



## **Resolution #HSRA 16-19**

### **Amendment to Reimbursement Agreement with the U.S. Army Corps of Engineers for Permitting Services**

**Whereas**, the California High-Speed Rail Authority (Authority) is responsible for the development and implementation of intercity high-speed rail service pursuant to California Public Utilities Code Sections 185030 et seq.;

**Whereas**, as part of the planning process, the Authority is both the project sponsor and the lead agency for purposes of state California Environmental Quality Act (CEQA) requirements and must obtain certain permits from the United States Army Corps of Engineers (Corps);

**Whereas**, in November 2010, the Authority, Federal Railroad Administration (FRA), Environmental Protection Agency (EPA), and the Corps entered into a Memorandum of Understanding (*Memorandum of Understanding: NEPA, Clean Water Act Section 404 and Rivers and Harbors Act Section 14 Integration Process for the Project*) (MOU) to facilitate and demonstrate compliance with Section 404 of the Clean Water Act and related permit requirements;

**Whereas**, pursuant to the MOU, in October 2014, the Authority and the Corps entered into a Memorandum of Agreement (MOA) which was incorporated into a reimbursement agreement (HSR 14-38) (Agreement) to fund the costs of the Corps' involvement in the development, issuance and compliance monitoring of Clean Water Act Section 404 permits, related permitting requirements, and final mitigation plans;

**Whereas**, the budget and performance period in the Agreement only contemplated the Corps' review of documents for the first two (2) project sections;

**Whereas**, the Authority needs the Corps to continue providing Section 404 permit application evaluation-related services to expedite the process until the receipt of all required 404 permits for all 10 project sections; and,

**Whereas**, the Authority needs to amend the Agreement to increase the Corps' budget and extend the performance period to enable the Corps' to continue providing these services.

#### **Therefore, it is resolved:**

The Board authorizes the Chief Executive Officer, or his designee, to execute an amendment to the Agreement to add \$3,436,807.00, resulting in a maximum contract value of

\$5,314,171.00 and to extend the performance period by two (2) years, resulting in a new contract termination date of September 30, 2019.

Vote: 7 – 0

Yes: Correa; Curtin; Lowenthal; Paskett; Richard; Richards; Rossi

No: N/A

Absent: Schenk

Date: 6/14/16

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