

4 Secondly, we wanted to share the concern about
5 plans for two segments of construction south of the
6 station, through the City of Bakersfield. We worry that a
7 pause in construction of three or more years, in the middle
8 of Bakersfield will result in unnecessary traffic
9 disruptions to businesses, and already disadvantaged
10 communities southeast, of Southeast Bakersfield, and will
11 unnecessarily impact these neighborhoods for more than 10
12 years. An unfinished viaduct will induce blight in this
13 disadvantaged neighborhood and we want the construction --
14 we would like to see the construction be continuous through
15 the metropolitan area, and not in two separate phases.

16 And then, lastly, I just wanted to make note that
17 the city joined with county elected officials in a letter
18 dated April 15th, to the Board, that they would like to see
19 a stronger presence and response by the High-Speed Rail
20 Authority in Kern County. And just wanted to make note of
21 that letter and that the city would truly appreciate a
22 response. And if we needed to send that letter again,
23 please let me know and I'm happy to do so.

24 And again, you know, we know that the work that
25 you're doing is difficult and you're getting a lot of

1 comments that you need to decipher. But we do stand in
2 solidarity and ready to see this project succeed and work,
3 to move it forward. Thank you.

4 CHAIR RICHARDS: Thank you.

5 MR. RAMADAN: Next up for public comment we have
6 John Ellis. John Ellis.

7 MR. ELLIS: John Ellis, the City of Fresno's --
8 I'm Governmental Affairs Manager for the City of Fresno.
9 On behalf of Mayor Jerry Dyer, with regard to Agenda Item
10 Number 4, the city encourages the Board to support the RFQ
11 for design of the Central Valley Station that takes into
12 account the appropriate, comprehensive scope of work
13 necessary to build the nation's first HSR station in the
14 heart of downtown Fresno.

15 This will bring positive change to Fresno, likely
16 on a scale not seen since the city was founded in 1872 by
17 the Central Pacific Railroad Company. It will result in
18 economic development for our community and the state. And
19 the importance of properly funding and resources the design
20 element is critical. And it is essential that the design
21 is reflective of the community, brings value to our city,
22 and demonstrates the best practices in design.

23 To state it very clearly, a station is a must.
24 The City of Fresno is not interested in having a platform
25 placed in the heart of a thriving downtown. Thank you.

1 CHAIR RICHARDS: Thank you, Mr. Ellis.

2 MR. RAMADAN: Next up for public comment we have
3 Miguel Arias. Miguel Arias.

4 MR. ARIAS: Good morning council members.

5 MR. RAMADAN: Apologies, sir, it looks like he's
6 having some technical difficulties. I'm going to move on
7 to the next person.

8 Jeanette Owens.

9 MS. OWENS: Good morning, Chair Richards,
10 Directors, and Chief Executive Officer Kelly. Thank you
11 for the opportunity to speak to you today.

12 My name is Jeanette Owens, Senior Executive
13 Officer of Los Angeles County Metropolitan Transportation
14 Authority.

15 We are requesting your approval of Board Item
16 Number 3, of the Project Funding Agreement for the High-
17 Speed Rail Project in Los Angeles Union Station.
18 Specifically, for the Link Union Station, the highest
19 priority projects contained in the 2012 Southern California
20 Memorandum of Understanding.

21 LA Metro has partnered with the California High-
22 Speed Rail Authority for over ten years to bring high-speed
23 rail to Los Angeles via the Link Union Station Project.
24 The Link Union Station will transform how our commuter and
25 intercity rail operates in Southern California, with run-

1 through track capability at Los Angeles Union Station,
2 which is a required incremental step to eventually bring
3 the full high-speed rail service to Southern California.

4 The transformative change of converting Los
5 Angeles Union Station from a stub-ended track to a run-
6 through track will provide for a rail and transit capacity
7 that is necessary to accommodate future growth in time for
8 the Summer 2028 Olympics.

9 Again, we request your approval of staff
10 recommendation Item Number 3. Thank you very much.

11 CHAIR RICHARDS: Thank you very much. And we
12 look forward to a continuation of our relationship and
13 partnership with the LA Metro.

14 MS. OWENS: Thank you, Chair.

15 CHAIR RICHARDS: Let's try to see if we can call
16 on Miguel again.

17 MR. RAMADAN: Miguel Arias. Miguel Arias.

18 Okay, it looks like still technical difficulties.

19 Before we go on to the other phone line, I just
20 wanted to ask is there anyone else on who wishes to provide
21 public comment right now?

22 Operator, can you please open up the participant
23 lines for public comment?

1 AT&T OPERATOR: Thank you. And ladies and
2 gentlemen, once again if you wish to provide public
3 comment, you may press 1 and then 0 at this time.

4 Our first comment comes from Jeans-Gail. Your
5 line is open, please go ahead.

6 MR. JEANS-GAIL: Good morning, my name is Sean
7 Jeans-Gail and I'm Vice President of the Rail Passengers
8 Association. We're a national organization advocating on
9 behalf of America's passengers.

10 Our organization believes it is of national
11 importance that the State of California advanced
12 construction on the electrified Central Valley segment.
13 So, we encourage the Board to adopt this 2022 Business Plan
14 and approves final EIR/EIS for the San Jose to Merced
15 Project section.

16 In addition to creating thousands of jobs for
17 Californians, an electrified intercity rail corridor is an
18 integral part in decarbonizing the state's transportation
19 system, including ambitious climate goals.

20 It is important that the high-speed rail corridor
21 be understood both by elected officials and the public,
22 with the key element in the modernization of the entire
23 state rail system with synchronized connections to
24 regional, commuter and transit rail services. Without this
25 high class electrical trunk, California's rail system

1 cannot achieve its goal of 50 million passengers from
2 airplanes to highways onto rail.

3 We encourage the Board to move forward with all
4 due haste. And we thank you for the opportunity to comment
5 today. Thank you.

6 CHAIR RICHARDS: Thank you, sir.

7 AT&T OPERATOR: Our next comment comes from
8 Roland Lebrun. Please go ahead, your line is open.

9 MR. LEBRUN: Good morning, Chair Richards and
10 Board members. Thank you for the opportunity.

11 I'd like to follow up on the -- I'm getting some
12 background and it's not coming from me.

13 I'd like to follow up on some questions that Mr.
14 Blair Beekman, had about alignment decisions that were made
15 decades ago. And your advice for Mr. Beekman to look for
16 this information on the website.

17 Unfortunately, all Board meeting materials prior
18 to 2018 are no longer available on the website, and
19 (indiscernible) --

20 In closing, I want to really urge you to address
21 this issue at your first earliest convenience. Thank you.

22 CHAIR RICHARDS: Thank you, Mr. Lebrun.

23 AT&T OPERATOR: Our next comment comes from Andy
24 Kunz, from U.S. High Speed Rail Association. Your line is
25 open, please go ahead.

1 MR. KUNZ: Hi, my name is Andy Kunz, President
2 of the U.S. High Speed Rail Association, and I'm here today
3 speaking on behalf of both the Association and the US High
4 Speed Rail Coalition that Rod Diridon mentioned and is Co-
5 Chair of.

6 We congratulate you all for your steady
7 leadership on this project, which has made significant
8 progress despite the many challenges the pandemic has
9 brought. HSR has made significant progress in clearing
10 hundreds of miles of the project to be ready for future
11 funding, and can go quickly to construction.

12 Stakeholders around the country are taking note
13 of the significant progress being made in California right
14 now, including the Federal Railroad Administrative, and
15 they're looking to see an additional state commitment, so
16 that they can get behind it with additional federal
17 commitments.

18 Specifically, we support the ongoing project and
19 we would like to see any way possible to speed up the
20 delivery of this project. We support the state passing the
21 state budget and the release of the state's \$4.2 billion to
22 advance high-speed rail, with full electrification in the
23 Central Valley to showcase what the true high-speed rail is
24 all about right away. That's what their initial intent was
25 and that's what you all should stick with.

1 We also support advancing all the station design
2 work in the Central Valley. This will be key to connecting
3 with regions around the state.

4 And we support the funding agreement and moving
5 forward with the LA Union Station modernization, with the
6 run-through tracks that were mentioned briefly. And also,
7 even with additional funds to build the whole build out of
8 the Union Station, not just the first piece.

9 And then, finally, we support the EIR/EIS from
10 San Jose to Merced, so we can hurry up and get that project
11 underway and we can push for more federal funding to
12 accelerate that segment as well.

13 So, once again thank you all for your leadership
14 and your ongoing progress on the project, and we stand
15 behind you ready, pushing every way we can. Thank you.

16 CHAIR RICHARDS: Thank you.

17 AT&T OPERATOR: Our next comment comes from
18 Alvaro Meza, from Gilroy School District. Please go ahead,
19 your line is open.

20 MR. MEZA: Good morning, Board of Directors,
21 High-Speed Rail staff, and members of the public. My name
22 is Alvaro Meza, Chief Business Official for the Gilroy
23 Unified School District.

24 The Gilroy Unified School District supports
25 bringing high-speed rail to Gilroy, as there are a number

1 of economic benefits to bringing a station in downtown.
2 And obvious local economic benefits that will help
3 revitalize our downtown, and help booster our future
4 economic growth for the entire City of Gilroy and
5 surrounding areas.

6 The School District has raised its concerns
7 during the draft EIR/EIS comment period, objecting to the
8 use of quad gates as proper mitigation at the specific
9 intersection of IOF and Monterey Street in Gilroy.

10 The District is very pleased to see the outcome
11 of the hard work through the efforts of the environmental
12 justice outreach recommending bicycle, pedestrian
13 overcrossing, and complete streets at the intersections of
14 IOF and Monterey Street.

15 In summary, the District supports Alternative 4
16 alignment, with specific mitigations as outlined by the
17 Environmental Justice Sections contained in Chapter 5. The
18 High-Speed Rail Authority should be pleased with the robust
19 engagement efforts to reach our traditionally under-
20 represented community by informing them of the potential
21 impacts of this project.

22 Thank you for the opportunity to participate in
23 the stakeholder engagement process. Gilroy Unified is
24 excited about the future of high-speed rail and the robust

1 opportunities it will bring to our City of Gilroy and local
2 economy.

3 CHAIR RICHARDS: Thank you, sir.

4 MR. RAMADAN: Mr. Chairman, before we move on to
5 the next participants, can you please remind the
6 participants if they'd like to provide public comment on
7 Agenda Items 2, 8, 10 and 11, that will be done after the
8 staff presentation.

9 And I believe, Chairman, before we go to the next
10 participant I would ask if Councilmember Miguel Arias, if
11 he's on the line, if he could provide his comments.

12 AT&T OPERATOR: His line is open.

13 MR. ARIAS: Hello there. This is Miguel Arias
14 from the Fresno City Council, representing the area of
15 downtown Fresno. And my apologies for being late. I know
16 you called on me a couple of times, but I was in an
17 emergency meeting of the Downtown Property Improvement
18 Assessment District, where we are voting to renew our
19 commitment for the next ten years of downtown property
20 owners self-assessing themselves to improve our downtown
21 area, which aligns perfectly with the investment of high-
22 speed rail.

23 As just a reminder for the public and the Board,
24 Fresno, unfortunately, is home to the worst air quality in
25 the country. Our residents in my district have a 20-year

1 life expectancy reduced than people in the same city, in
2 the northern part of the city, just based on the
3 concentrated air pollution of the southern part of the
4 city.

5 High-speed rail, for us, is an opportunity to
6 finally remove a lot of vehicles off the interchanges and
7 the freeway systems that are the leading cause of the
8 highest pollution in the country, and our city. It's also
9 the area where the city was redlined, and we intentionally
10 were discriminatory for many communities that were forced
11 to live in this dirty air basin.

12 So, for us this renewal is just one part of our
13 long-term efforts to revitalize our city at the core of the
14 downtown, and to make right the historical wrongs to the
15 communities of color that were intentionally disadvantaged.

16 So, I am hopeful that high-speed rail will
17 continue in those efforts with the design of the downtown
18 station. And you should know that the city is not simply
19 going to stand by and just reap the benefits, we are
20 intentionally investing millions of dollars into our own
21 infrastructure in and around the station, making
22 significant improvements, reconfiguring traffic at a very,
23 you know, high cost to our local city. And we intend to
24 invest a significant amount of money with the Federal
25 Infrastructure Bill to continue to align and help the high-

1 speed rail system be successful in our city and across the
2 state.

3 So, with that I would ask for your support in
4 helping us right the historical wrongs in our communities,
5 and helping us lead to the land of the promise, where we
6 can have cleaner air than we do now, and we have for the
7 last 30 years.

8 With that, those are my comments.

9 CHAIR RICHARDS: Thank you, Councilmember.

10 MR. RAMADAN: Caroline, we can move on to the
11 next participant.

12 AT&T OPERATOR: At this time we have no further
13 comments in the queue.

14 MR. RAMADAN: Perfect. If I can just place you
15 on hold until after the staff presentation, then we'll
16 resume the second portion of public comment.

17 CHAIR RICHARDS: Okay, thank you.

18 We're going to have one more public comment from
19 a member of the audience. And we couldn't be happier to
20 see who it is. It's Senator Cathleen Galgiani, who has
21 probably, I want to say, singly, but very close, if it's
22 not been the strongest supporter for this project over her
23 public career. And so, we're so happy to see you here.
24 Welcome.

1 SENATOR GALGIANI: Thank you so very much, and
2 it's my pleasure to be here. First of all, I'd like to
3 thank the High-Speed Rail Authority and the Board for your
4 completion of the EIR and EIS for the Merced to San Jose
5 section, and for coming up with the preferred alternatives.

6 I know that process, we went through it in my
7 district, when I served in the Legislature. And it takes a
8 lot of tenacity and stick-to-it-ness, and good listeners to
9 come up with alternatives that the communities support.

10 I recall being so proud of when California
11 received approval from the FRA for the first 60 miles of
12 the high-speed rail segment from Merced to Fresno. And you
13 have accomplished so much since that time, with
14 construction beginning along the whole 119-mile test track.

15 And now, the completion of the Merced to San Jose
16 section paves the way for providing relief for so many
17 commuters who travel 3 to 6 hours daily over the Pacheco
18 Pass to job centers in the Silicon Valley and the Bay Area.

19 And as you well know, the Bay Area and Silicon
20 Valley, the jobs/housing imbalance is the worst in the
21 country. And in fact, a 2020 study by the Bay Area Council
22 found that 187,000 commuters travel to those areas for
23 work, on a daily basis, and 95 percent of those individuals
24 rode in cars.

1 When I think about why the progress for Merced to
2 San Jose is so critically important, I think about my
3 constituents in a little community called Salida, which is
4 north of Modesto. And a recent article in *Protocol*, which
5 is a news organizations for tech companies, and the
6 article published was titled: *Silicon Valley's New*
7 *Extreme, the 2:30 A.M. Tech Bus From Salida.*

8 And it told the story at how at 2:30 a.m. workers
9 in boots were boarding a tech bus in the moonlight,
10 traveling 11 miles to Manteca, and then traveling another
11 55 miles to the Tesla Plant, in Fremont. And that's
12 because the mismatch of jobs and housing has become so
13 extreme that even Google and Facebook have been planning on
14 building apartment structures and condos on their campuses.

15 And in the meantime these companies, along with
16 Tesla, Apple, Netflix, LinkedIn, Genentech, and others, are
17 trying to solve the problem with long-distance buses.

18 But high-speed rail from the Inland Empire to
19 L.A., or Palmdale to L.A. is critically important to
20 Southern California for the same reasons that it's
21 critically important for commuters in the Central Valley.

22 So, by looking at the high-speed rail project
23 through this lens, it becomes clear that the focus outlined
24 in the 2022 High-Speed Rail Business Plan of completing the
25 environmental work for the entire Phase 1 Section from San

1 Francisco to L.A. is critically important, and should
2 continue to be a priority.

3 For example, in the Inland Empire, in 2006, 30
4 percent of San Bernardino County residents with a job
5 commuted out of the county. And in Southern California
6 commuters, using Metrolink, spent an hour and 50 minutes
7 each way traveling back and forth from work in Los Angeles,
8 from Palmdale to Los Angeles.

9 So, cooperation between Metrolink, that you've
10 shared, could bring that commute time closer to 20 minutes
11 from LA Union Station to Burbank and 20 minutes from
12 Burbank to Palmdale.

13 So, whether we're in the Central Valley, the
14 Antelope Valley, or the Inland Empire, what we all have in
15 common is our jobs/housing balance. And the availability
16 of new federal funding presents the Legislature with a
17 historic opportunity, like that we had in 2009 when
18 California Legislators worked to together to secure \$3.2
19 billion for high-speed rail and another \$400 million for
20 the Transbay Terminal.

21 So, inclosing I'm here to lend my support for the
22 EIR/EIS for the San Jose to Merced segment, and as well for
23 the Business Plan. And I want to thank you for your
24 tenacity, for the hours and hours that you've poured over
25 multiple reports, the calls that you've taken from

1 constituents and community leaders, and for your steadfast
2 support of high-speed rail. You have so much to be
3 thankful for and we owe you a debt of gratitude. I'm very,
4 very proud of the work of the Authority and the Board.
5 Thank you again.

6 CHAIR RICHARDS: Thank you, Senator Galgiani.

7 Yeah. I don't believe we have anybody any longer
8 calling in on a line. Is there anybody else in the
9 audience who would like to address the Board at this time?

10 All right, hearing that we're going to stop for
11 five minutes and take care of a technical glitch again, and
12 we'll be back with you in five minutes.

13 (Off the record at 10:54 a.m.)

14 (On the record at 11:10 a.m.)

15 CHAIR RICHARDS: All right, thank you everyone.
16 I hopefully believe we have resolved the technical issue
17 that we've been dealing with, which I understand that you
18 were unable to hear me, which may have been a gift. But at
19 any rate, you can now suffer.

20 I believe we have now completed our public
21 comments, our first public comment session today. And we
22 will now move forward.

23 I'm going to ask CEO Kelly to introduce the staff
24 and then -- oh. Yeah, it's on. I'll tell you what they're
25 talking about we haven't done the minutes. What we're

1 going to do is we're going to postpone -- we're going to
2 take them out of order and we'll bring the minutes up this
3 afternoon, but we'll continue on with where we were headed
4 right now.

5 So, as I was saying, I'll ask CEO Kelly to
6 introduce the staff who will be making the presentation on
7 Item Number 2, the San Jose to Merced Project Section
8 environmental documents and proposed actions.

9 CEO Kelly.

10 MR. KELLY: Thank you, Mr. Chairman, members of
11 the Board. Today, presenting on behalf of the Authority on
12 the environmental document consideration for the Merced to
13 San Jose Segment is our Northern California Regional
14 Director, Boris Lipkin, our Director of Environmental
15 Services, Serge Stanich, our Northern California Director
16 of Projects, Gary Kennerley. And we also have counsel
17 present to answer any questions that may come up, including
18 our In-house Environmental Attorney, Minming Wu Morri, and
19 Jessica Tucker Mohl from the California Office of the
20 Attorney General.

21 However, before we turn it over to staff for the
22 presentation, I want to remind the members that as has
23 typically been our sort of modus operandi when we bring an
24 adoption of environmental document forward, we typically
25 try to have those hearings in those public meetings in the

1 area in which we are considering that environmental
2 document.

3 And so, before we turn it to the staff I do want
4 to turn to a video message, prerecorded message that we
5 have from the Mayor of San Jose, who was initially going to
6 host this meeting. But anyway, we do have a video recorded
7 message from San Jose Mayor, Sam Liccardo. And again,
8 unfortunately, he could not be here to join us today. But
9 he wanted to offer his comments specific to the importance
10 of the project section to that city and to his area.

11 So again, if we have it ready, I'd move to the
12 video of Sam Liccardo, thanks.

13 MR. LICCARDO: (Via Video) Greetings to the
14 Board members of the California High-Speed Rail Authority
15 and welcome to the City of San Jose. I'm San Jose Mayor
16 Sam Liccardo, and I'm sorry that I'm not able to be with
17 you, but only virtually here today.

18 I wanted you to know, though, how grateful I am,
19 and all of us are in the City of San Jose for the
20 extraordinary work that has now culminated in this
21 environmental document reflecting thousands of hours of
22 stakeholder research, enormous amount of analysis, and
23 particularly environmental analysis that now has given this
24 great milestone to us to get to the starting line for this
25 critically important project. A project that will expand

1 economic opportunity for millions of residents in the
2 Central Valley who can now get access to Silicon Valley
3 jobs with the completion of this Merced to San Jose
4 segment. And provide access to affordable housing for so
5 many in the Bay Area who are struggling mightily under the
6 burden of high housing costs.

7 This is a solution that helps the state to expand
8 economic opportunity and affordable housing, two critical
9 goals for all of us. And you are really central in making
10 that vision come to reality.

11 I wanted to also emphasize that this particular
12 alignment, Alternative 4, is a critical one that we
13 strongly support. We know this is the least impactful
14 alignment in terms of the impacts on the environment. We
15 certainly recognize that this particular project will also
16 help to provide for the electrification of Caltrain between
17 San Jose and Gilroy, which has been a long-standing
18 ambition for the region. And being able to accomplish both
19 of these goals is so critically important for us.

20 And, of course, most importantly certification of
21 this segment and the environmental impact report will put
22 the project in position, ready to secure preconstruction
23 and construction dollars to be able to move forward.

24 We are an ally of yours in that effort. We want
25 to champion high-speed rail through San Jose, all the way

1 up the Peninsula. I know that high-speed rail will have a
2 longer stretch of track here in San Jose than in any other
3 city in the State of California. And your fortunate that
4 we just happen to be the greatest cheerleaders for high-
5 speed rail anywhere in the State of California. So, we're
6 aligned. Let's get it done together. Thank you.

7 CHAIR RICHARDS: We thank Mayor Liccardo for his
8 comments, and perspective, and the support that he has
9 given the project over the years.

10 With that, we are ready to start with the staff
11 presentation, and please have Northern California Director
12 Boris Lipkin.

13 MR. STANICH: Good morning, Chair Richards, Serge
14 Stanich, Director of Environmental Services.

15 CHAIR RICHARDS: I'm sorry.

16 MR. STANICH: That's okay. I'll begin the
17 program, but we'll be handing off to our associates.

18 CHAIR RICHARDS: One beard only, please.

19 MR. STANICH: I've got a little bit more gray in
20 mine, so you can tell us apart.

21 CHAIR RICHARDS: Yeah, all right.

22 UNIDENTIFIED SPEAKER: He's a little taller.

23 CHAIR RICHARDS: Well, he's a little taller, but
24 I got waylaid by the beard. So, anyway.

1 MR. STANICH: Serge Stanich, Director of
2 Environmental Services. It's along with Boris Lipkin, a
3 Regional Director, and Gary Kennerley, the Director of
4 Projects from Northern California, it's our privilege to
5 present to you today the culmination of 13 years of work,
6 going back to 2009, for your consideration, approval of
7 Alternative 4, the preferred alternative for the San Jose
8 to Merced Project Section.

9 I'll test this to see if it works. So, here's an
10 outline for today's presentation. I'll present to you a
11 few key points or themes for your consideration throughout
12 today's presentation. I'll pass it on to Boris Lipkin who
13 will give an overview of Alternative 4 and its development.

14 Gary Kennerley will then present the development
15 of the various alternatives over the years and how we came
16 to the preferred alternative.

17 And then, we'll go over the environmental
18 document, the EIR/EIS, its circulation, comments that were
19 received, and revisions that were made based on comments
20 received. And then, identify or go over some of the key
21 topics of interest for the Authority and for the
22 stakeholders.

23 So, for today I want to emphasize three key
24 points or themes that you'll brought up routinely during
25 the presentation.

1 First, the Authority staff developed this project
2 to provide electrified passenger service from San Jose to
3 Merced, the Bay Area to the Central Valley, in a manner
4 that is both sensitive to the communities that we pass
5 through and serve, and also protective of the environment.

6 And this project section has worked closely with
7 stakeholders to actually provide improvements to historic
8 challenges of the existing infrastructure.

9 Secondly, the Authority has done an extensive
10 outreach program since 2009 to work with stakeholders, that
11 have provided input to the project that have benefitted the
12 project to the Authority, and provide better service to the
13 communities that we'll serve.

14 And then, finally, this final EIR/EIS presents a
15 thorough analysis of the project, its impacts, and
16 incorporates mitigation measures and impact avoidance and
17 minimization features that are memorialized in our approval
18 documents. And represents the least impactful section or
19 alternative with the fewest road closures, the fewest
20 impacts on biological resources, wetlands, habitats, and
21 service the Board and the public with a transparent
22 decision-making document.

23 And with this, I will pass it on to Boris Lipkin
24 to present.

1 MR. LIPKIN: Thank you, Serge. And good morning
2 everybody. My name is Boris Lipkin. I'm the Northern
3 California Regional Director and I am here now, Chair. And
4 I'll give a quick overview of the section and then we'll
5 keep going into the presentation.

6 So, this map is one that we've used in our
7 Business Plan, and it really shows the transit network in
8 the Bay Area. What this section does is it starts to
9 really provide a critical connection from where we are in
10 construction right now in the Central Valley to connecting
11 to the Bay Area, and to the many transit services that will
12 meet us does.

13 So, what this connection really does and what
14 this project section's really about is really tying the
15 Central Valley together with Silicon Valley, reducing
16 travel time. This creates opportunities for improved
17 job/housing balance. I think we've heard that from even
18 some of the speakers this morning, and the mayor as well.
19 And then all of that, together, starts to really increase
20 our ridership potential, reduce vehicle miles traveled and
21 reduced greenhouse gas emissions across the entire state.

22 This section, specifically, provides service to
23 the largest city and county in the Bay Area. So, having
24 environmentally cleared this section, assuming the Board's
25 concurrent tomorrow, we will stretch all the way from our

1 largest city in Northern California to the largest city in
2 the state, with Los Angeles being part of where we are
3 already environmentally clear. And so there's -- this is
4 an important connection for us.

5 Additionally, the services that we have in the
6 two stations, at both San Jose Diridon Station, and in
7 Gilroy, really provide connections to a variety of key
8 regional transit services. So, everything from Caltrain
9 and BART, BTA, Capitol Corridor, ACE services, as well as
10 the planned rail extension down to Monterey County. So,
11 really, we're tying in to both an existing and planned rail
12 network that's meant to cover the entire suite of Northern
13 California destinations.

14 And then, finally, as we will talk more about
15 Alternative 4, but this alternative really proposes how we
16 can integrate with local Caltrain service, and electrify
17 the corridor between San Jose and Gilroy which is, again,
18 one of those key joint benefits for both us and the
19 commuter rail service providers.

20 So, that's the kind of quick snapshot of what
21 this section is about.

22 Getting to a little bit more of the background
23 and specifics, as I think the Board will know, we started
24 the environmental process with the first tier environmental
25 clearance back in 2005, for the programmatic environmental

1 document. We then went into more detail and focused on the
2 connection between the Central Valley and the Bay Area,
3 that ultimately culminated in the decision to use the
4 Pacheco Pass, which this project -- this environmental
5 document continues that effort.

6 We started with our Notice of Preparation in this
7 project section in 2009, so we have been at this for 13
8 years. And really, kind of the key milestones on the way
9 to today's, you know, big one, which is that we're here in
10 front of you today, is we identified a preferred
11 alternative in 2019. We issued our draft environmental
12 document in 2020. Also in 2020, the Board had approved the
13 Central Valley Wye Project Extent, that's a part of this
14 overall project section.

15 And then, we recirculated some of the circulation
16 for some of the specific topics in 2021, and then we
17 ultimately issued the final environmental document back in
18 February of this year. It's been out in public and on our
19 website for a couple months, before coming to you today.

20 Just to give a quick snapshot of the preferred
21 alternative. It stretches almost 90 miles, starting on
22 Scott Boulevard up in Santa Clara, and then going down and
23 upgrading the existing rail corridor between San Jose and
24 Gilroy, modernizing and electrifying that stretch. This is
25 a unique feature of this alternative relative to the

1 other ones and it provides substantial benefits.

2 Before turning east and going across the Pacheco
3 Pass, including two tunnel sections, one a mile-and-a-half
4 tunnel right before Casa de Fruta, and a longer tunnel as
5 we get through Pacheco Pass and out to the Central Valley,
6 ultimately ending at Carlucci Road in Merced County, which
7 is where the Central Valley Wye takes over, where we have
8 already environmentally cleared that part of the section.

9 For those who were on the Board in 2019, you
10 might remember this is a slide that we used back at that
11 time, when we were comparing the alternatives. And
12 compared to the other alternatives, the preferred
13 alternative, Alternative 4, has some substantial benefits.
14 A lot of that is geared based on the fact that we're using
15 an existing rail corridor, so we're not having to -- we
16 don't have as many impacts from having to acquire and
17 develop a new rail line somewhere, where rail doesn't exist
18 today. So, we have, because of that, the fewest
19 displacements, fewest impacts on wetlands and habitats, and
20 parks as well. We have the lowest capital cost and,
21 importantly, we have that joint benefit of allowing for
22 electrified Caltrain service to South San Jose, and South
23 Santa Clara County, which has been goals for those
24 communities, and for Caltrain as part of their long-range
25 service vision. So, from a policy stand point, we also

1 have additional benefits that we're providing on a regional
2 basis.

3 Sorry, I skipped one. Importantly, we have done
4 extensive stakeholder outreach since the beginning of the
5 project. We've had over 1,200 meetings across all sorts of
6 topics, and with different members of the public,
7 stakeholders, agencies, and other organizations.

8 We've held a variety of stakeholder working
9 groups focused on specific neighborhood, business, and
10 community, and environmental justice organizations, on
11 wildlife stakeholders, and others as well. Focused
12 everything from members of the communities to agencies, and
13 other partners, on the technical working groups that we've
14 had.

15 We've held 35 open houses. And, of course, we've
16 had materials in the relevant languages. So, in this
17 project section its been Spanish, Mandarin, and Vietnamese
18 as the languages that we've generally translated our
19 materials into.

20 This has been an extensive process that's really
21 benefitted the Authority and the project section. We've
22 received valuable input that's improved the project over
23 time, and it's really been part of one of those key pillars
24 of the work that we're bringing to you today has been the
25 engagement with the communities up to this point.

1 This slide, I'm not going to try to go into every
2 dot that's on here, but this is just meant to show that we
3 have had, with our agency partners, a variety of engagement
4 across lots of different topics that have been relevant to
5 them. And so, this has been an ongoing and exhaustive
6 process that's, again, really been part of the key input
7 that we've sought from the local communities that this
8 section serves, and will go through. And again, it's been
9 critical to getting to this point in the process.

10 Oh, excuse me. If I can go back. And then,
11 finally, I just want to highlight that we have received a
12 number of letters from various stakeholders since the
13 release of the final environmental document back in
14 February. We've -- you know, kind of the biggest message I
15 guess I can give from the letters we've received, I don't
16 think we've seen any surprises from anything that's come
17 in.

18 You know, we have had some very positive letters,
19 including from the U.S. Environmental Protection Agency,
20 which wrote glowingly about some of our environmental
21 justice, and some of our wildlife mitigations.

22 Other positive comments have included from the
23 Santa Clara Valley Habitat Agency, the Peninsula Open Space
24 Trust, Open Space Authority, and the Nature Conservancy,
25 the San Jose Downtown Association. And even in our first

1 round of public comment I think you heard from the Gilroy
2 Unified School District, and we've also had another one
3 from the Los Banos School District as well.

4 There have been comments that have also raised
5 questions and issues. Many of those, you know, we'll cover
6 in this presentation. And, of course, we can also come
7 back tomorrow if there are additional topics that the Board
8 would like us to get into. We've provided the Board with
9 all of the letters that came in since the release of the
10 final. I think that came to you yesterday.

11 And so, we're prepared to talk to those issues.
12 Some of them will, again, already be in our presentation,
13 including topics related to wildlife movement, the
14 Grasslands Ecological Area, grade separations. But, of
15 course, we're happy to get into others as well.

16 With that overview, I'm going to turn it over to
17 Gary to talk about the process that we went through in
18 developing the alternative and the details of the preferred
19 alternative and alignment, as well.

20 MR. KENNERLEY: Thank you, Boris. Chair, Board,
21 thank you very much for allowing me to talk today. I'm
22 Gary Kennerley, Northern California Director of Projects.
23 And I'll just quickly mention that this is 15 years of
24 culmination of work. So, I'm really glad to be able to be
25 here today, to talk to you about the alternatives.

1 So, as Boris mentioned, project background really
2 started with the approval of the program environmental
3 document in 2005. What this did was really identify the
4 routes the Central Valley and also in the San Francisco
5 Peninsula. But it deferred the decision on how to connect
6 the Central Valley to the Bay Area to a subsequent
7 environmental document.

8 So, in 2008, the Bay Area to Central Valley
9 document was presented to the Board. This document look at
10 corridors in the shaded area shown on the exhibit here, to
11 the south bounded by the Pacheco Pass and State Route 152,
12 in the north the Altamont Corridor and Interstate 580.

13 The decision in 2008 was to approve the Pacheco
14 Pass State Route 152 as the preferred alternative. And
15 this was further confirmed in a partially revised
16 environmental document for the program in 2012.

17 Some of the primary reasons for selecting the
18 Pacheco Pass alignment was to maximize the use of the
19 Caltrain corridor to minimize impacts, especially with
20 avoiding a second crossing of the San Francisco Bay. And
21 also, committed to mitigations to address where we cross
22 the Grasslands Ecological Area, which is in the eastern
23 portion of the project. And I'll talk more later in the
24 presentation.

1 In addition to the primary route, the program
2 document also committed to looking at in-house commuter
3 rail in the Altamont corridor which is the gold line at the
4 top of this exhibit.

5 So, the project level evaluation started with a
6 series of scoping meetings throughout the corridor, giving
7 us a chance to talk to all the communities and stakeholders
8 in the corridor. From those scoping meetings, the team
9 developed a series of alternatives, with specific locations
10 along the alignment.

11 And all the lines you can see on this exhibit are
12 alternatives that were suggested as a result of interaction
13 with the communities in the corridor. And these were
14 evaluated in a first round of alternative analysis.

15 The various alignments, particularly in the San
16 Jose to Gilroy section, really were concentrated on the two
17 existing transportation corridors, the Union Pacific right-
18 of-way along Monterey corridor, and also US 101 Highway.

19 As we moved east of Gilroy through the Pacheco
20 Pass, alternatives in this area really dictated through the
21 topography and the geologic characteristics of the area,
22 and also avoiding the San Luis Reservoir.

23 And then, as we came into the San Joaquin Valley,
24 as part of the program document we had actually committed
25 to looking at alternatives both to the north and to the

1 south of the Grasslands Ecological Area, which is in the
2 center of the San Joaquin Valley. And based on that
3 analysis, the north alignment and the south alignment both
4 had much higher impacts, especially to aquatic sensitive
5 resources. And so, in the end we identified the central
6 route, shown in red here, as the preferred crossing for the
7 San Joaquin Valley.

8 Following that, we continued with additional
9 stakeholder engagement. And to try and simplify the
10 analysis that was going to be presented in the
11 environmental document, we took all those various
12 components and built three end-to-end alternatives from San
13 Jose out to the Central Valley. Why? These alternatives
14 to be dedicated, fully grade separated alternatives that
15 allowed us to operate at speeds up to 220 miles an hour.

16 Some of the examples of the refinements that we
17 included in these three end-to-end alternatives was
18 alignment adjustments to avoid the Curdy Valley Parkway.
19 We also worked with the City of Morgan Hill to develop a
20 viaduct that went around the downtown area. We worked with
21 the City of Gilroy, identifying two stations for
22 consideration, with their associated maintenance
23 facilities. Through the Pacheco Pass we looked at
24 consolidating tunnels to minimize impacts in that sensitive
25 rural area.

1 And then as I mentioned, as we come into the San
2 Joaquin Valley we worked with the stakeholders to align the
3 project Henry Miller Road in an effort to minimize
4 introducing any additional barriers to movement within the
5 Central Valley.

6 So, those three first three alternatives were
7 dedicated alternatives. But in 2018, the Business Plan
8 introduced a fourth alternative. This was a blended
9 alternative that shared electrified passenger service with
10 the freight corridor from San Jose to Gilroy.

11 And this achieved two major objectives that we'd
12 heard from stakeholders. One, by being in the existing
13 rail corridor we minimized residential and commercial
14 displacements between San Jose and Gilroy. And in
15 addition, as you've already heard, it provided the
16 opportunity for us to provide expanded passenger rail,
17 electrified rail service from San Jose down to Gilroy,
18 working with Caltrain.

19 So, this presents the four end-to-end
20 alternatives that have been evaluated in the final
21 environmental document. As I mentioned, they are a result
22 of over a decade of technical work to refine, and then
23 analyze these alternatives.

24 I'll be covering brief, shortly, the
25 characteristics of each of the area between San Jose and

1 Gilroy. And then, as we get east of Gilroy, the alignments
2 consolidate into a single alignment through the Pacheco
3 Pass and across the San Joaquin Valley.

4 There have been a few design refinements that we
5 have made. In the draft environmental document we had a
6 hydrological mitigation measure to prevent changes in flood
7 elevations at the Guadalupe Bridge. What we have actually
8 done now is we have removed that measure because we have
9 actually incorporated a revised design for the Guadalupe
10 Bridge into the project, hence alleviated any chance or
11 increase to a 100-year flood elevation in that area.

12 In addition, we have integrated both the Diridon
13 design variant and the Pacheco tunnel design variant into
14 the environmental document, and include the design sheets
15 in Volume 3 of the document.

16 These design variants were actually analyzed in
17 the draft document, but they were in a separate chapter,
18 320, and has now been incorporated through the document.

19 And all three of these design refinements are
20 part of the preferred alternative.

21 So, as we move on to the preferred alternative,
22 just a few of the overall design features. This corridor
23 is almost 90 miles in length. It has a series of viaducts,
24 over 15 miles of viaducts. These enable us to provide
25 greater permeability through the corridor for both

1 wildlife, hydrology, and other movement. And there's also
2 15 miles of tunnels in the Pacheco Pass area. Again, used
3 to minimize impacts to the sensitive area.

4 And between Gilroy and San Jose we will be using
5 the existing at-grade crossings, and be making safety
6 improvements to each of those crossings in the corridor.

7 So, as we move into the actual subsections I'll
8 start in the north, up in San Jose. The first subsection
9 is the Diridon Station approach, and this goes from Scott
10 Boulevard n Santa Clara, and is predominantly at grade
11 within the Caltrain right of way.

12 North and south of Diridon Station we widened the
13 approaches to accommodate both high-speed rail and the
14 additional freight track. And in the Diridon Station area
15 itself, we provide raised platforms to serve the high-speed
16 trains, and then additional vertical passenger circulation
17 to enable passenger movement through the existing station.

18 South of Diridon, we stay predominantly again
19 within the existing Caltrain right of way, as we go through
20 the Gardener neighborhood, and also through the existing
21 Caltrain Tamien Station.

22 The benefits of the preferred alternative in this
23 area include the electrified corridor and it was
24 electrified in collaboration with Caltrain. As mentioned,
25 it helps to reduce both displacements and visual impacts by

1 staying within the existing rail corridor, and incorporates
2 community improvements that Boris will be discussing later.

3 As we go south, we move into Monterey Corridor,
4 which goes from West Alma down to Bernal Way. Again, the
5 preferred alternative stays predominantly within the
6 existing railroad right of way, with two tracks for
7 electrified passenger service and one track dedicated for
8 the freight trains.

9 In addition, we'll be modifying both the Capitol
10 and Blossom Hill Caltrain stations to platforms to allow
11 for bidirectional passenger service. And each of the grade
12 crossings will have safety upgrades to enable trains to
13 travel at up to 110 miles an hour in the corridor.

14 Again, the benefits are electrification to
15 corridor with the potential for increased Caltrain service,
16 reducing both residential and commercial displacements, and
17 visual impacts, and again incorporating community
18 improvements along the corridor.

19 South of San Jose the alignment passes through
20 the Coyote Valley, Morgan Hill, the community of San
21 Martin, onto Gilroy. Again, from San Jose, south of San
22 Jose to Gilroy the alignment stays predominantly within the
23 existing right of way. And again, rebuild the Morgan Hill
24 and Caltrain Stations.

1 We also include wildlife crossings and extend
2 under both the high-speed rail, the Union Pacific, and the
3 Monterey Road to improve wildlife movement. And these have
4 been located in coordination with the local conservation
5 groups and agencies.

6 The Downtown Gilroy Station is in the same
7 location as the existing Caltrain Station, and this will
8 facilitate connections between high-speed rail, Caltrain,
9 VTA busses, and future rail extension to the Monterey
10 County.

11 South of Gilroy we have a maintenance facility to
12 serve the trains. And then, the alignment turns east, now
13 on a dedicated facility, across a series of viaducts,
14 across the Soap Lake Floodplain, and on to the first tunnel
15 as we enter the Pacheco Pass.

16 Again, benefits in this section include the
17 electrification of corridor to Gilroy, reducing the
18 displacements and the visual impacts. We incorporate the
19 community improvements.

20 And in addition, especially with the addition of
21 the viaducts across the Soap Lake Floodplain, we have
22 increased the permeability for wildlife movement along the
23 Monterey corridor, and also the connectivity in the Soap
24 Lake area.

1 We then move into Pacheco Pass. Again, this is
2 still a fully dedicated, grade-separated corridor. There's
3 a single alignment and the goal here is to get through the
4 mountains and avoid the natural resources and critical
5 infrastructure in the area. It has sections of embankment,
6 viaduct, and a 13-and-half-mile tunnel to achieve this.

7 Elements that we are trying to minimize impacts
8 to are the Pacheco Creek, also the Pacheco Conduit Tunnel,
9 the Cottonwood Creek Wildlife Area around the San Luis
10 Reservoir. Also, making sure we avoid the San Luis
11 Reservoir. Also, worked with the Romero Ranch, which is
12 just to the east of the San Luis Reservoir. And then,
13 crossing over major infrastructure when you come into the
14 San Joaquin Valley, including Interstate 5, the California
15 Aqueduct, and then Delta Mendoza Aqueduct.

16 Finally, in the San Joaquin Valley we have a
17 single alignment running adjacent to the Henry Miller Road
18 out to Carlucci Road. Again, this is a fully dedicated and
19 grade-separated section.

20 Several sections of the viaduct will cross over
21 critical water infrastructure, wildlife movement areas, and
22 the Grasslands Ecological Area.

23 We also have a maintenance of way siting by
24 Turner Island Road. This is an unstaffed facility that

1 allows us to position maintenance equipment for operation
2 and maintenance of the facility in the future.

3 At Carlucci Road we connect to the Central Valley
4 Wye, which the Board approved in September of 2020. And
5 again, the benefits here, paralleling the existing
6 infrastructure to avoid introducing additional barriers
7 into the Central Valley, and also incorporating community
8 improvements in the community of Volta.

9 That completes my overview of the project
10 alternatives development. And I'd now like to pass it over
11 to Serge to identify key elements of the final
12 environmental document.

13 MR. STANICH: So, in 2019 staff presented to the
14 Board consideration of the preferred alternative. And
15 after September 2019, staff then prepared the draft
16 Environmental Impact Report and Environmental Impact
17 Statement pursuant to the California Environmental Quality
18 Act, and the National Environmental Policy Act.

19 As you all recall, the Authority is also the
20 federal lead agency as part of the NEPA assignment MOU
21 between the State of California and the FRA.

22 The draft EIR/EIS was published on April 24th, of
23 2020 for a 60-day public comment period. And during that
24 time we received 746 individual submissions. Those are

1 from individuals, stakeholders, community organizations,
2 and political agencies or public agencies.

3 Each of those comment letters may have multiple
4 comments. So, the staff go through a process which we call
5 delimiting to identify individual comments. And we
6 identified 4,887 individual comments associated with that
7 draft EIR/EIS.

8 As 2020 passed, or continued, a couple of events
9 outside of the Authority passed, changing the status of
10 some wildlife species. The California Fish and Game
11 permission raised for candidate listing the Central Coast
12 Mountain Lion. And the U.S. Fish and Wildlife service
13 listed the monarch butterfly as a candidate species.

14 Those changes in status resulted in new,
15 significant impacts for the Authority. As well as some of
16 the public that we had, we also reconsidered some of the
17 project's effects on light and noise. And so, we decided
18 to recirculate the draft EIR/EIS, and that was done in
19 April of 2021 for a 45-day public comment period to address
20 those resource topic areas.

21 And during that 45-day period we received 16
22 comment submissions that were delimited to 226 individual
23 comments.

1 This was all brought together in the culmination
2 of the final EIR/EIS which was published on February 25th,
3 and before you for consideration today and tomorrow.

4 In response to the public comments, there was a
5 number of substantive comments that we addressed. We
6 included some site-specific traffic mitigation measures
7 throughout the corridor. We incorporated the analysis with
8 respect to mountain lion, of monarch butterfly, as well as
9 the light and noise. We added additional mitigation
10 measures and included a wildlife overcrossing to address
11 cumulative effects for wildlife movement along State Route
12 152.

13 And then, we also continued our outreach with
14 environmental justice communities along the corridor,
15 updating our analysis and mitigations provided for with
16 environmental justice.

17 Less substantive, we also included updated land
18 use changes around the Diridon Station, updated some safety
19 and security mitigation. We refined our air quality
20 analysis and completed consultation with the Bay Area Air
21 Quality Management District, resulting in an agreement
22 letter for offsets to emissions during construction. And
23 then, also updated our noise mitigation.

24 So, the EIR/EIS incorporates a number of
25 programmatic commitments to avoid the impact before it

1 occurs. We refer to these as impact avoidance and
2 minimization features. These are to lesson the severity of
3 the effect. However, even with the incorporation of these
4 IAMFs, we may still have some residual effects that would
5 be considered potentially significant. So, the Authority
6 has also included mitigation measures.

7 All of these IAMFs and mitigation measures are
8 memorialized in our Mitigation, Monitoring, and Enforcement
9 Plan. This is one of the approval documents that
10 accompanies the Findings of Fact, and Statement of
11 Overriding Considerations, the Board's consideration and
12 certification of the document, and the direction to the CEO
13 to sign the ROD.

14 And the MMEP identifies the parties responsible
15 for the mitigation, the timing, and the implementation of
16 the procedure.

17 So, the EIR/EIS is a robust analysis of how the
18 project may affect the physical and human environment.
19 There's these 20 resource topic areas that are considered
20 in depth in the environmental document. We've bold and
21 highlighted some that are considered residual, still have
22 significant and unavoidable effects. These are important
23 as part of the approval documents, includes the Findings of
24 Fact, and Statement of Overriding Considerations where the

1 project benefits outweigh the unfortunate consequences of
2 some of these significant effects.

3 So, I'll go into a little bit more detail with
4 these. Particularly key effects, and not all of these are
5 significant and unavoidable, but their important resource
6 topic areas for the various stakeholders, so I want to talk
7 a little bit about each one of them.

8 In the Bay Area traffic is always a concern for
9 the communities. We've incorporated a number of mitigation
10 measures, including traffic signal improvements around the
11 Diridon Station, the Monterey Road, Capital Expressway,
12 Blossom Hill Road, and the Gilroy Station.

13 We also have potential effects where constructing
14 the project may have disruption to Caltrain and freight
15 services, so we have railway disruption control plan.
16 We're maintaining pedestrian and bicycle access through the
17 area during construction. And then, providing intersection
18 improvements with signals, signalization timing and
19 restriping.

20 Air quality. While the project ultimately will
21 have an air quality benefit, construction of this scope and
22 magnitude will have substantial emissions. And so, we do
23 exceed the local emissions criteria for carbon monoxide in
24 the valley, and local criteria pollutants. We have

1 incorporated best-available technology procedures for near
2 zero or zero equipment.

3 We're also working with the Bay Area Air Quality
4 Management District on an emissions offset program to
5 offset those to zero.

6 With respect to noise and vibration, the
7 introduction of the high-speed train service will result in
8 new sources of noise and vibration for these communities.
9 And despite the incorporation of our noise mitigation
10 guidelines, we do anticipate in some areas that we will
11 still have some residual noise effects. So, we are
12 incorporating sound walls. We will be implementing our
13 noise mitigation guidelines that can include sound
14 insulation and other noise easements.

15 We also will have some vibrations effects, so
16 we've incorporated mitigation measures through advanced
17 design, where we can reduce those effects as well.

18 Hydrology and water resources. This is an area,
19 a subject matter of concern considering we're always in a
20 drought in California, at least lately. The project would
21 not have any severe adverse effects with respect to water
22 resources.

23 We, as Gary discussed, have designed it so as to
24 not adversely affect flood risk in areas, and we've

1 incorporated measures to control groundwater escape during
2 tunneling, and other construction projects.

3 Now, safety and security is an issue of
4 particular concern. Despite some of our traffic
5 improvements, we will have some increases, approximately 30
6 seconds of additional delay with respect to emergency
7 vehicle response time. We've incorporated a number of
8 measures to improve the traffic impacts, but we still
9 anticipate that there may be some effects. And so, we're
10 working with the local communities regarding improvements
11 to try to offset that, but we anticipate that there may
12 still be a residual delay.

13 With agricultural farmlands, the new
14 infrastructure will require the acquisition of important
15 farmland and may result in some remnant parcels that no
16 longer have economic viability. The Authority is then
17 advancing a conservation program to offset those impacts
18 with purchasing easement for protection and preservation
19 for agricultural lands.

20 Biological and aquatic resources. This is an
21 area that crosses well. Some areas are very urban and also
22 crosses some natural areas that are of great importance for
23 wildlife movement. A number of species move through this
24 area in the Diablo Range, and the Coast Range.

1 We've been working with the stakeholders since
2 the first stage of this project. Local stakeholders,
3 including the Peninsula Open Space Trust, the Santa Clara
4 Valley Habitat Agency, the Nature Conservancy, Grasslands
5 Water District, Ducks Unlimited, a number of stakeholders
6 to incorporate improvements.

7 And so, we've identified wildlife crossing
8 structures that will be incorporated into the design.
9 Particularly on the San Jose to Gilroy section all of
10 crossing undercrossings were sited in partnership, and even
11 the development of the at-grade alternative was done in
12 partnership with these wildlife organizations.

13 Another protection measure along the Pacheco Pass
14 is to incorporate a wildlife overcrossing in that area.
15 And we have measures to protect bird movement in the
16 Central Valley.

17 With aesthetics and visual quality, retaining the
18 project at-grade actually reduces a lot of the visual
19 effects that we've seen in other project sections.
20 However, some of our remote facilities will experience --
21 have some emergency lighting associated with them, so this
22 introduction of new light would also be considered a
23 potentially significant effect.

24 And then finally, with cultural resources, the
25 Santa Clara County, San Jose has a number of historic

1 properties. Our project would modify the context and the
2 setting for some of these elements. And so, we've
3 incorporated mitigation measures to minimize the adverse
4 effects. And we would incorporate interpretive and
5 educational materials, and recordation and documentation of
6 the materials to kind of preserve some of those elements.
7 But we are anticipating some effects.

8 This project has been done through an extensive
9 consultation with several Native American Tribes in this
10 area, and we have executed an MOA with the State Historic
11 Preservation Office regarding the treatment of historic
12 properties and how we would implement the construction
13 work.

14 The Authority, as the state and federal lead
15 agency, is also obligated to conduct a number of
16 consultations that are required by federal law. So,
17 Section 7 of the U.S. Endangered Species Act requires us to
18 consult with the U.S. Fish and Wildlife Service, and the
19 National Marine Fisheries Service. We completed those
20 consultations in 2021, resulting in a biological opinion.
21 These provide protection measures on how we would safeguard
22 federally-listed species.

23 We have protections for 4(f). 4(f) is part of
24 the Department of Transportation Act to protect parks, and
25 cultural properties, and we've completed our 4(f)

1 consultation with the City of San Jose, and our own
2 analysis to have no constructive use.

3 We have completed -- we have an MOA or an MOU
4 with the Army Corps of Engineers and the U.S. Environmental
5 Protection Agency regarding effects to the Clean Water Act
6 and flood control facilities. This checkpoint MOU seeks
7 their concurrence on our preferred alternative, and the
8 effects to determine the least environmentally damaging,
9 practicable alternative, and no adverse effects for flood
10 control facilities. And we've completed both of those, as
11 well, with the MOU.

12 And then, let's see, I discussed briefly the
13 SHPO's consultation with the MOA. That was just executed
14 March 11, of 2022.

15 And then, the Federal Railroad Administration
16 retains one element with respect to federal compliance and
17 that is the determination of air quality effects, and
18 general conformity determination. So, that culminated
19 recently. It was completed after we completed our
20 consultation with the Bay Area Air Quality Management
21 District.

22 The FRA posted a draft General Conformity
23 Determination in the fall. And then, after we executed the
24 agreement with the Bay Area Air Quality Management

1 District, we just completed the FRA General Conformity
2 Determination in March of 2022.

3 And then finally, as I touched on with the 4(f)
4 evaluation, we completed our analysis just in March of this
5 year.

6 And at this point I will pass it back to Boris to
7 touch on some of the stakeholder topics.

8 MR. LIPKIN: Thank you, Serge.

9 And this section is really focused on some of the
10 things that we've heard over the many years, and some key
11 issues that we wanted to make sure that we cover with the
12 Board for your consideration as we move through today's
13 meeting and into tomorrow.

14 I'll just mention that in this section we do have
15 a few slides that have some animations with them. So, if
16 you're looking at your printed copies, your probably not
17 going to see the little bits that come over time. So, I
18 might call your attention to when it might be a good time
19 to look at the screen behind you, as well.

20 So, the topics that we wanted to cover and, of
21 course, this isn't exhaustive over 90 miles. There's lots
22 of things that have come up over time. But we want to talk
23 a little bit about stations, you know, specifically Diridon
24 Station and the Gilroy Station. Environmental justice is a
25 big topic in this project section. At-grade crossings and

1 grade separations. The Union Pacific Railroad, which owns
2 the rail corridor between San Jose and Gilroy. And then,
3 finally, a couple topics focused on wildlife movement and
4 the Grasslands Ecological Area that have been very, very
5 important in different parts of the corridor as well.

6 So, this is our station site plan for Diridon
7 Station. And what I just want to call it is what we're
8 proposing at Diridon Station are the modifications needed
9 to provide high-speed rail service to the station.

10 So, primarily what this looks like is raising the
11 two long blue platforms in the middle of the station to
12 provide high-speed rail service. And then, improving
13 access so people can get both to the station, and through
14 the station to those platforms to get to their trains.

15 At the same time, we're very cognizant that there
16 are much bigger plans for Diridon Station. And we are a
17 partners with Caltrain, the City of San Jose, VTA, and MTC,
18 looking at a much bigger vision for what Diridon Station
19 can become as an intermodal hub. And so, we're very
20 cognizant of those interfaces between our project and what
21 we need for high-speed rail, as well as what's being
22 contemplated as part of that bigger vision.

23 As a partner, you know, that project is at an
24 earlier stage, but we are working very collaboratively to

1 make sure that everyone is aligned and we know how all of
2 that can move forward together.

3 In Gilroy, similarly this is the plan for our
4 Gilroy Station which is another -- in the Bay Area, all of
5 our stations are modifications to existing facilities. So,
6 this one has just a minor station right now for Caltrain
7 service, just a few trains a day that come here.

8 And so, going from the bottom to the top we'll
9 maintain that Caltrain platform. We'll add two high-speed
10 rail platforms. Those are again shown in blue. We'll add
11 another Caltrain platform for their northbound service, as
12 the next one up. And then, the two pink or fuchsia tracks,
13 those would be for the freight services, for UPRR, and for
14 the extension of rail service to Monterey County on their
15 own platform face, on the east side of the station.

16 Importantly, we've been -- since the preferred
17 alternative was identified, we've been able to restart our
18 work with the City of Gilroy and really looking at the
19 land use surrounding the station, and planning for how the
20 station can integrate with the rest of the downtown in this
21 community. And that's been a very collaborative process.
22 I think we've, you know, established a good rhythm working
23 with the city on kind of how all this shapes out into the
24 future.

1 Turning to environmental justice, as I mentioned
2 this is a big topic in this corridor, simply based on the
3 geographic of where we have low-income and minority
4 populations, and where the rail corridors and other
5 transportation networks are. There's a lot of overlap
6 there. And so, we've done extensive outreach starting back
7 in 2016, as we were developing the project.

8 And then, in 2019 as we were preparing the draft
9 environmental document, we realized that some of our
10 impacts were coming out that we would have some
11 disproportionate effects where the burden would fall more
12 heavily on environmental justice communities, than on the
13 population broadly.

14 And so, when we had that realization, we started
15 work on a multi-phase outreach process focused on community
16 improvements that we could basically incorporate that would
17 offset our impacts to those communities.

18 And so, we were doing that in parallel with the
19 development of the environmental document. And all of that
20 work has culminated into what's before you in the final
21 environmental document. So, I'll just give a brief
22 overview of some of that effort in these slides. And, of
23 course, there's a lot more in the document itself.

24 So, we first started with -- in December of -- in
25 late 2019 and into early 2020, before the pandemic started,

1 with really identifying community improvements, developing
2 evaluation criteria, talking to the community as
3 identifying things that might be important to them, that we
4 could then see if those made sense to us and how they would
5 work with our impacts in those particular neighborhoods.
6 So, that was our first step.

7 We then refined those concepts further in the
8 summer of 2020, working with the implementing partners,
9 because many of these are things that we'd be working with
10 a school district, a city, or another organization to
11 ultimately implement. So, we wanted to get their buy-in
12 and take on the potential improvements.

13 And then, we came back out with a proposed list
14 that we sought to incorporate in December of 2021, to get
15 additional feedback on that proposal, get additional ideas
16 for what things that the communities might want to see, as
17 well as their take on some of our conclusions.

18 So, all of that has really been a collaborative
19 process with our communities and they've had input into
20 analysis of project effects, the project benefits, the
21 mitigations, and every part of that process has been that
22 collaboration with the affected communities.

23 So, just to give a sense, across the eight
24 different communities, environmental justice communities
25 that we have, these is the suite of improvements that we

1 have incorporated into the final environmental document.
2 So, the ones that we had started with in September of 2021
3 are in the first column. Those are the ones that are more
4 directly tied to the impacts that we were seeing in every
5 given community.

6 So, if we had a noise impact, then we would
7 propose a noise treatment. And similarly, as we did our
8 outreach we got additional ideas and concepts that people
9 suggested would be equally effective or even more important
10 to the community. And so, we were able to incorporate a
11 number of those, and those are shown in the third column of
12 the charts across each of the communities, to really make
13 sure that we're doing our best to offset and reduce our
14 effects in those communities.

15 We did, also, surveys and found generally, you
16 know, that the communities agreed with our assessments of
17 the conclusions that we were drawing for the environmental
18 document.

19 And so, this is one of the slides that has a
20 little bit of animation. This is sort of the wrap-up. But
21 we have started with the effects that were
22 disproportionately affecting low-income and minority
23 populations across the different alternatives, and across
24 different topics. And with the preferred alternative is

1 business displacements, emergency vehicle response,
2 operational noise and operational traffic.

3 After we took into consideration the direct
4 mitigations, the benefits of the project, and the
5 offsetting mitigations that we've incorporated we were able
6 to, in the preferred alternative, offset the full suite of
7 impacts, disproportionate impacts that we were seeing in
8 some of the other alternatives. We do still have a few,
9 especially things like aesthetics and visual quality where,
10 you know, we can't hide a giant viaduct. That impact will
11 still be there.

12 But we have, I think, done a lot of work here
13 that's sort of leading -- on the leading edge of how to
14 address disproportionate effects to low-income and minority
15 populations. And I think we're very proud of the
16 offsetting mitigations that have been incorporated into the
17 final environmental document. We have had very positive
18 responses, I think. Again, you heard one of those from the
19 Gilroy Unified School District, and I think we have others
20 as well that have been received very, very well by the
21 communities.

22 To give just a -- zoom in on one of those
23 communities, and again this is another slide that has some
24 animations. This is the Gardner Community. And this is a
25 neighborhood just south of Diridon Station. And the

1 community basically sits above the railroad track, and in
2 between the two freeways, I-280 and SR-97. And you can see
3 that the community has definitely been -- felt the brunt of
4 some previous transportation investments that have really
5 cut -- the two freeways have really cut it off from the
6 communities on the other side of the freeway.

7 And so, we've worked with the community for a
8 very long time here to really assess options, evaluate what
9 we could do to reduce impacts, and mitigate them, and then
10 ultimately offset them.

11 So, the first thing, this is the existing rail
12 corridor. And as part of the Caltrain electrification
13 project, which we're helping to fund, we are reducing the
14 emissions that are happening, the local air quality
15 emissions and the noise happening from diesel trains
16 running on that corridor by replacing those with electric
17 trains were already significantly improving the existing
18 condition there.

19 From there, we looked at alignments both through
20 the -- using that existing rail corridor, which is the
21 lighter blue line in the preferred alternative, as well as
22 going over the freeways to get to Diridon Station. That's
23 the darker blue.

24 The alternatives going over the freeways of
25 course involved major structures and substantial impacts to

1 the communities both north and south of here. And so, what
2 we've done is worked extensively to first reduce our
3 impacts in the community if we're going to be using the
4 existing rail corridor. So, you know, especially impacts
5 to the surrounding homes, and property impacts.

6 We've also worked to minimize impacts to Fuller
7 Park, which is a key community asset in the middle of the
8 corridor.

9 And from there, you know, after we were able to
10 reduce some of the effects, we went with first direct
11 mitigation -- oh, excuse me, I skipped one. If I can go
12 back. Oh, this way. There we go. It would be good if I
13 pressed the right button.

14 So, first, our direct mitigation is for noise
15 impacts that we have from the at-grade crossing. On the
16 left side of the graphic, you can see we have the long
17 yellow line along the rail corridor. That's a proposed
18 noise mitigation, noise barrier to mitigate effects of
19 especially the horns as the trains go through here.

20 But as part of our offsetting mitigations, we've
21 included three sets of improvements. One focused on
22 residential noise treatments for those residences along the
23 freeway that are affected by the existing noise from those
24 facilities, as well as the Gardner Elementary school which
25 faces similar noise effects.

1 And then, based on the input that we received and
2 our outreach, we added additional recreational improvements
3 in Fuller Park. As again, I mentioned that's a key asset
4 that we were able to improve.

5 So, we've really worked hard to both minimize our
6 effects and then ultimately to offset them in this
7 community, and all the other communities, of course, that
8 we go through as well.

9 So, the other important topic that we've
10 certainly heard about during our engagement with local
11 jurisdictions is about the at-grade crossings. And this is
12 an existing rail corridor that is there, and we have -- we
13 are certainly modifying some of it.

14 So, the first part that I'll mention is there are
15 a number of streets that we're either closing or realigning
16 as our projects moves -- as the design progresses.

17 We have -- at each of the grade crossings we're
18 really focused on improving the safety of those crossings
19 from what's there today. And there's strict requirements
20 from both the Federal Railroad Administration and the
21 California Public Utilities Commission focused on what it
22 takes to operate trains at various speeds, and when grade
23 crossings are acceptable or when grade separations are
24 required.

1 We've incorporated, as Serge mentioned, site-
2 specific traffic mitigation measures where we do have
3 traffic effects that we can mitigate. And we've worked
4 extensively on our measures focused on emergency vehicle
5 response times and how that can be implemented, including
6 opportunities for where local jurisdictions might have a
7 grade separation project that they're pursuing, how we can
8 work with them on that and as part of our mitigation for
9 emergency vehicle response.

10 And in light of that, we've entered into an MOU
11 with the City of San Jose that will help advance some of
12 the grade separations that they're interested in, in their
13 community. Of course, we're very careful not to tie the
14 Board's hands in terms of the document that's before you
15 today, in that MOU. But we have developed a collaborative
16 process, really mirroring how that's being done on the rest
17 of the Caltrain corridor.

18 And similarly, we're in discussions with the City
19 of Morgan Hill around something similar with that, as well.

20 So, this is a topic that will continue to be
21 important. You know, as we work with our local
22 jurisdictions traffic issues are going to be a constant
23 topic. And we have, you know, the suite of mitigations
24 that we're proposing and improvements to what's there
25 today. But there will be more to go beyond that, as well,

1 for what local jurisdictions might want to see in their
2 communities.

3 This is another slide that has an animation. And
4 so, just focused on the safety improvements that we're
5 making at each of the at-grade crossings. This is a visual
6 from another part of the Caltrain corridor, but I think
7 it's a good illustration of really when, as we upgrade the
8 corridor, what we're really focused in on is whether the
9 train is going 50 miles an hour, or 80 miles an hour, or up
10 to 110 miles an hour is keeping everything else off of the
11 rail corridor as trains are going by.

12 And so, the suite of measures that we've proposed
13 include first quad barriers at each of the crossings. So,
14 blocking cars from entering into the train tracks as trains
15 are passing. So, oftentimes today people might go around
16 the barriers to try to beat the lights, or beat the train.
17 And so, quad barriers prevent that. So, we start with that
18 piece of it.

19 The next piece is channelization, so similarly
20 focused on not letting a car dodge the barriers and get
21 onto the tracks. Blocking off that piece of it as well, so
22 that people aren't using the other lanes.

23 Similarly, for pedestrians and bicyclists, we're
24 including pedestrian gates so that pedestrians and bikes
25 similarly don't end up on the rail corridor.

1 And then, finally, in this stretch of the rail
2 corridor many parts aren't fenced right now, and so we're
3 proposing fencing all along the right of way. And again,
4 with the same idea of for the safety improvements and,
5 again, complying with FRA and CPUC requirements is keeping
6 everything else off of the rail corridor as trains are
7 passing by.

8 And then, finally, I just wanted to talk briefly
9 about grade separations because this is a topic that does
10 keep coming up. Between San Francisco and Gilroy there's
11 almost 70 at-grade crossings in the existing rail corridor,
12 39 between San Francisco and San Jose, and another 29 south
13 of there.

14 Many of the jurisdictions in the corridor have
15 started planning for grade separations and those are at
16 various stages of development. There's over 20 -- this is
17 a slide from Caltrain, but they've tracked over 20
18 different grade separation projects that people are working
19 on. And so, we certainly see the importance of these
20 projects. You know, we want to be a partner and support
21 these efforts. We were very encouraged, you know, to see
22 the Governor's budget include funding for grade separations
23 as part of the budget proposal. We think that's a very
24 positive step that will have a lot of support in these
25 communities.

1 And similarly, with the Federal Infrastructure
2 Package there's some funds in there as well. There are new
3 opportunities to move some of these projects forward.

4 So, we certainly want to support those efforts
5 and work collaboratively as local jurisdictions move their
6 grade separation projects forward.

7 And then the last topic that I want to cover is
8 the Union Pacific Railroad. So, the existing rail corridor
9 between San Jose and Gilroy, so just south of Tamien
10 Station. And we have an abbreviated of the Caltrain
11 corridor on the slide here.

12 This is owned by Union Pacific. And the
13 Authority, and CalSTA, we've been in negotiations with them
14 for use of the corridor since 2018. This has been an
15 ongoing process. And, you know, we've certainly been very
16 carefully coordinating with them about both this process,
17 and the environmental document itself.

18 But, you know, that agreement is still in the
19 works and so we will need to, ultimately, reach an
20 agreement with Union Pacific to implement the project
21 section between San Jose and Gilroy. But this is, of
22 course, an important step in allowing us to be precise in
23 what that looks like and move that forward.

24 So, with that I think I'll turn it over to Serge,
25 back to Serge to cover some wildlife movement, and

1 Grasslands Ecological Area topics, and wrap up the
2 presentation.

3 MR. STANICH: Thank you, Boris.

4 MR. LIPKIN: Uh-hum.

5 MR. STANICH: So, Prop 1A requires the Authority
6 to develop all our alternatives in predominantly
7 transportation corridors. And the impetus of that is that
8 you can largely avoid significant effects or damaging
9 effects to the environment by establishing your corridor
10 through established corridors.

11 Unfortunately, you can also see some exacerbation
12 of existing problems. And this is what we've touched on a
13 little bit with environmental justice. And wildlife
14 movement is an area or topic of considerable concern.
15 Particularly, as you look on the exhibit, we're crossing
16 the area of the Diablo Range, which is an important
17 north/south corridor for wildlife, and connecting the
18 Diablo Range to the Coast Range.

19 So, from the earliest development of the project,
20 the Authority staff started to work with wildlife
21 stakeholder groups in Santa Clara County to address the
22 mountain range movement, and in the valley with the
23 movement in the Grasslands Ecological Area. And I'll touch
24 on that in a little bit more detail as we move on.

1 So, we identified these five predominant movement
2 corridors. Area 1 is the Coyote Valley between the Diablo
3 Range and the Coast Range. Area 2 is the Western Pacheco,
4 Soap Lake area, which is one of the two areas designated by
5 Audubon as an important bird area. 3 is the Pacheco Pass.
6 This is an area where we're predominantly in tunnel, but
7 has experienced a high number of mortality for wildlife due
8 to animal strikes on the 152 corridor. 4 is Eastern
9 Pacheco Pass. And then 5 is the Grasslands Ecological
10 Area.

11 So, I will go into a little bit more detail.
12 First, I'll start with number 3 here. The Pacheco Pass
13 area is an area where we're in tunnel, but it's been
14 considered highly sensitive for wildlife movement for some
15 time. There's been a number of stakeholders that have been
16 advancing an opportunity for a wildlife overcrossing.
17 Pathways for Wildlife and the Santa Clara Valley Habitat
18 Agency have initiated a process to develop a wildlife
19 overcrossing.

20 And in consideration of our project's effects
21 during the draft stage, where we identified a potentially
22 cumulative contribution for wildlife movement as a
23 potentially significant effect, we identified this
24 opportunity as a mitigation that would offset that wildlife
25 movement. And it has been very strongly embraced and

1 received by the stakeholder groups. And it's one of our
2 kind of signature mitigation measures.

3 The Coyote Valley. We've been working with the
4 Peninsula Open Space Trust and the Open Space Authority.
5 This is an area where wildlife movement is critical to move
6 from the Diablo Range to the Coast Range. This is an area
7 where there's really three important barriers. There's the
8 Highway 101, the Monterey Corridor, and the Union Pacific
9 Corridor.

10 And so our work, we developed with POST, the
11 Peninsula Open Space Trust, the Open Space Authority, and
12 the Habitat Agency to actually implement some of their
13 measures in their Linkages Plan to identify crossing
14 opportunities.

15 And so, we have 12 designated wildlife
16 undercrossings that are sized approximately 5-by-5 boxes
17 and 40-by-15 foot boxes, so some robust crossings. They're
18 designated with the kind of large elk logo, and the smaller
19 kind of fox location, or emoji, however you want to
20 describe it, icon as far as the difference placings.

21 But we've been working closely, and we have a
22 very nice letter in the record from POST, OSA, the Nature
23 Conservancy, and the Habitat Agency, acknowledging the work
24 that we've done in seeking a continued partnership.

1 The Grasslands Ecological Area is a highly
2 sensitive area of about 160,000 acres of wetlands that are
3 the largest remaining stand in California. It was designed
4 by the U.S. Fish and Wildlife Service in 1979 as an
5 important area for conservation. And then, it also, in
6 2005, was designated under RAMSAR, which is a UNESCO
7 Convention, for bird conservation and wildlife
8 conservation.

9 We've been working with the Grasslands Water
10 District and a number of other stakeholders to incorporate
11 protections in this area. We have included a number of
12 wildlife crossings. And another element, on the eastern
13 element, the guideway enclosure. This is an opaque tube of
14 about 3 miles through the most sensitive area in the
15 Grasslands Ecological Area. There is the Los Banos Refuge
16 to the north, and the Mud Slough Conservation Area, a duck
17 to the south, and so we've incorporated this, what we call
18 the bird tube, to protect wildlife and bird movement in
19 this important area.

20 We also have a number of undercrossings that
21 we've incorporated. And further west, there is the Volta
22 Wildlife Refuge. We've incorporated a 17-foot sound wall
23 there to limit the potential effects to bird movement in
24 this area.

1 This is just an animation. It will show what the
2 proposal -- as part of our mitigations, we also have
3 included this on a viaduct. Because this is an important
4 ecological area for aquatic resources, the viaduct will
5 allow the movement of water back and forth, so to protect
6 the hydrology.

7 And here you see, with the train passing the
8 catenary system, we've incorporated this opaque enclosure.
9 And so, this would prevent birds from landing on the
10 guideway or potential mortality from a bird strike during
11 operations.

12 So, this largely concludes our presentation. At
13 this point we will step aside to allow the public to
14 comment, and allow the Board to deliberate or consider what
15 has been presented today.

16 And then, staff will return tomorrow to provide
17 detailed answers or respond to any questions that have been
18 raised.

19 Counsel will then take the podium to walk the
20 Board members through the approval documents and the Board
21 will have an opportunity to deliberate.

22 I want to conclude or close with the benefits of
23 this project. You know, it will implement the goals and
24 the objectives, the purpose and need of providing
25 electrified passenger service. But it has so much more as

1 far as opportunity and benefits. It's going to connect the
2 Central Valley to the Bay Area and provide those
3 opportunities for connecting housing and job opportunities.
4 It's going to provide dramatic long-term reduction in
5 transportation and energy reduction use. It will stimulate
6 the local economies with the investments in the area and
7 providing incredible opportunities for the communities to
8 diversify.

9 It also will reduce annual vehicle miles
10 traveled. And also will work to expand the Caltrain
11 service, electrified service from San Jose all the way down
12 to Gilroy.

13 And then, with respect to environmental benefits,
14 there is the reduction in greenhouse gases, the
15 improvements on reduced energy use. But as we discussed in
16 this theme, there are a number of historic challenges and
17 problems from the existing infrastructure that this
18 investment will help to remedy. And we worked very hard to
19 work with the communities, including the environmental
20 justice offsetting mitigation, the improvements for
21 wildlife movement.

22 And there's a number of other infrastructure
23 improvements, such as the Caltrain investment and
24 electrification there, as well as upgrades to PG&E
25 transmission lines. Upgrades to hydrology at Llagas Creek

1 and Fisher Creek, and other benefits as far as the upgrades
2 to the utilities.

3 And so, this is just an incredibly important
4 project and we are honored to present to you today. So,
5 thank you.

6 CHAIR RICHARDS: Thank you all, the entire team,
7 Serge, Boris, all of you. A great presentation, we
8 appreciate it.

9 Mr. Kelly, do you have anything you'd like to
10 add?

11 MR. KELLY: Mr. Chairman, primarily I just want
12 to spend a moment to acknowledge the work of the team on
13 this. You heard in the testimony that this is 13 years in
14 the making, which is an astonishing thing when you think
15 about all the analysis, and all the work, and all the hours
16 that are put into this.

17 And it's also a moment to thank the Board because
18 one of the things that we've been focused on as a
19 management, since I got here, is trying to make sure that
20 we, as an Authority, are being more specific, very
21 definitional about what we are trying to do. And there's
22 no place than we have done that better than in the
23 environmental document area.

24 When I began here in 2018, we had cleared only
25 119 miles, just that section that was under construction in

1 the Central Valley. And in the last 18 or 24 months, or
2 so, we brought to this Board additional environmental
3 documents, each of them multi-year, several hundred million
4 dollars, and just a ton of work and analysis that goes into
5 each of these segments. And so, it's a tribute to the
6 team, but also the Board for the work.

7 I was just thinking, as they were presenting,
8 that we've now, you know, completed two additional Central
9 Valley segments, two additional Southern California
10 segments, and you now have before you the first segment
11 into the Bay Area.

12 And should this be certified tomorrow, we'll have
13 cleared continuously the Bay Area to L.A. County in San
14 Jose, all the way to the City of Palmdale. And we have
15 more work to do in Southern California. We need to finish
16 the stretch into San Francisco, into the Bay Area. But it
17 is an astonishing accomplishment in a relatively short
18 amount of time.

19 So, again, I want to recognize and appreciate the
20 team for all the work that they've put into this, but also
21 to the Board for the consideration of a lot of very heavy
22 and detailed documentation and work, in a relatively short
23 amount of time in terms of when these decisions come to
24 you, and the decisions that you have to make.

1 So, again, it's a real credit to the team, the
2 staff, a ton of work, and the Board for their
3 consideration. So, that's all I wanted to say, Mr. Chair.

4 CHAIR RICHARDS: All right, thank you, Mr. Kelly.

5 And, of course, that's -- for all of this, this
6 is why we signed on.

7 MR. KELLY: Yes.

8 CHAIR RICHARDS: So, thank you very much.

9 With that, we will now ask our Board Secretary to
10 advise those of you who would like to address us with your
11 comments on the San Jose to Merced environmental section.

12 So, Mo, I don't know where you are now. Oh,
13 there you are.

14 MR. RAMADAN: Thank you, Mr. Chairman.

15 CHAIR RICHARDS: Okay.

16 MR. RAMADAN: Before we begin public comment on
17 Agenda Item 2, 8, 9, 10, and 11, I would like to go over
18 some important technical information.

19 For members of the public who have joined us in
20 person and wish to provide public comment, you'll be called
21 in the order that we have received your card. If you wish
22 to provide public comment right now, please bring your card
23 up to the stage.

1 We are also allowing members of the public to
2 provide comment remotely by telephone, after in-person
3 public comment.

4 We will start with Andy Russell. Andy Russell.

5 MR. RUSSELL: Hello. Thank you, CEO Kelly, and
6 Chair Richards, and the rest of the Board for your
7 leadership and extensive work that you've put into this.

8 My name is Andy Russell. I'm from the California
9 Alliance for Jobs. We represent five of the largest, heavy
10 construction unions in California, as well as over a
11 thousand of the largest heavy construction companies.

12 High-speed rail provides thousands of
13 transformational jobs, and life-changing union jobs for
14 Californians. It's exactly the type of smart
15 infrastructure investment that makes up the backbone of
16 California's long-term success, ensuring future generations
17 have sustainable economic prosperity and quality of life.

18 On behalf of the California Alliance for Jobs, I
19 want to applaud the staff for their extensive work on this
20 EIR and EIS document, and reiterate our support for it.

21 I ask that you keep up the momentum that the
22 approval of this environmental document will provide.
23 Thank you for your time and have a great day.

24 CHAIR RICHARDS: Thank you.

1 MR. RAMADAN: Mr. Chairman, I don't have any
2 comment cards right now for in person, so I'll be pivoting
3 to over the phone. I'm going to move to the room, over to
4 minimize on the echo. One moment.

5 Participants for public comment, I want to ask if
6 Marie Blankley is on the line? Marie Blankley.

7 MS. BLANKLEY: Yes, I am.

8 MR. RAMADAN: You can provide your public
9 comment.

10 MS. BLANKLEY; Okay, thank you. I'm Gilroy Mayor
11 Marie Blankley, and I'd like to piggyback on what Mayor Sam
12 Liccardo said earlier in the meeting. I'm sorry I can't be
13 there in person, too, but I do believe that next to San
14 Jose, Gilroy will be the next most significant transit hub
15 on this stretch. And this is such a wonderful presentation
16 to see.

17 Gilroy's transit center is very much ready for
18 this to happen. The space is there, the need is there,
19 particularly connecting housing to jobs, including the
20 additional Caltrain benefits that will come. I want to
21 thank you for all of this.

22 The perspective I'd like to add is from the
23 skeptic public that until they actually see something
24 happening, it feels like all we hear are the dollars this
25 is going to cost, and it doesn't feel real. I want to tell

1 you it's starting to feel real. Thank you. I'm hoping
2 that in the next -- certainly in less than five years, in
3 my meetings with High-Speed Rail staff, maybe as soon as
4 two to three years we might see some actual ground being
5 touched. And that's what I hope will actually happen so
6 the public can really start to believe that this is going
7 to happen. Thank you.

8 CHAIR RICHARDS: Thank you, Mayor and thank you
9 for your participation and support.

10 MR. RAMADAN: Caroline, before we move on to the
11 participants, I just want to ask if we have anybody else on
12 the line at the moment who wishes to provide public
13 comment, who is not on the participant line.

14 Caroline, can we move on to the participant line?

15 AT&T OPERATOR: Yes, absolutely. Thank you.

16 Ladies and gentlemen, if you wish to comment on
17 today's call, you may press 1 and then 0 at this time.
18 Once again, if you wish to comment on today's call, you may
19 press 1 and then 0.

20 One moment, please, for the first comment. Jose
21 Manzo, from Oak Grove School District, your line is open.
22 Please go ahead.

23 MR. MANZO: Thank you. Thank you, Chair Richards
24 and members of the Board. Thank you for the opportunity to
25 address the Board. My name is Jose Manzo. I'm the

1 Superintendent of the Oak Grove School District, which is
2 located in South San Jose.

3 I want to begin by thanking the High-Speed
4 Authority staff, Cici Vu, Audrey Van, Cooper Tamaio
5 (phonetic), and Cathy Paskin who spent a consideration
6 amount of time over the past couple of years meeting with
7 me, and my staff, regarding this project.

8 We also appreciate the Board's commitment to
9 provide environmental justice offsetting mitigations to
10 communities highly impacted by this important high-speed
11 rail project.

12 The high-speed rail alignment would traverse a
13 section of our school district which is in the Monterey
14 Highway Corridor in East San Jose, with the greatest
15 percentage of minority populations and low-income
16 populations in the district, as well as one of the highest
17 in the City of San Jose.

18 I believe staff is recommending an improvement to
19 one of our track and fields, with an all-weather turf, and
20 playing surface for one of our intermediate schools,
21 Caroline Davis Intermediate.

22 The proposed enhancement would benefit the
23 community's minority and low-income residents by providing
24 recreational improvements to enhance community health and
25 wellbeing. The Edenvale Roundtable community suffers from

1 a significant lack of access to health services, as well as
2 after school and weekend recreational centers where it is
3 safe for students and young adults, as well as the
4 community members to have access to recreational activities
5 or organized sports.

6 Upgrades to the all-weather field and track would
7 provide service facilities to the community that would
8 allow the school program activities in the after hours and
9 weekends. This amenity will be enjoyed by students and
10 members of our community for years to come.

11 Highly encourage the Board approval of the
12 proposed mitigation, justice offsetting mitigation
13 strategy. Thank you.

14 CHAIR RICHARDS: Thank you, sir.

15 AT&T OPERATOR: Rebecca Long, with MTC, your line
16 is open. Please go ahead.

17 MS. LONG: Good afternoon Chair Richards, Vice
18 Chair Miller, and CEO Kelly. My name's Rebecca Long. I'm
19 the Director of Legislation and Public Affairs at the
20 Metropolitan Transportation Commission.

21 And I just wanted to congratulate the staff and
22 Board on reaching this huge milestone and share MTC's
23 support for Alternative 4 in the EIR, which really is the
24 most beneficial from a regional stand point, that utilizes
25 the existing rail corridor between San Jose and Gilroy.

1 And also allows for electrified Caltrain to be expanded
2 further south.

3 So, congratulations and just urging your adoption
4 of the EIR. Thank you.

5 CHAIR RICHARDS: Thank you, Ms. Long.

6 AT&T OPERATOR: Ellen Wehr, from Grassland Water
7 District, your line is open, please go ahead.

8 MS. WEHR: Good afternoon. This is Ellen Wehr on
9 behalf of Grassland Water District and the GEA stakeholder
10 group. We wanted to be there in person today to provide
11 comments, but had pre-scheduled a trip to Washington, D.C.
12 So, grateful for the opportunity to comment by phone.

13 We wanted to thank staff and consultants for
14 continuing the long history of engagement with stakeholders
15 in the Grassland Ecological Area. We've made great
16 progress in building this progress through the largest
17 remaining freshwater in the west, which is the Grassland
18 Ecological Area.

19 This progress includes a commitment to
20 conservation easements, a wildlife protective enclosure,
21 and better sound and lighting standards to reduce impacts.
22 And we believe these measure are crucial for protecting
23 habitat and sensitive species. And we want to express our
24 gratitude to the Authority for their hard work that it took
25 to get to this point.

1 Unfortunately, we have a number of remaining
2 concerns with the EIR/EIS, primarily the analysis of
3 impacts in the Volta Lake area, which contains vital
4 wetlands that support water birds and the threatened giant
5 garter snake.

6 Also, the analysis of impacts on recreation and
7 the constructive use of state wildlife areas does not
8 acknowledge significant impacts to public trails, camping
9 sites, hunting and bird watching sites, as well as our
10 Grassland Environmental Education Center.

11 Our final concern is that many of the mitigation
12 measures are vaguely worded and do not provide oversight or
13 enforcement options.

14 But we've determined with your staff and
15 leadership that the first two issues of conflict cannot be
16 reconciled. The third issue, the implementation of
17 mitigation is really the only remaining avenue that we have
18 to try and resolve these conflicts cooperatively. We are
19 making some progress on that.

20 So, today we'd like to ask the Board to direct
21 staff to pursue an implementation plan with Grassland Water
22 District and the GEA working group to try and reconcile
23 these issues, and ensure that the project is built in an
24 environmentally responsible way through the GEA. Thank you
25 very much.

1 AT&T OPERATOR: Laura Tolhoff with SPUR, your
2 line is open. Please go ahead.

3 I'm sorry, Laura, if you press 1 and then 0
4 again, you'll be able to be back in queue.

5 We'll on, currently, to Adrian Bryant. Your line
6 is open, please go ahead.

7 MR. BRYANT: Well, thank you Directors and staff,
8 appreciate the presentation. I am a member of the Caltrans
9 Citizens Advisory Committee, as well as your own Community
10 Working Group for San Mateo County. However, I'm speaking
11 on behalf of myself only, at this time.

12 I wanted to give my support and urge you to also
13 support the Alternative 4. I believe it's clearly the best
14 compromise between all the different competing interests.
15 And it is, from a fiduciary point of view, the most
16 advantageous alignment by far.

17 Obviously, the synergy between Caltrain and high-
18 speed rail is critical. And I urge you, therefore, to
19 front load -- as Rod Diridon said: Time is money. Front
20 load the electrification to Gilroy so that Caltrain doesn't
21 have to worry about running both diesels down to Gilroy
22 when their electrification is complete, or pursue
23 alternative vehicle purchases that are dual mode. So,
24 please do that as soon as possible in this process.

1 Also, for the grade crossings, I urge the staff
2 to work diligently with the local jurisdictions of each
3 grade crossing to serve as a clearing house and assist with
4 the quiet zone application process. Train horn quiet zones
5 make the train horns discretionary, so it can still be
6 sounded if needed for any safety hazard, but otherwise
7 train horns are not used. And this is a critical
8 mitigation measure that will have significant effects on
9 the neighborhoods and will be greatly appreciated by all
10 that are within earshot of those 20 plus grade crossings on
11 the segment.

12 Lastly, I wanted to just remark it was a little
13 bit surprising to me, I noticed you have four platform
14 bases in Gilroy for high-speed rail, and only two for
15 Caltrains. I'm not sure, but maybe that should be reversed.
16 Because going forward I know Salinas wants service and I
17 can imagine that there would be actually need for more
18 platform bases for Caltrains than high-speed rail at that
19 particular station.

20 Otherwise, I urge you, just as Rod Diridon did
21 earlier, to do everything in your power to accelerate this
22 process. As everyone knows, the rest of the world has
23 implemented high-speed rail many times over. In the time
24 that we've passed Proposition 1A, countries like Morocco,
25 and Turkey, and obviously China is the now the world-

1 leading high-speed rail country in the world, have kind of,
2 I think, put us to shame in terms of our delivery
3 capability.

4 So, I understand this environmental process is
5 important, but I am duly impressed with the staff
6 presentation. There's clearly a lot of care was put into
7 it, and so I urge your support and passage of this --
8 approval of this Final Environmental Impact Report at this
9 series of meetings. Thank you.

10 CHAIR RICHARDS: Thank you.

11 AT&T OPERATOR: Noah Cristman, with SPUR, your
12 line is open. Please go ahead.

13 MR. CRISTMAN: Good afternoon Chair Richards and
14 Board members. My name is Noah Cristman and I lead public
15 education at SPUR. We are a public policy organization
16 focused on making the Bay Area more sustainable, equitable,
17 and prosperous. And we strongly support the continued
18 build out of high-speed rail.

19 Beginning in the '70s, California's leaders began
20 to envision a way to connect the dense, urban coastal areas
21 of the Bay Area and Southern California with the San
22 Joaquin Valley, via high-speed rail. Fifty years later, we
23 now know just how important sustainable transportation,
24 like high-speed rail, is to our ability to live in this
25 warming world.

1 High-speed rail is fundamentally about changing
2 how we move and grow as a state, adding a new, cleaner way
3 to travel between cities that simply doesn't exist today.

4 As a result, we encourage you to certify the
5 EIR/EIS for the San Jose to Merced section.

6 Additionally, SPUR cares deeply about the future
7 of Diridon Station in San Jose, which is a critical node in
8 the statewide and regional transit network, and can become
9 a catalyst for growth, as well an important part of public
10 life in that city.

11 And we encourage the Authority to continue
12 working with San Jose to develop an integrated Diridon
13 Station, and work collaboratively to make up-front
14 investments in the station and station area.

15 Thank you so much for your leadership to date,
16 and we're excited to see this move forward.

17 CHAIR RICHARDS: Thank you.

18 AT&T OPERATOR: There are no further comments in
19 the queue at this time.

20 CHAIR RICHARDS: All right, thank you.

21 MR. RAMADAN: Thank you, Caroline.

22 CHAIR RICHARDS: Once again, there are no further
23 public comments. And I'll open one more time, anybody in
24 the audience who would like to speak?

1 All right, thank you. The public comments are
2 closed.

3 MR. RAMADAN: Caroline, you can close the
4 conference. Thank you.

5 CHAIR RICHARDS: Thank you. I'll now ask my
6 colleagues on the Board to identify if there are any issues
7 raised in either the staff presentation or public comment
8 that you would like the staff to address further.

9 As noted in the agenda, while we take up some
10 other business items and break for the night, staff will
11 consider those Board-identified questions or issues and
12 will be prepared to offer a response tomorrow, when we
13 start back at 11:00 a.m.

14 So, if you have any issues you'd like to address
15 further or would like to have addressed further, now's the
16 time to identify them.

17 So, I'll now ask any members of the Board -- yes,
18 Director Perea.

19 BOARD MEMBER PEREA: Yes, thank you, Mr.
20 Chairman. I had a question for Boris. And I believe I
21 heard it in the presentation, I just want to confirm.

22 But about two years ago, prior to the pandemic I
23 believe, Mr. Kelly and I went to Morgan Hill and met with
24 those folks all about concerns and issues they had. To the
25 extent possible, were their issues addressed in this plan.

1 MR. LIPKIN: Yeah, I mean I think where we are
2 with Morgan Hill, if you'll recall when we were there,
3 there was still a lot of conversation around whether we
4 should follow the 101 Freeway, or the existing rail
5 corridor.

6 BOARD MEMBER PEREA: Right.

7 MR. LIPKIN: In the letter that we received, in
8 the communications that we've received from Morgan Hill
9 recently, they've definitely turned their attention to
10 agreeing with our preferred alternative, with using the
11 existing rail corridor.

12 They have continued to emphasize the issues of
13 grade separations. As I've mentioned that's been of key
14 interest and, you know, especially around some of our
15 proposed mitigations for emergency vehicle response they've
16 kind of taken that topic.

17 So we've, as I mentioned, proposed an MOU with
18 them to continue to work on advancing grade separations in
19 their community. And that's been, I think to this point,
20 positively received. So, we have some basis for a
21 collaborative relationship moving forward.

22 But if you'd like us to get into some of the
23 specifics from their letter, for example, we could do that
24 tomorrow if that's a topic that you'd like to dig in some
25 more.

1 BOARD MEMBER PEREA: Okay. And again, you know,
2 we understand what their issues are, were and are. But to
3 the extent that we can, I just want to make sure that if we
4 haven't addressed it to date that we continue the
5 conversation with them, and it sounds like we are.

6 MR. LIPKIN: Yes, very much so.

7 BOARD MEMBER PEREA: Yeah, okay. The other
8 question I have is on the Gardner neighborhood, on the
9 slide 43. I just wanted to confirm on this map because,
10 you know, I agree, you know, historically that
11 neighborhood's been cut up pretty, pretty badly by the
12 freeways, what it is exactly we are doing to -- are we
13 closing, finishing it, closing it off?

14 MR. LIPKIN: No, so there's an --

15 BOARD MEMBER PEREA: Can you show me? Can you
16 bring up that slide and --

17 MR. LIPKIN: Yeah, we can -- if we can -- I'm not
18 sure if we can pull the slides back up.

19 BOARD MEMBER PEREA: I need to understand a
20 little bit better where our alignment is on this map.

21 MR. LIPKIN: Sure. As the presentation's being
22 pulled up, I can talk from the graphic. So, our alignment
23 follows the existing -- there's an existing rail corridor
24 that runs there, and so that was built first, and the
25 community sprang up around it. The freeways came in later

1 and really bisected it from the other parts of the
2 neighborhood.

3 BOARD MEMBER PEREA: Right.

4 MR. LIPKIN: And so, what we're proposing is to
5 upgrade that existing rail corridor. So, the first thing
6 that's happening there is the Caltrain electrification
7 project that's in construction now is going to first remove
8 a lot of the existing diesel Caltrain trains. We do need
9 to -- and I see the slide is coming up, so I can flip back
10 to it, probably, if I -- maybe. Well, okay, here we go.

11 BOARD MEMBER PEREA: My first question, which is
12 our alignment, which line is ours?

13 MR. LIPKIN: So, our alignment is the light blue
14 that runs through kind of the middle. Again, I can just
15 click through the slides one more time. So, this is their
16 existing rail corridor.

17 BOARD MEMBER PEREA: The red? The red?

18 MR. LIPKIN: The red. The red is the existing
19 rail corridor.

20 BOARD MEMBER PEREA: Okay, Caltrain.

21 MR. LIPKIN: That's being electrified right now,
22 today. We need to add an additional track here and so in
23 the existing rail corridor. So, we've worked very hard to
24 minimize the impacts from that, especially on property
25 impacts. So, that's why we have -- we have just a few

1 places that we call out. You know, as we build a new
2 bridge over the freeway here, and a little bit of right of
3 way here as we go over this freeway, and a small station
4 facility item here. Those are our property impacts. We've
5 tried to really stay within the bounds of their existing
6 rail corridor to minimize impacts.

7 And then, we've also proposed the mitigations.
8 So, these are the mitigations. So, one is a noise barrier
9 along here this yellow long. And then, noise treatments
10 for -- this is our offsetting mitigations along -- for the
11 houses along the freeway, for the school, and then the
12 improvements in Fuller Park, the recreational improvements.
13 So, that's kind of the suite of things that we're proposing
14 here.

15 BOARD MEMBER PEREA: Okay, thank you.

16 CHAIR RICHARDS: Thank you, Director Perea. Yes,
17 Director Pena.

18 BOARD MEMBER PENA: Thank you. Question about on
19 this slide, also, Gardner Elementary School that is going
20 to be completely surrounded with a noise treatment. Is
21 that -- that's a wall?

22 MR. LIPKIN: No, I think that that's -- we just
23 show the outline of the school facility. It's not
24 necessarily, and maybe I'll look to some assistance from

1 those who might remember the details of that better, or we
2 can come back tomorrow with it.

3 BOARD MEMBER PENA: Okay.

4 MR. LIPKIN: Because I'd rather not misspeak.
5 But I think we're proposing treatments there. It's not a
6 giant wall around the school, I just want to be clear.

7 BOARD MEMBER PENA: Okay.

8 MR. LIPKIN: But we can come back tomorrow if
9 you'd like, with that.

10 BOARD MEMBER PENA: Because my question would be,
11 I mean obviously there is a lot of greenhouse gases that
12 are surrounding this area because of all the freeways. My
13 concern is that the noise treatment could capture those
14 gases and possibly keep them within the confines of the
15 wall, or whatever the treatment is. I just want to know
16 how that works.

17 MR. LIPKIN: Yeah. It's primarily things like
18 window treatments. So, Gary's whispering in my ear. And
19 if you want to provide the answer?

20 MR. KENNERLEY: Yeah, in this situation we're not
21 surrounding it by a wall. But what we are looking -- in
22 discussions with the elementary school, we're looking at
23 other noise treatments. These would typically be
24 insulation for the walls, improved windows for insulation.

25 BOARD MEMBER PENA: Okay.

1 MR. KENNERLEY: And, you know, we'll continue to
2 work with them. Another option that we have as well,
3 especially now with COVID, with the ventilation
4 requirements. But it's also improved ventilation so you
5 can actually keep the windows closed. So, those would be
6 the improvements that we'd be doing. So, it's more of an
7 improvement to the reduction in the noise environment
8 inside the classrooms, not actually surrounding the school
9 like Fort Knox or anything.

10 BOARD MEMBER PENA: Okay. And also improvement
11 in their classroom ventilation systems?

12 MR. KENNERLEY: That's another element we can
13 consider, so that way they can keep windows closed, and
14 then they are effective at reducing the noise.

15 BOARD MEMBER PENA: Right. Would that be
16 throughout the school? Do they have portable classrooms?
17 Would it include those as well.

18 MR. KENNERLEY: Generally, I mean we'll need to
19 work with the school more closely on the specific
20 locations. But they would be targeted where it would be
21 the benefit to the actual noise impacts from the freeways.
22 So, more on the north side where that noise comes from the
23 freeways.

24 BOARD MEMBER PENA: Okay, thank you.

25 CHAIR RICHARDS: Thank you, Director Pena.

1 Any other questions?

2 BOARD MEMBER CAMACHO: One quick --

3 CHAIR RICHARDS: I'm sorry? Yes, Director
4 Camacho.

5 BOARD MEMBER CAMACHO: Not a question, just a
6 comment. The presentation's probably the most
7 comprehensive and understandable environmental document
8 that I've reviewed. I thank you and your staff for all the
9 hard work. And when it comes before us, I'd be proud and
10 honored to vote for it.

11 MR. KENNERLEY: Thank you.

12 CHAIR RICHARDS: All right, thank you, Director
13 Camacho.

14 Director Williams?

15 BOARD MEMBER WILLIAMS: Thank you. Thank you,
16 Mr. Chairman.

17 So, first I want to also compliment the staff for
18 an extraordinary undertaking in accomplishing that and
19 bringing this before us.

20 So, it might seem strange that I'm going to zero
21 in on a pretty minor -- maybe seemingly minor in the
22 context of the whole document, but pretty significant I
23 think for the folks who may be impacted.

24 Am I correct that there is an impact in terms of
25 the farmland in the eastern part of the --

1 MR. STANICH: Pacheco Pass.

2 BOARD MEMBER WILLIAMS: -- line --

3 MR. STANICH: The San Joaquin Valley?

4 BOARD MEMBER WILLIAMS: Yes, in the San Joaquin
5 Valley. Where there are farmland impacts that may get down
6 to impacting a residence of one of the leaseholders on the
7 land? And could you just -- apologize if I missed this, if
8 this was discussed already. But what is the, you know,
9 proposed remediation or mediation for that, and how is that
10 being undertaken with that -- if there is, in fact, a
11 particular residence that's being affected, how are they --
12 how are we working with them to address that?

13 MR. STANICH: So, just let me start. And then
14 it's a -- you've asked a complicated question that touches
15 on a few points.

16 BOARD MEMBER WILLIAMS: Okay.

17 MR. STANICH: So, with respect to farmland and
18 agricultural resources there's two types of impacts that
19 we're causing as far as the development of the project,
20 constructing the infrastructure.

21 The first one is just by constructing the
22 infrastructure we will be going through prime farmland and
23 we will take that out of production. That's considered a
24 significant impact.

1 As we go through there are farmers, ranchers, and
2 other businesses that are making their business out of
3 those parcels, and we may clip a parcel to make a portion
4 of what we call remnant parcel no longer economically
5 viable. And so, that's the other significant impact.

6 We have mitigation measures, then, to work with
7 the owners and minimize that impact as far as the economic
8 viability. I believe you're probably referring to some of
9 the specific comment letters that we've received where
10 acquiring these properties will also result in some
11 displacements. Along with other residential or business
12 displacements, we have provisions in our socioeconomic
13 section to incorporate protections along the Uniform
14 Relocation Act, where we work with them to provide
15 alternate housing or business opportunities.

16 I'll pass it over to Gary who can give a little
17 bit more detail regarding one of the specific letters that
18 we received in the last few days.

19 BOARD MEMBER WILLIAMS: Thank you.

20 MR. KENNERLEY: Director Williams, I believe you
21 may be referring to the Vierra property, since you
22 mentioned just on the east for the San Joaquin.

23 Happy to maybe tomorrow, we can come in with the
24 maps for this particular property. We've been engaged,
25 talking to the property owners from the beginning of the

1 project. The alignment does go through their property.
2 They have both their own residence and I think it's three
3 residences for tenant farmers on their property.

4 We've been working with them. As Serge
5 mentioned, we do have specific mitigation measures to
6 address any necessary relocations.

7 And we did actually also do a study of what would
8 happen if we could move the alignment. In that study we
9 identified we'd have greater impacts if we moved the
10 alignment to the north. To the south, we really couldn't
11 move because we needed to avoid the solar farm and the San
12 Luis Reservoir.

13 But happy to come back tomorrow and I can show
14 you the maps that we actually prepared to look at those
15 impacts.

16 BOARD MEMBER WILLIAMS: Thank you.

17 CHAIR RICHARDS: Any other -- yes, Vice Chair
18 Miller.

19 VICE CHAIR MILLER: Just along that, can you also
20 talk a little bit about the farmworker housing in that area
21 as well? And then, in the Gardner neighborhood you're
22 clipping that, and just kind of maybe talk a little bit
23 about your process there, about whether that's residential
24 impact or not.

1 And then, I just wanted to add on the Grasslands
2 comment. I'm assuming we would be consulting with them in
3 the future on implementation of mitigation measures.

4 MR. STANICH: Absolutely. We have been working
5 with them. I have to credit the Grassland staff -- I'm
6 sorry, I have to credit the Grassland staff. It was
7 actually their suggestion that a bird tube enclosure is a
8 recommendation that was given to the Authority by the
9 Grassland staff. And they've been a very good partner in
10 working with the Authority to identify opportunities to
11 improve the project.

12 We have actually included, as part of the
13 resolutions, commitments so that the Board can direct staff
14 to continue working on advancing these partners. And
15 specifically noted Grasslands Water District, along with
16 the other stakeholders and partners that we've been working
17 with.

18 VICE CHAIR MILLER: Thank you. And I didn't say
19 before, but you did a great job. Appreciate that.

20 MR. STANICH: Thank you so much.

21 CHAIR RICHARDS: Thank you, Vice Chair Miller.

22 Any other comments? Yes, Director Pena.

23 BOARD MEMBER PENA: Thank you. Can we go back to
24 that elementary school side again.

25 MR. LIPKIN: Sure.

1 BOARD MEMBER PENA: And my question has to do
2 with the -- the grassy area. Is there -- somebody else
3 mentioned, one of the people that phoned in talked about a
4 turf, upgrading a turf area at a high school. Is there
5 anything that can be done with the grassy area that, I
6 don't know, addresses potential, you know, greenhouse gas
7 effects on that.

8 MR. LIPKIN: So, the commenter I think was
9 talking about one of our proposed mitigations in South San
10 Jose, so it's a different school that they were referring
11 to.

12 BOARD MEMBER PENA: Right, uh-hum.

13 MR. LIPKIN: You know here, when we were talking
14 with the community, and the impacts that we have here are
15 specifically those -- you know, our impacts are noise and
16 there's noise issues from the existing freeways. That's
17 why I think we've had that particular focus. So, I don't
18 know that we've -- you know, anything came in -- again,
19 this has been a collaborative process of the communities
20 really suggesting what are important things to them. And
21 so, I don't think we had anything specifically about sort
22 of the other green space at the school there.

23 BOARD MEMBER PENA: Uh-hum.

24 MR. LIPKIN: What we did have is something
25 focused on Fuller Park, which is another kind of -- it's a

1 park space in the community. And so, that is one that we
2 have incorporated. But at least in our conversations with
3 the community and the school district there wasn't -- we
4 didn't have any discussions around anything in the lawn
5 area for the school.

6 BOARD MEMBER PENA: I mean do they now that it's
7 available or there's alternatives?

8 MR. LIPKIN: I mean, I guess what I would say is
9 all of these ideas and concepts that generally came from
10 the communities, and what they see as their needs. And so,
11 with the other school district, again, that was an idea
12 that again -- it wasn't our proposal. It really came from
13 the outreach to us. And so, I think we definitely started
14 with sort of the broad sweep of things.

15 BOARD MEMBER PENA: Right.

16 MR. LIPKIN: Of, you know, tell us what's
17 important to you and --

18 BOARD MEMBER PENA: Right.

19 MR. LIPKIN: -- where the kind of key issues are
20 for the community and so --

21 BOARD MEMBER PENA: And that was a high school,
22 correct?

23 MR. LIPKIN: Right, that was a high school, year.

24 BOARD MEMBER PENA: And this is an elementary
25 school.

1 MR. LIPKIN: This is elementary, yeah.

2 BOARD MEMBER PENA: So, they don't necessarily
3 have the type of sports, right, that a high school would
4 have.

5 MR. LIPKIN: Right. I mean, again, from the
6 engagement that we've had that wasn't a topic that came up.
7 I guess I'll just say that way.

8 BOARD MEMBER PENA: Okay. I'm just concerned
9 about, obviously, their location inside of all those
10 freeways, and rail, and --

11 MR. LIPKIN: Sure.

12 BOARD MEMBER PENA: Thank you.

13 MR. LIPKIN: Yeah, understand that.

14 CHAIR RICHARDS: Thank you, Director Pena.
15 CEO Kelly?

16 MR. KELLY: Boris, I just wanted to ask, can you
17 -- maybe it's valuable to have you specifically talk about
18 what the request from the community was relative to Fuller
19 Park and what we're doing in Fuller Park.

20 MR. LIPKIN: Yeah, so I think the Fuller Park
21 improvement was -- that was the suggestion that we heard
22 from the community when we went back out in September. It
23 was also what we heard from the local councilmember who
24 represents the area. And in our evaluation this was the

1 number improvement from kind of -- as we look at those
2 criteria that would be beneficial to the community.

3 And so, what we've proposed is essentially
4 equipment to -- you know, right now the park, I think has
5 some Bocce ball courts, and a few other things, but that
6 would basically make it more useful to the community.

7 And so, that's what -- that was developed with
8 the City of San Jose, with the local kind of entities here
9 and, you know, it's something that has gone through
10 vetting. And again, we were able to agree with the
11 community when they said that that was really important to
12 them, and we've added it in as part of the final
13 environmental document.

14 CHAIR RICHARDS: All right, thank you, Boris.

15 MR. LIPKIN: Sure.

16 CHAIR RICHARDS: Any other questions or comments?

17 Seeing none, Gary, Boris, Serge, great job.

18 Thank you.

19 Ladies and gentlemen, we will now adjourn for one
20 hour, and we will gavel the beginning at 1:55. Thank you.

21 (Off the record at 12:55 p.m.)

22 (On the record at 2:09 p.m.)

23 CHAIR RICHARDS: Good afternoon, ladies and
24 gentlemen. We are running late, as you can tell, so thank
25 you for your patience.

1 We're going to go ahead and continue with the
2 meeting that we adjourned a little over an hour ago. And
3 we're going to start off, now, with our agenda that is not
4 -- that has nothing to do with the San Jose to Merced
5 environmental documents.

6 So, starting Board colleagues, on Item Number 1,
7 the approval of the minutes of March 15 of '22.

8 BOARD MEMBER CAMACHO: So moved.

9 VICE CHAIR MILLER: Second.

10 CHAIR RICHARDS: Okay, a motion and a second.

11 Do you need names on that motion and second or
12 are you okay? Yeah. Yes, uh-uh. Miller. Okay, thank
13 you.

14 Yeah. Yeah, I am. And can we have the Secretary
15 please call the roll.

16 MR. RAMADAN: Director Chair Richards?

17 CHAIR RICHARDS: Yes.

18 MR. RAMADAN: Director Camacho?

19 BOARD MEMBER CAMACHO: Yes.

20 MR. RAMADAN: Vice Chair Miller?

21 VICE CHAIR MILLER: Yes.

22 MR. RAMADAN: Director Perea?

23 BOARD MEMBER PEREA: Yes.

24 MR. RAMADAN: Director Ghielmetti?

25 BOARD MEMBER GHIELMETTI: Yes.

1 MR. RAMADAN: Director Williams?

2 BOARD MEMBER WILLIAMS: (No audible answer.)

3 MR. RAMADAN: Director Pena?

4 BOARD MEMBER PENA: Yes.

5 MR. RAMADAN: Mr. Chair, the motion carries.

6 CHAIR RICHARDS: Thank you. And thank you,
7 colleagues.

8 Item Number 3 is to consider approving the
9 Project Management and Funding Agreement for the Los
10 Angeles Union Station. And this is one that I think that
11 we all can share a common huge smile.

12 MR. KELLY: Mr. Chairman, presenting on this item
13 for us today is our Chief Financial Officer, Brian Annis.
14 And along with him is Bruce Armistead, who is -- the two of
15 them, really, with our counsel's office, took the lead on
16 negotiations on this. And they're both here to present the
17 details of the agreement with the LA Metro.

18 So, gentlemen.

19 MR. ANNIS: Good afternoon Mr. Chair and Board
20 members. This is an action item. We're asking the Board
21 to adopt the Project Management and Funding Agreement for
22 LA Union Station. And I'm going to --

23 BOARD MEMBER CAMACHO: I move approval.

24 VICE CHAIR MILLER: I second.

1 MR. ANNIS: We have some nice pictures we can
2 show you.

3 BOARD MEMBER CAMACHO: That's a long time in
4 coming.

5 MR. ANNIS: There you go. Well, I also wanted --
6 Brian noted some Authority staff. You also heard earlier
7 today in public comments from Jeanette Owens. So, I want
8 to thank the LA Metro team as well for their collaboration
9 on this important agreement.

10 So, I am going to -- let's see, could I get the
11 next slide.

12 VICE CHAIR MILLER: I was serious on my motion.
13 And my second, weren't you. No, seriously, we're so happy
14 about this but --

15 MR. ANNIS: I think we all are.

16 CHAIR RICHARDS: Then, we would like to take that
17 seriously, then.

18 VICE CHAIR MILLER: Do we need -- do we need the
19 staff --

20 CHAIR RICHARDS: So, we do have a motion and a
21 second. And any discussion of the motion and the second?

22 VICE CHAIR MILLER: Way to go, Brian.

23 MR. ANNIS: All right. I don't want to snatch
24 defeat from the jaws of victory here so, I'll take yes for
25 an answer.

1 CHAIR RICHARDS: Yeah, we couldn't be happier for
2 this.

3 So, we have a motion and a second. Secretary,
4 please call the roll.

5 MR. RAMADAN: Director Camacho?

6 BOARD MEMBER CAMACHO: Yes.

7 MR. RAMADAN: Vice Chair Miller?

8 VICE CHAIR MILLER: Yes.

9 MR. RAMADAN: Director Perea?

10 BOARD MEMBER PEREA: Yes.

11 MR. RAMADAN: Director Ghielmetti?

12 BOARD MEMBER GHIELMETTI: Yes.

13 MR. RAMADAN: Director Williams? (No audible
14 response.)

15 MR. RAMADAN: Director Pena?

16 BOARD MEMBER PENA: Yes.

17 MR. RAMADAN: Mr. Chairman, the motion carries.

18 CHAIR RICHARDS: Thank you. And thank you very
19 much, colleagues. Thank you very much Brian.

20 BOARD MEMBER CAMACHO: That was a very persuasive
21 presentation.

22 CHAIR RICHARDS: Yeah.

23 Item Number 4 on the agenda is to consider
24 providing approval to release a request for qualifications
25 for design services for the Central Valley stations.

1 Do you want to introduce Meg?

2 MR. KELLY: Yeah, I'm happy to make an
3 introduction here. And let me also say for the record that
4 --

5 CHAIR RICHARDS: How did I lose the -- how did it
6 no longer be my right and ability to introduce --

7 MR. KELLY: Oh, please. I thought you just asked
8 me if --

9 CHAIR RICHARDS: No, go ahead. I'm just kidding.

10 MR. KELLY: Would you like to make the
11 introduction Mr. Chair?

12 CHAIR RICHARDS: I'd like to introduce you.

13 MR. KELLY: Okay. Okay, as I make this
14 introduction I do want to just state for the record that
15 the Board members have PowerPoint presentations and the
16 background issue memos in their binder for all of these
17 issues, and they've all been briefed on these issues as
18 well.

19 So with that said, as we get into Agenda Item
20 Number 4, this presentation is by Meg Cederoth, who is no
21 stranger to this Board. Meg is the Director of our
22 Planning and Sustainability Office. And she works with all
23 of the communities on our station development work up and
24 down the state.

1 So with that, Meg, you're on. Thanks for being
2 here.

3 MS. CEDEROTH: Of course. So, good afternoon. I
4 think it's wonderful to see the Board back in real time, in
5 a real place. So, Chair Richards, Vice Chair Miller, and
6 Directors of the Board thank you for your attention today.
7 I will do a presentation that summarizes the proposed
8 Architecture and Engineering Services Contract for Design
9 Services for the Central Valley Stations.

10 Functional passenger stations that are scaled to
11 meet the ridership demand of the high-speed rail's Merced
12 to Bakersfield initial operating segment must be designed,
13 constructed, commissioned, and made ready for customer
14 service.

15 The Authority is recommending that the Board
16 approve the issuance of a request for qualifications for
17 design services for Central Valley stations.

18 If approved, staff will issue an architecture and
19 engineering procurement, seeking to contract for
20 comprehensive design services to progress the four Central
21 Valley stations to facilities that are ready for operation.
22 The RFQ process will qualify an offer who can perform the
23 entire scope of work for a design, bid, build delivery.

24 The four high-speed rail stations on the initial
25 operating segment are Merced, Fresno, Kings/Tulare, and

1 Bakersfield. Each of these stations has been included in
2 the Business Model for the high-speed rail system since its
3 inception. And stations are, of course, the access point
4 for customers to the system.

5 Each station has been environmentally cleared
6 through both CEQA and NEPA, as shown on these next few
7 slides that illustrate the current boundaries, and the
8 station context. Given some of those decisions or
9 environmental actions were earlier in the project delivery
10 process, sometimes a decade ago, in the intervening years
11 changes in the local context or resolution of agreements
12 with local jurisdictions require additional refinement in
13 the siting of some access facilities. Work that will be
14 carried out by the selected designer.

15 Procuring a design consultant is a key part of
16 station delivery. The selected designer's work is crucial
17 to answering core questions about the extent and the design
18 details of the station facilities, and the station site
19 layout.

20 The Authority has structured the delivery method
21 for the Central Valley Station design, bid, build to
22 conform to the stage delivery process governing all
23 projects within the HHS program.

24 As shown in this diagram, the design, bid, build
25 delivery maintains the same series of milestones, technical

1 analyses, and deliverables that provide the Authority with
2 critical information at each stage of delivery.

3 The RFQ process will quality firms for
4 comprehensive design services, that is all the critical
5 services necessary to delivery functioning facilities
6 through design, bid, build. The activities that the
7 selected contractor will perform are a logical set of
8 industry design services, including contract
9 administration, predesign and planning services, including
10 preliminary design concepts and associated cost estimate
11 and schedule, design services broken down into increasingly
12 detailed stages that will be managed through task orders by
13 each station, bid support, construction administration
14 support, and commissioning support.

15 While the firms will be qualified for the entire
16 set of services, which maintains flexibility for the
17 Authority, the contract will be delivered in two
18 separately-funded notices to proceed.

19 The first notice to proceed, NTP1, will not
20 exceed \$35.3 million, and advances the design of the four
21 stations to configuration footprint in alignment with Board
22 funding in December of 2021.

23 The configuration footprint of course defines the
24 physical extent of the station footprint to serve as a

1 baseline for any right-of-way acquisition beyond the broad
2 footprint, as well as utility requirements.

3 It comprises the selection and the refinement of
4 materials for station components. And it constitutes a
5 minimum of 30 percent design on all station facilities, as
6 well as additional work that is on select components of the
7 station and the station site.

8 NTP1 includes important deliverables and tasks in
9 addition to configuration footprint, such as cost estimate
10 updates, value engineering, building information modeling,
11 and asset management, sustainability and climate analyses,
12 facilities programming, update project risk assessments and
13 schedules, and site investigation survey and analysis.

14 At the completion of NTP1, the Authority will
15 have the sole discretion to progress the design to final
16 design and all that is necessary to make the building ready
17 for customer service.

18 NTP2 comprises that remaining work, including
19 final design, bid support, construction support, and
20 commissioning support, so that the station facilities at
21 each station are ready for customers. The estimated amount
22 for NTP2 is \$36 million.

23 Prior to exercising this option, Authority staff
24 will request and obtain Board approval.

1 Finally, the timeline of the two NTPs and station
2 delivery is currently synched with the planned start of
3 customer service at the end of the decade.

4 So, scope of work, as you know, refers to the
5 physical extent of what will be designed. The selected
6 consultant will complete design work on all the physical
7 components necessary for functional passenger rail service
8 on day one of the initial operating segment.

9 While the Authority has environmentally cleared
10 passenger facilities that can handle the ridership for
11 phase one of the system, that's the full extent of the
12 system between San Francisco and Los Angeles, the Central
13 Valley stations will be built as building blocks. Station
14 building blocks are scaled to the system phases, the IOS,
15 Valley to Valley, and Phase one, and comprise the physical
16 scope required for safe, comfortable passenger facilities
17 in a given station to accommodate that operating phase.

18 Building block one includes those elements
19 required for the IOS, both land side and track side. The
20 selected designer will advance design for building block
21 one for all four stations.

22 Some elements will be constructed to a size that
23 accommodates future ridership, so that they do not have to
24 be reconstructed during revenue service. That means the
25 selected designer will advance design through configuration

1 footprint on items such as a station head house, and
2 additional access facilities for future-proofing our final
3 design for building block one. The objective is to avoid
4 rework, throwaway costs, and to further refine cost
5 estimates.

6 This building block approach for the stations is
7 in keeping with our building block approach for the entire
8 system.

9 So, this slide gives you a little bit of a
10 picture of all of those building block elements for day one
11 service. These include things that are behind the fare
12 barrier. These include elements behind the fare barrier,
13 or fare-controlled area, the track side elements. Things
14 such as a platform, a canopy, as well as vertical
15 circulation and concourses, as well as things that you
16 can't see in this picture such as functional areas, and
17 crew spaces.

18 Building block one also includes landside
19 components. Those are the physical elements on the wider
20 station site that provide for logical, organized, and user-
21 friendly access to the station.

22 This includes things such as intersections, and
23 rural grade improvements that allow access to the site.
24 Site parking that is ADA compliant, as well as parking for
25 cyclists, and other automobiles, transit facilities such as

1 bus stops, as well as pick up and drop off which includes
2 spaces for transportation network companies, or TNCs, such
3 as Lyft, and Uber, or whomever their successor will be.

4 So, the Board is well aware of all of the work
5 underway to progress the IOF. And using task orders with
6 each NTP, we will manage the timing of the components of
7 this design contract so that they are conforming to other
8 pieces of work.

9 For example, in Merced this designer will begin
10 detailed work on the station site once we've completed a
11 study of a co-located facility with the San Joaquin JPA and
12 ACE.

13 This designer will also coordinate very closely
14 with the selected designer of the LGA extension in order to
15 integrate station facilities into the viaduct in
16 Bakersfield. And this designer will work very closely with
17 the track and systems contractor to confirm the location of
18 platforms and station tracks, as well as do construction
19 sequencing.

20 Finally, this designer will receive work from
21 existing construction packages, such as CP1 in Fresno, and
22 CP2-3 at the Kings/Tulare Station.

23 The selected designer will also take on and
24 advance some key parts of the Authority's existing design

1 vocabulary, specifically the canopy design concept that was
2 completed in 2019.

3 So, the Board may recall that the Authority's
4 Grant Agreement with the FRA specifies that the Authority
5 should treat the stations as a new city gateway, and that
6 their form and spaces should be considered, as well as
7 their place making effects, their iconic and readily-
8 identifiable design.

9 So, the Authority's canopy design concept was
10 developed to accommodate our specific and varied needs.
11 It's something that is easily recognizable as high-speed
12 rail. It's something that can easily be maintained. It
13 can be adjusted to different conditions. It is adaptable
14 over time, incorporating functional station elements into
15 it, such as signage, lighting, speakers, cameras and
16 sensors, climate control, and seating.

17 And from a structural perspective, it is a design
18 that can be self-supporting, while also handling the loads
19 of photovoltaics necessary for station energy.

20 Through this new station design contract, the
21 existing canopy design will be refined in terms of
22 materials and extent, and it will be resolved in terms of
23 engineering detail to suit each of the specific conditions.

24 This slide illustrates conceptually the range of
25 ways that the canopy must be configured to fit in the local

1 context, while also providing an envelope for our
2 passengers and back-of-house facilities.

3 I will conclude, now, with a brief explanation of
4 the RFQ process and evaluation. So, this is a
5 qualifications-based procurement. The actual contract
6 amount will be negotiated with the most qualified offer.

7 Firms will submit statements of qualifications to
8 the Authority and the selection is based on a detailed
9 evaluation of those submitted qualifications. The RFQ
10 process will be managed by Authority staff.

11 The SOQs submitted by offerers will be reviewed
12 to ensure that all the technical requisite qualifications
13 and RFQ requirements are met. The SOQs will first be
14 evaluated on some pass/fail elements contained in the RFQ,
15 among which, as you know, is the pass/fail element relative
16 to ESG or environmental, social and governance issues.

17 And that can include things like the
18 environmental sustainable policies, socioeconomic equity
19 policies, and governance policies, as well as reports that
20 conform to sustainability frameworks identified in the RFQ.

21 This contract also includes a small business
22 requirement, disadvantaged business enterprise, and
23 disabled Veteran's business enterprise utilization goals,
24 in tune with the other RFPs we've issued earlier this
25 spring.

1 This is the schedule for the procurement. With
2 Board approval, the release date is currently slated for
3 April 29th, or shortly thereafter. A pre-bid conference
4 and small business workshop is currently scheduled for May
5 12th. We then have SOQs due on July 19th, which provides
6 over two months of time for the development of SOQs.

7 And then, the anticipated Notice of Proposed
8 Award is expected in August, with a return to the Board for
9 consideration of approval to award the contract currently
10 scheduled for October, with NTP1 and contract execution
11 scheduled thereafter.

12 That concludes my presentation and I'm more than
13 happy to take questions.

14 CHAIR RICHARDS: Thank you, Ms. Cederoth.

15 Questions from my colleagues? Yes, Director
16 Perea.

17 BOARD MEMBER PEREA: Yes, thank you for your
18 presentation, this is exciting. I just have a few, just
19 maybe three or four questions.

20 First, you indicated there are going to be
21 workshops. Where will these workshops be held? And are
22 these for the proposed bidders?

23 MS. CEDEROTH: Yes. The pre-bid conference and
24 the small business workshop is currently scheduled for May
25 12th. It will be virtual. And we've successfully had

1 virtual pre-bid conferences for the PDS contract, as well
2 as the two design extension contracts. And we've had some
3 very good feedback on the quality and the robustness of
4 those interactions.

5 BOARD MEMBER PEREA: Okay. And the canopy
6 concept, does it allow for structures within it? For
7 example --

8 MS. CEDEROTH: Yes.

9 BOARD MEMBER PEREA: -- restaurants, businesses,
10 et cetera, to create that kind of synergy in the station,
11 or is more of a drop off?

12 MS. CEDEROTH: No, actually, the canopy envelope
13 is fairly -- it's fairly flexible and it's done with
14 intention so that we, as the Authority, can decide how much
15 space is held underneath it.

16 And so, there are some spaces that -- there is
17 some allowance for spaces that are flexible for things like
18 coffee shops, and bathrooms, and other facilities for the
19 passengers. But then the rest of the station site, as
20 well, offers opportunities for broader facilities that
21 you're referencing.

22 And the exploration of that is a key task of this
23 designer.

24 BOARD MEMBER PEREA: Okay. And in Fresno who do
25 you -- who have you been meeting with, who's the team?

1 MS. CEDEROTH: Fresno has been an excellent
2 partner to work with. We have been meeting with city
3 staff. Before he left the city, Dan Zack we met with
4 fairly frequently to talk through specific planning issues,
5 and the interface of the city with station streets. Staff
6 from FACs, as well as staff from the Economic Development
7 Office, as well. I think Lupe Perez, if you've worked with
8 her.

9 BOARD MEMBER PEREA: Okay. I'd really suggest
10 and ask that you may want to include Councilmember Arias --

11 MS. CEDEROTH: Of course, yeah.

12 BOARD MEMBER PEREA: -- the councilmember for the
13 district in all those discussions.

14 MS. CEDEROTH: Yeah.

15 BOARD MEMBER PEREA: Because it will be important
16 that be aware of what's happening there.

17 MS. CEDEROTH: He's a key stakeholder, yeah.

18 BOARD MEMBER PEREA: Great. And the last thing,
19 I'd just like to get a briefing on it myself, you know,
20 when you get a chance. I can come up here or we can talk
21 on the phone, just about where we're at.

22 MS. CEDEROTH: Of course. Or, we can always walk
23 around the site.

24 BOARD MEMBER PEREA: And the last thing I'll just
25 say is I appreciate your schedule. And, you know, one

1 thing, you know, our Board is very sensitive and in tune to
2 is putting out schedules that we can meet.

3 MS. CEDEROTH: Okay.

4 BOARD MEMBER PEREA: So, you know, I don't think
5 that we'd anticipate any slippage in this type of schedule.
6 It seems pretty straight forward in terms of process.

7 MS. CEDEROTH: Yes. We have a very well-seasoned
8 procurement group who looked at the schedules very closely.

9 BOARD MEMBER PEREA: So, we'll see this in
10 October for our approval.

11 MS. CEDEROTH: Yes.

12 BOARD MEMBER PEREA: Thank you. Okay.

13 CHAIR RICHARDS: And Director Ghielmetti.

14 BOARD MEMBER GHIELMETTI: Thank you, Mr. Chairman
15 and that great presentation. And this is very thorough,
16 okay.

17 MS. CEDEROTH: Okay.

18 BOARD MEMBER GHIELMETTI: But I do have some
19 questions with regard to scope of work. I am very pleased
20 to see that we're doing a design, bid, build for a change.
21 And I think my colleague Ernie, over here, is in full
22 agreement.

23 Under the NTP1, are we going to do value
24 engineering under that, at that time, or are we going to
25 wait until we get to NTP2 to do value engineering?

1 MS. CEDEROTH: Under NTP1 they're be developing
2 three concepts and then advancing design on one of those
3 concepts. There will be a moderate amount, I'd say, of
4 value engineering exercises that take place then. And
5 again, this is a consultant working on our behalf, so that
6 work takes place according to our requirements.

7 But all of this is with the intention of meeting
8 specific budgets for us and on our behalf. And I think a
9 more robust value engineering exercise will happen more at
10 the 50 percent design time frame.

11 BOARD MEMBER GHIELMETTI: Okay. And then I see
12 on NTP1 you're estimating three years, and then NTP2 you're
13 estimating five years. If I add those together, you're
14 past 2028.

15 MS. CEDEROTH: Yes. So, some of those overlap
16 somewhat slightly. We do anticipate some of the stations
17 moving a little bit quicker through NTP1 just because some
18 of the information is a little more certain in places.

19 So, for those stations, we will probably have a
20 shorter schedule, with a little bit of overlap with NTP2.

21 But that kind of NTP2 time frame is very much
22 sequences with, and in alignment with and will adjust as we
23 move forward in construction of all of the segments. So,
24 the extension to Merced and the extension to Bakersfield.

1 BOARD MEMBER GHIELMETTI: Are we allowing the
2 submitters to prepare a schedule or are we telling them
3 what the schedule is?

4 MS. CEDEROTH: They will provide us with a
5 schedule as their first deliverable, under the first task.
6 But the schedule that they are meeting is very much tied to
7 our delivery of the infrastructure in which the stations
8 align.

9 So, it is both their duty to carry out a schedule
10 to meet our time frame and to inform us as to the progress
11 of work. And then it's, of course, our responsibility the.

12 BOARD MEMBER GHIELMETTI: Well, during the
13 workshops can we suggest that they try to speed up the
14 schedule a little bit.

15 MS. CEDEROTH: That would be fantastic, yeah.

16 BOARD MEMBER GHIELMETTI: All right, thank you.

17 MS. CEDEROTH: Of course.

18 BOARD MEMBER CAMACHO: Yes, I have a couple of
19 questions on -- Mr. Chairman -- the constructability review
20 and the value engineering. Are we also going to have an
21 independent body look at that, as opposed to the designer?

22 MS. CEDEROTH: Yes. Actually, there's both
23 internal authority staff, I know CEO Kelly has done a good
24 job of making us conform form to function, so we've got

1 much more staff in place around our engineering services to
2 do review of design work.

3 But then as well, the PDS contract contains
4 stipulations for value engineering work. So they will and
5 can operate for us, on our behalf to kind of third-party
6 review any value engineering suggestions from this
7 designer. But this designer is working on our behalf to
8 make sure the --

9 BOARD MEMBER CAMACHO: Yes.

10 MS. CEDEROTH: -- value engineering meets our
11 cost and schedule.

12 BOARD MEMBER CAMACHO: It's not that we don't
13 trust, but we just like to verify.

14 MS. CEDEROTH: Oh, of course, yes.

15 BOARD MEMBER CAMACHO: More of a question for
16 Alicia. Alicia, do we have the issues on the conflict
17 published already or --

18 MS. FOWLER: The RFQ itself will lay out for
19 anyone how to reach out to the legal office on any conflict
20 questions.

21 BOARD MEMBER CAMACHO: I know that we spend --

22 MS. FOWLER: And the legal office will also be at
23 the pre-bid conference to help.

24 BOARD MEMBER CAMACHO: Yeah, we spent so much
25 time on the last several months on that issue, timing has

1 always been everything. So, if we could get ahead of that
2 game, that would be probably the best thing for us.

3 MS. FOWLER: Absolutely.

4 BOARD MEMBER CAMACHO: Thank you.

5 CHAIR RICHARDS: Thank you, it was a very good
6 presentation.

7 MS. CEDEROTH: Thank you.

8 CHAIR RICHARDS: And very thorough.

9 MS. CEDEROTH: Thank you.

10 CHAIR RICHARDS: Director or Vice Chair Miller?

11 VICE CHAIR MILLER: Well, I was -- thank you,
12 Director Camacho, because I was going to bring up the
13 conflict. We added some measures the last time we did this
14 about conflicts, to be at the workshop, to reach out to
15 people about contacting you ahead of time if there were
16 questions, just to be more transparent and open about
17 making sure that process is understood by our potential,
18 particularly the bidders that are much smaller, right, the
19 ones that might need some assistance.

20 But the second thing was also what Director
21 Ghielmetti, which is the time of this. Is it -- I mean how
22 did we get to three and five years to -- you know, can't we
23 make that two and three years? I mean, I'm just curious.

24 MS. CEDEROTH: We definitely --

25 VICE CHAIR MILLER: Because I don't like --

1 MS. CEDEROTH: Oh, of course, and staff is a
2 hundred percent with you. We wanted to allow -- as kind of
3 a term of the contract, we wanted to have three years
4 because not each of these stations is going to go as
5 quickly as the others.

6 Fresno, to be candid I think Fresno may move a
7 little bit faster than -- we know Merced, for example,
8 we're doing a little bit of study on that location. So,
9 that will wait just a little bit.

10 And so, the term of the contract is to make sure
11 we have kind of a good envelope in that timing. But the
12 actual progress of the work may happen much faster.

13 VICE CHAIR MILLER: But the term of the contract
14 is -- I mean, I guess what I'm trying to say is in our
15 larger scheme of things, when are we -- how are we making
16 2030, if we have an eight-year design contract?

17 MS. CEDEROTH: Yes. So, this is where we did try
18 to make sure that the term of the contract could be
19 flexible enough so that we wouldn't have to amend it for
20 time, if something was moving longer. But we do anticipate
21 the actual design work to happen much more quickly.

22 VICE CHAIR MILLER: Can you do something in the
23 RFP? Because I've seen this in contracts where you have
24 options to extend.

25 MS. CEDEROTH: Yes.

1 VICE CHAIR MILLER: Or is that a problem, like
2 that you didn't want to do that? In other words, or is it
3 structured? Because I just didn't see that, that the
4 design services were to be completed within 24 months. If
5 it was needed to be extended, then we would do something.

6 MS. CEDEROTH: Another extension.

7 VICE CHAIR MILLER: I just am wondering why the
8 engineers thought, our engineers think five years and three
9 years is the time. And if it's not the time needed, then
10 what is the -- you know what I mean, what is the time
11 really needed. Because you could design it.

12 MS. CEDEROTH: Much more quickly.

13 VICE CHAIR MILLER: Maybe -- go ahead, Chair.

14 MS. CEDEROTH: Please.

15 CHAIR RICHARDS: I mean, why don't -- you know,
16 you just mentioned that Fresno's a little further along in
17 what you're doing with them versus Merced. So, why don't
18 we have them submit a schedule for each of the stations?

19 MS. CEDEROTH: Yes. Actually, that is --

20 CHAIR RICHARDS: Okay.

21 MS. CEDEROTH: -- that is deliverable one.

22 CHAIR RICHARDS: Yeah, all right.

23 MS. CEDEROTH: Uh-hum, okay.

1 VICE CHAIR MILLER: And maybe in that say that,
2 you know, you're looking for -- maybe not -- but you're
3 looking for speed here, right.

4 MS. CEDEROTH: Uh-hum.

5 VICE CHAIR MILLER: We're just really trying to
6 get the construction out as soon as we can, get the bids
7 out.

8 MS. CEDEROTH: Yes. Yes. And I think one of the
9 advantages of how we've structured this work is that as
10 design advances for each station, it can kind of start to
11 move independently.

12 I think one thing that I'm glad the Board is
13 having this discussion because you may see me again very
14 quickly asking for funds for NTP2, so that we can move
15 further in design phases.

16 VICE CHAIR MILLER: Right. Well, just make sue
17 that we have the ability to make them move quicker --

18 MS. CEDEROTH: Quickly, yeah.

19 VICE CHAIR MILLER: -- and that the term of the
20 contract doesn't seem to -- because I know as a contractor,
21 I get a contract and I'm like, okay, that's a sprint.

22 MS. CEDEROTH: Right.

23 VICE CHAIR MILLER: Where we have a five-year
24 contract.

25 MS. CEDEROTH: Right.

1 VICE CHAIR MILLER: Which is not really what we
2 want, I don't think.

3 MS. CEDEROTH: No, we really want something to
4 happen much more quickly, but we did want to make sure
5 there was flexibility.

6 VICE CHAIR MILLER: Go ahead, Chair.

7 CHAIR RICHARDS: Can the Board members sit in on
8 these workshops?

9 MS. CEDEROTH: The small business workshop? I'm
10 sure, yeah.

11 CHAIR RICHARDS: Well, you're going to have the
12 people who are going to submit an RFQ, they're going to
13 have a workshop for them, right?

14 MS. CEDEROTH: We will have a pre-bid workshop,
15 and discussion, and presentation. And so, one of the
16 takeaways I have from today is to A, discuss the term of
17 the contract and how we phrase it in the RFQ, but be very
18 clear in our presentation in the pre-bid conference to say
19 we expect design to go much more quickly than the term of
20 the contract. But we've allowed the term of the NTP1
21 contract flexibility, in case it is necessary.

22 VICE CHAIR MILLER: Yeah, I guess what I'm
23 getting at, Meg, is I don't want to say we expect it.

24 MS. CEDEROTH: Okay.

25 VICE CHAIR MILLER: I would rather say we --

1 MS. CEDEROTH: Okay we insist.

2 VICE CHAIR MILLER: You know, it's a contract.

3 MS. CEDEROTH: Okay.

4 VICE CHAIR MILLER: We expect it by this date.

5 Unless I'm missing something, because the overall project
6 is we have time --

7 MS. CEDEROTH: Good point, right.

8 VICE CHAIR MILLER: Sorry,

9 MS. CEDEROTH: My very wise CEO has just reminded
10 me that one of the aspects of the second NTP is that it's
11 through commissioning and delivery of the facility. So,
12 the five-year contract is through construction.

13 VICE CHAIR MILLER: It is, it includes
14 construction.

15 MS. CEDEROTH: Yes. And testing and sort of the
16 punch list of the final items. And then, customers enter
17 the front door of the station.

18 VICE CHAIR MILLER: Okay. And the first one,
19 the three-year one?

20 MS. CEDEROTH: That's just NTP1 to get us to that
21 configured footprint.

22 BOARD MEMBER CAMACHO: Since we're fighting time,
23 is there a way to apply a performance-driven provision in
24 this contract to incentivize them to get this work done
25 quicker?

1 MS. CEDEROTH: I mean it's -- as a design
2 contract, I mean --

3 BOARD MEMBER CAMACHO: I know it's different than
4 -- we can do that in construction.

5 MS. CEDEROTH: Right.

6 BOARD MEMBER CAMACHO: Or other types. But I'm
7 wondering whether or not it's ever been used for design?

8 MS. CEDEROTH: I would have to come back to you
9 with an answer for that. I would say it is really up to us
10 to set the schedule, and we can do that in a way that is
11 much more structured than the term of the contract. We can
12 be very clear that we anticipate the milestones for design
13 to happen much more quickly than three years.

14 VICE CHAIR MILLER: Okay, that's all I'm --
15 that's a contractual term that design is expected to reach
16 60 percent by this date, 80 percent this date, 100 percent
17 this date, and it's not a full three years.

18 MS. CEDEROTH: Right.

19 VICE CHAIR MILLER: Right.

20 MS. CEDEROTH: Right.

21 VICE CHAIR MILLER: Okay, thank you.

22 MR. KELLY: Hi, I just want to comment on one
23 thing that Director Ghielmetti asked, and it's kind of a
24 word of caution. And that is as we go into these public
25 workshops, on these specific procurements, I just want to

1 remind the Board that we have to come back to you to
2 approve the award.

3 And so, you may want to be a little careful on
4 how far you're involved in the process, before we come back
5 to you to approve that award. So, I just want to remind
6 you that there's some distance that might be useful.
7 Because again, we're going to come back and tell you what
8 we've done, and where it is, and what the award looks
9 like. And you may want to just be aware of that as you are
10 inquiring about getting involved in the process part. But
11 again, it's got to come back to you for your judgment.

12 BOARD MEMBER PEREA: I understood --

13 CHAIR RICHARDS: I think that --

14 BOARD MEMBER PEREA: Mr. Chairman?

15 CHAIR RICHARDS: I'm sorry.

16 BOARD MEMBER PEREA: No, I was just going to ask
17 if I could make a motion to approve this item with the --
18 based on the conversation. As Member Ghielmetti said, that
19 we have a specific design schedule for each station that's
20 being considered, and then blend in the comments made by
21 Member Miller, in terms of, you know, all the criteria and
22 making sure that it just gets done sooner, rather than
23 later.

24 BOARD MEMBER CAMACHO: All right --

25 VICE CHAIR MILLER: Second.

1 BOARD MEMBER CAMACHO: -- I'll second.

2 CHAIR RICHARDS: Is that by you, Ernie?

3 BOARD MEMBER CAMACHO: Yes.

4 VICE CHAIR MILLER: Yes.

5 MS. CEDEROTH: Okay.

6 CHAIR RICHARDS: Okay, so there's a motion and
7 second. Any discussion?

8 The only thing that concerns me about that is
9 you'll go ahead and you'll have the go ahead if the Board
10 moves in this direction with this motion. I think that
11 what you're hearing a lot of is that those who are in and
12 around real estate, or construction and development, and
13 design, design is very important, obviously, but it goes
14 pretty quickly.

15 MS. CEDEROTH: It does.

16 CHAIR RICHARDS: And so, I think that that's the
17 initial kind of -- it's not a push back, but it's a concern
18 because -- and I did read it and I thought I had -- at
19 first I thought exactly what Directors Ghielmetti and
20 Camacho were saying. And then, I thought that I recognized
21 that it was the entire period of time to the completion and
22 construction. So, I think that's more meaningful.

23 But you really -- design does not have to be a
24 long, protracted process.

25 MS. CEDEROTH: Yeah.

1 CHAIR RICHARDS: And I'm concerned about only if
2 what you come up with isn't designed and protracted --

3 MS. CEDEROTH: Yes.

4 CHAIR RICHARDS: -- but rather, what you're going
5 -- if you get the go ahead, we really tie that down. It's
6 not necessary, though -- oh, I don't remember who said it.
7 Yeah, did you say that about you have a contract for five
8 years and that's what a contract is.

9 MS. CEDEROTH: Yes.

10 CHAIR RICHARDS: So, we don't need to do any of
11 that sort of thing. And it should be one of the easier, if
12 not the easiest part of the entire development process.

13 MS. CEDEROTH: Yes.

14 CHAIR RICHARDS: Okay.

15 MS. CEDEROTH: Yes, thank you.

16 CHAIR RICHARDS: So, we have a motion and a
17 second. Can we call the roll, please.

18 MR. RAMADAN: Thank you, Mr. Chairman.

19 Chair Richards?

20 CHAIR RICHARDS: Yes.

21 MR. RAMADAN: Director Camacho?

22 BOARD MEMBER CAMACHO: Yes.

23 MR. RAMADAN: Vice Chair Miller?

24 VICE CHAIR MILLER: Yes.

25 MR. RAMADAN: Director Perea?

1 BOARD MEMBER PEREA: Yes.

2 MR. RAMADAN: Director Ghielmetti?

3 BOARD MEMBER GHIELMETTI: Yes.

4 MR. RAMADAN: Director Williams?

5 BOARD MEMBER WILLIAMS: Aye.

6 MR. RAMADAN: Director Pena?

7 BOARD MEMBER PENA: Yes.

8 MR. RAMADAN: Mr. Chairman, the motion carries
9 with the amendments.

10 CHAIR RICHARDS: Thank you. And Meg, we'd only
11 also reemphasize dealing with the local communities is
12 absolutely critical.

13 Thank you very much.

14 MS. CEDEROTH: Thank you.

15 CHAIR RICHARDS: Okay. Director Kelly, Item
16 Number 5, the Consideration of the 2022 Business Plan.

17 MR. KELLY: Thank you, Mr. Chairman. I'm just
18 making sure I have this in some working order.

19 CHAIR RICHARDS: Okay.

20 MR. KELLY: Hang on one second here.

21 Brian, how did you do it? There we go. Okay.

22 Okay, thank you Mr. Chairman and members.

23 BOARD MEMBER CAMACHO: I'll move approval of the
24 Business Plan.

25 BOARD MEMBER WILLIAMS: Second.

1 CHAIR RICHARDS: We have a motion and a second.
2 Any discussion?

3 BOARD MEMBER PEREA: I do have just a couple
4 comments.

5 CHAIR RICHARDS: Go ahead, yeah.

6 VICE CHAIR MILLER: Go ahead in the dark.

7 BOARD MEMBER PEREA: Yeah, in the dark.

8 No, first I just wanted to -- on a broader sense
9 I wanted to thank staff, you know, over the years and of
10 course the current staff for all the hard work that you all
11 have participating in, in advancing the project from where
12 it was just three years ago to where it is today. I think
13 it's great.

14 You know, Brian and I, you know, have had a
15 chance to talk a lot about this Business Plan and there's
16 no question we all not only want to complete the initial
17 119 miles, but we want to move forward with extending the
18 length of the project. And I'm in full support of that.

19 I just want to underscore and reiterate, I know
20 some of the problems or challenges we've had in the past is
21 when we've put out dates that we couldn't live with. And I
22 think that's when folks in the public, and maybe folks at
23 the state legislative level, you know, starting having some
24 concerns about our ability to get the project done.

1 But I think that overshadows the fact that we've
2 gotten so much of it done. And just as today we've talked
3 about all the environmental work that we've done and
4 cleared. We really laid some good groundwork.

5 So, as Brian and I have talked, and I know a lot
6 of us share the same thought, you know, we just -- we know
7 that staff now is not putting out dates that they can't
8 live with and that's great. Because I think as one Board
9 member, and I think all of us would share it, you know, we
10 all want to be held accountable to getting this project
11 done in the times, the timelines that we say we will.

12 So, I know Brian will be providing more
13 information to us by late July, August, give or take, on an
14 assessment staff is currently doing on getting this project
15 done. No question CP1, the first 119 miles is critical to
16 be done and we don't have that date firm yet, and that's
17 fine. Staff is doing the due diligence to get us those
18 numbers. But please get them to us sooner, rather than
19 later, and let's all just live by the dates.

20 But Brian, we thank you for the work you've done
21 on this Business Plan and all the balls here moving in the
22 air with the federal government and state government, and
23 of course us. But I think we're all committed to making
24 this happen.

25 CHAIR RICHARDS: Thank you, Director Perea.

1 Any other discussions? Yes, Director Pena.

2 BOARD MEMBER PENA: Thank you, Mr. Chair. Brian,
3 I'd like to also commend you on the work that you've done
4 on the Business Plan and with the high-speed rail project
5 in its entirety, of just you and your team have done a
6 wonderful job.

7 MR. ANNIS: Thank you.

8 BOARD MEMBER PENA: I will not be supporting the
9 2020-22 Business Plan today. Primarily because it defers
10 so many fiscal action updates until 2023, particularly the
11 \$4.2 billion Prop 1A appropriation that was supposed to be
12 decided last year was deferred until this year, and it's
13 still not decided. And I know that on the Assembly side
14 that they are looking for some specific -- specific ways to
15 spend those dollars on connectivity and other things.

16 And I know that the federal funds are also
17 uncertain at this time and lack specificity. And so, for
18 these reasons I cannot support the Business Plan today.
19 Thank you.

20 CHAIR RICHARDS: Thank you, Director Cederoth --
21 I'm sorry. Where's Meg, get up here. Director Pena, I
22 apologize. She's still on my mind.

23 Any other discussion?

24 MR. Secretary, please call the roll.

25 MR. RAMADAN: Yes, Mr. Chairman.

1 Chair Richards?
2 CHAIR RICHARDS: Yes.
3 MR. RAMADAN: Director Camacho?
4 BOARD MEMBER CAMACHO: Yes.
5 MR. RAMADAN: Vice Chair Miller?
6 VICE CHAIR MILLER: Yes.
7 MR. RAMADAN: Director Perea?
8 BOARD MEMBER PEREA: Yes.
9 MR. RAMADAN: Director Ghielmetti?
10 BOARD MEMBER GHIELMETTI: Yes.
11 MR. RAMADAN: Director Williams?
12 BOARD MEMBER WILLIAMS: Aye.
13 MR. RAMADAN: Director Pena?
14 BOARD MEMBER PENA: No.
15 MR. RAMADAN: Mr. Chairman, the motion carries.
16 CHAIR RICHARDS: Thank you. Thank you,
17 colleagues. And don't run away. CEO Kelly.
18 MR. KELLY: Right.
19 CHAIR RICHARDS: Item Number 6 on agenda is the
20 CEO Report.
21 MR. KELLY: Right. Thank you, Mr. Chairman.
22 Again, members, each business -- or sorry, each
23 public meeting I present a CEO Report to the Board.
24 Today's CEO Report is going to cover three areas. One a
25 program update.

1 And just to piggyback on something that Director
2 Perea mentioned a moment ago, we've talked to the Board
3 before, both in closed sessions and in public sessions
4 about commercial settlements that we are working through.
5 We've also updated our change order process.

6 Part of that update is I bring to this Board and
7 report to you all commercial settlement and change orders
8 above \$25 million that we've settled. Part of getting to
9 certainty on all of the things that we're doing is to get
10 all of the scope changes from the past into the contract,
11 get those settled, so that we are certain about schedule,
12 cost, and everything else when we talk about this project
13 going forward.

14 We've achieved that on CP4. And we are close in
15 getting to the end of achieving that on CPs 1, and 2-3.

16 And so, part of the CEO Report is to provide the
17 program update. I'm going to tell you a little bit about a
18 recent poll that was done about the project that I think is
19 worth talking about. And then, I will conclude with a
20 suggestion on summer schedule for the Board's
21 consideration. And then with that, I'll conclude all of my
22 remarks.

23 Again, these are the issues that I'll be covering
24 in this plan.

1 So, first, on some of the issues that we have
2 recently settled, commercial issues, one is we work with
3 what's called a provisional sums account, which is an
4 account of funding that we put dollars in to make sure we
5 can move all of the utility work on our project, and for CP
6 -- Construction Package 1, we have upped the provisional
7 sums amount by \$31 million to assure that we can complete
8 all known utility work on CP1.

9 This change is needed to make sure that the work
10 is completed. And the estimate is for all known utility
11 work for the remainder of the project on CP1. And so,
12 that's a change that we made.

13 McKinley Avenue is a modification that was
14 requested by the City of Fresno and Caltrans for project
15 modifications between 2015 and 2018 to align the new
16 northbound 99 onramp and allow for utility relocations.
17 These relocations are a major component of the high-speed
18 rail footprint in the area of McKinley Avenue. And the
19 executed settlement allows that work to be completed. That
20 cost is \$78.6 million. And we've concluded that settlement
21 as well.

22 I've talked to the Board about this in the past.
23 We've actually discussed this in both open and closed
24 sessions. Only because this is part of the Board
25 commercial settlement issues on Construction Package 2-3.

1 I'll remind the Board that we identified four issues we are
2 in negotiations on, on 2-3, and settling each of those one
3 by one. The intrusion protection barrier is one of the
4 largest we had to solve and that is now resolved on CP 2-3.
5 And so, we've concluded that negotiation. This action
6 avoids further delays and resolves the IPP dispute with the
7 contractor.

8 The trick about this one is the intrusion
9 protection barrier is a dividing wall, if you will,
10 between high-speed rail trains and freight railroads. And
11 it's unique because our trains go at such high speeds.
12 It's a requirement of the freight railroads. It was a
13 safety requirement of the FRA. And the design of it was
14 not known until after the contract were let.

15 And so, we had to finalize design, work through
16 the cost differences, and we've settled that one as well.
17 It's a big number, but you see that that is now resolved
18 on CP 2-3.

19 We also extended our construction management
20 contract relative to the PCM here for -- I'm losing which
21 PCM this is. But it's a budget amendment and contract
22 extension to the end of December, or the end of 2022.
23 We've done this for each of the CPs. And this was, I
24 believe, the last one we had to do. I think this is Arcata
25 Zone 2-3. Cost is \$27.8. It's a rough estimate of about

1 \$3 million a month that is the cost to do this. But again,
2 this is something that we have to do to extend the work,
3 and manage the construction through the end of the year.

4 As we bring on the PDS provider, we'll evaluate
5 further the work of the PCMs and whether or not the PDS
6 provider can take on some of this role. So again, this is
7 something that we want to extend through the year and then
8 evaluate where we are, as we're later in the year on the
9 PDS helper, and then we'll decide how to move forward on
10 construction management contracts at that time.

11 We had a time impact resolution. This is one of
12 the last issues -- this is the last major issue that we
13 have to solve on CP4. CP4 is now in a very steady state.
14 As I have testified to this Board before, we have just
15 finalized the last delay claim relative to the CP4
16 contract. This is really tied to past right-of-way
17 acquisition issues, and the lack of an agreement with the
18 Semitropic Water District. That agreement is now in place.
19 We are now operating under a use -- an agreement with
20 Semitropic water. There is a lot of their equipment that
21 we are moving in that construction. And we now have an
22 agreement for how we will work together to move forward.

23 So, this is now in place. We are now working
24 constructively with Semitropic on the project. But we did
25 have to finalize the last delay claims from the building on

1 this. That was \$21 million and that is now settled. So,
2 all of those issues are now resolved. And again, this is
3 part of us resolving these issues one by one so we can move
4 forward with the construction in the valley.

5 I did want to talk a little about -- did I go too
6 far? Hang on one second.

7 Let me jump to this first. This is a
8 conversation about our upcoming Board meetings. We
9 typically, as I have said at the outset of this meeting, we
10 try to have Board meetings in locations where we are taking
11 on the environmental document, or we're making a decision
12 about an environmental document. So, we want to try to
13 have that conversation in the community that's affected.

14 And so, this is just a schedule that's going to
15 lay out some of this. The first is our next scheduled
16 Board meeting is in May and we are proposing to have that
17 here, in Sacramento, in this very same complex for the May
18 Board meeting.

19 In June, staff is contemplating and want the
20 Board to consider an opportunity to have that meeting in
21 Fresno. And what we can do at that time is set up some
22 site visits for Board members to see construction in the
23 field. And we think that might be a good meeting to do
24 that at, so we're looking at a location in Fresno. We have
25 not gotten a specific, but again for the Board's

1 consideration an opportunity to get out and see the
2 construction that is underway and has been completed to
3 date.

4 And then in July, for that Board meeting we are
5 proposing to cancel that Board meeting for July. I know
6 that the summer months often involve a lot of various
7 travel opportunities by Board members. It is not unusual
8 for us to cancel one of the summer meetings.

9 We choose July here because in August we intend
10 to bring back to this Board the environmental document for
11 San Jose to San Francisco. That would be a consideration
12 at a two-day Board meeting in August. And our suggestion
13 here is that we would have that Board meeting in the Bay
14 Area. Somewhere in that Peninsula, the San Francisco to
15 San Jose area. And again, the specific site is to be
16 determined.

17 But I wanted to at least lay out the schedule
18 ahead. And you see the estimated -- or the dates here for
19 these meetings. May 19th for May, June 19th for June, and
20 then in August that two-day Board hearing because of the
21 environmental document, on August 17th and 18th.

22 MS. FOWLER: And Brian, I think we have a typo on
23 June. It should be June 16th would be the Thursday.

24 MR. KELLY: Oh, sorry.

25 MS. FOWLER: The 19th is a Sunday.

1 MR. KELLY: Okay. Okay, May 19th, June 16th.
2 And then again, the idea is to skip July and meet in the
3 Bay Area in August.

4 Okay, now I want to move to the third and final
5 item, which is a poll that recently came out about the
6 project and support for the project. And for us, this was
7 a bit of an encouraging poll. And I just want to briefly
8 touch on why. Not only were the numbers relatively good in
9 the poll for the concept of moving high-speed rail forward,
10 but I particularly appreciated the question in the poll.
11 Because it is the first time I think that voters were
12 presented with a question, at least that I've seen a poll
13 recently, that really described how we're reframed the
14 project and exactly our stepping stones for the project,
15 our building blocks if you will, for how we want to move
16 this project forward.

17 And so, the question to the voters was this,
18 which is both thorough, but if you'll indulge me for one
19 moment, it also frames the issue currently.

20 And that is in 2008 California voters approved
21 bonds to begin designing and building a high-speed rail
22 system. The original plan called for service to run from
23 San Diego, through the Central Valley, and up to Sacramento
24 as soon as 2030.

1 Cost estimates for the project have risen since
2 2008 and officials are now working under a longer timeline,
3 and trains operating only from Bakersfield to Merced in the
4 Central Valley by 2030, then extending service to the San
5 Francisco Bay Area.

6 Do you favor or oppose the state continuing to
7 build the High-Speed Rail Project under that framework?

8 That is the most current, again, framework
9 question I've seen in a poll.

10 The numbers showed that, you know, statewide for
11 registered voters, by a 5 to 3 margin, 56 to 35 percent,
12 California voters continue to support building high-speed
13 rail.

14 Demographically -- or geographically, 59 percent
15 approval in LA County, 65 percent in the Bay Area, 48
16 percent in the Central Valley.

17 Future riders, that is the younger set of voters,
18 were very high on the project, overwhelmingly support high-
19 speed rail, 65 percent of voters aged 18 to 40 supportive
20 of the projects.

21 And then, voters see a high-speed rail -- see
22 that high-speed rail or how high-speed rail can create more
23 equitable mobility for all Californians, 63 percent of
24 those making less than \$20,000 support the project's
25 progress.

1 I think each member has a summary of the poll, as
2 well as the high level cross-tabs. If you take a moment to
3 look at those you'll see, at least on the income area, I
4 thought it was interesting that both at the lower end and
5 the higher end of the income spectrum the support levels
6 are roughly the same.

7 And then, I think there may be one more. Yeah,
8 also just more demographically high-speed rail support was
9 very strong amongst historically disadvantaged
10 demographics, 70 percent support among black voters, 63
11 percent among Latino voters. And in terms of gender lines,
12 men and women share a similar amount of support for the
13 project, 54 percent of male voters are supportive, 57
14 percent of female voters are supportive.

15 So again, you have that poll summary and the
16 cross-tabs are in there as well if you want to look in more
17 detail.

18 Just to remind the Board members, the bond bill
19 itself, back in 2008, passed with about 53 percent of voter
20 approval. And so, this shows us taking a little bit north
21 of that but, again, a generally positive polling out of the
22 Government Studies Institute at UC Berkeley.

23 So, I just want to remind the members of this
24 poll and again share it from all of you. It got quite a
25 bit of press coverage when it first came out.

1 And with that, Mr. Chairman, I conclude by CEO
2 Report.

3 CHAIR RICHARDS: Thank you, Brian. Any questions
4 for CEO?

5 MR. KELLY: Thank you.

6 CHAIR RICHARDS: And the final item on today's
7 agenda, ladies and gentlemen, is the update from the
8 Finance and Audit Committee meeting, and there was no
9 committee meeting today. So --

10 MR. KELLY: It will be brief.

11 CHAIR RICHARDS: Yeah. So, that's Number 7. We
12 are free. So, with that we will reconvene tomorrow at
13 11:00 a.m. here, to look at and get a report from staff of
14 its response to the questions raised, and both by the
15 public and by --

16 MR. KELLY: It's 11:00 a.m. tomorrow.

17 CHAIR RICHARDS: That's what I said, isn't it.

18 MR. KELLY: Oh, you did.

19 CHAIR RICHARDS: Yeah. So until then, thank you
20 all for being here and we will see you tomorrow morning at
21 11:00 a.m.

22 (The California High-Speed Rail Authority
23 Monthly Board of Directors meeting adjourned
24 until April 28, 2022, 11:00 a.m.)

25 ---oOo---

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 6th day of May, 2022.




ELISE HICKS, IAPRT CERT**2176

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Barbara Little
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