

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

MAIN LOCATION

BOARD OF SUPERVISORS CHAMBERS

70 W HEDDING STREET

SAN JOSE, CA 95110

SATELLITE LOCATION

HYATT REGENCY LA JOLLA

3777 LA JOLLA VILLAGE DRIVE

SAN DIEGO, CA 92122

TUESDAY, SEPTEMBER 17, 2019

1:00 P.M.

Reported by:
Susan Palmer

APPEARANCESBOARD MEMBERS

Lenny Mendonca, Chair

Tom Richards, Vice Chair

Lynn Schenk (via remote location)

Daniel Curtin

Nancy Miller

Henry R. Perea, Sr.

Bonnie Lowenthal

Ernest Camacho

EX OFFICIO BOARD MEMBERS

Assemblymember, Dr. Joaquin Arambula

Senator, Jim Beall

STAFF

Brian Annis, Chief Financial Officer

Tom Fellenz, Chief Counsel

Brian Kelly, Chief Executive Officer

Pam Mizukami, Chief Deputy CEO

Joseph Hedges, Chief Operating Officer

Paula Rivera, Chief Audit Executive

APPEARANCES (Cont.)

STAFF (Cont.)

Mark McLoughlin, Director of Environmental Services

Boris Lipkin, Northern California Regional Director

PRESENTERS:

Mark McLoughlin, Director of Environmental Services

Tom Fellenz, Chief Counsel

Boris Lipkin, Northern California Regional Director

Brian Kelly, Chief Executive Officer

Tom Richards, Vice Chair for Finance & Audit Committee
Report

PUBLIC COMMENT: General Business

Sam Liccardo, Mayor, City of San Jose

John Inkgo, San Jose (Written comments for the record.)

Juergen Pfaff, Burlingame

Charles Voltz, Burlingame

Jennifer Pfaff, Burlingame

Michael Brady, Menlo Park

Kathy Hamilton, Community Coalition on High-Speed Rail

Mike Futrell, City Manager, South San Francisco

William Warren, Palo Alto

William Grindley, Atherton

APPEARANCES (Cont.)

PUBLIC COMMENT: Agenda Item Three

Michael Serratto, Hollister Land and Cattle Company

Bert Weaver, Delmas Park Neighborhood Association

Jason Kim, Santa Clara Valley Transportation Authority, VTA

Alberto Mezo, Gilroy Unified School District

Reyn Akiona, Bowles Farming Company

Teresa Alvarado, SPUR

Steve Roberts, RailPAC

Harvey Darnell, Greater Gardner

Mary Rizzo, San Jose

Danny Garza, San Jose

Patricia Gormley, Greater Gardner Coalition

Bill Rankin, Greater Gardner Neighborhood Advisory
Coalition

Christina Turner, City of Morgan Hill

Abigail Ramsden, The Nature Conservancy

Edmund Sullivan, Santa Clara Valley Habitat Agency

Leslie Miles, Self

Catherine Hickey, Point Blue Conservation Science

Scott Knies, San Jose Downtown Association

Gary Harris, Self

APPEARANCES (Cont.)

PUBLIC COMMENT: Agenda Item Three (Cont.)

Girum Awoke, City of Gilroy

Ric Ortega, Grassland Water and Resource Conservation
District, Grasslands Environmental Education Center

Ellen Wehr, Grassland Water and Resource Conservation
District

John Sanders, San Martin

Adina Levin, Friends of Caltrain

Roland Lebrun, San Jose

PUBLIC COMMENT: Agenda Item Four

Jerry Brazel, San Mateo

Doug Johnson, City of San Francisco

Stuart Schillinger, City of Brisbane'

Greg Greenway, Peninsula Freight Rail Users Group

Nile Ledbetter, San Francisco International Airport

Deb Horen, Brisbane Citizens for Responsible Development

Roland Lebrun, San Jose

Drew, Belmont

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P R O C E E D I N G S

1:05 p.m.

PROCEEDINGS BEGIN AT 1:05 P.M.

SAN JOSE, CALIFORNIA, TUESDAY, SEPTEMBER 17, 2019

CHAIR MENDONCA: Good afternoon, everyone.

Welcome to the September Board Meeting for the California High-Speed Rail Authority. I'd like to ask that we call the role, including who's on the phone.

MR. RAMADAN: Good morning. Director Schenk?

BOARD MEMBER SCHENK: Yes. Present, by phone.

MR. RAMADAN: Vice Chair Richards.

VICE CHAIR RICHARDS: Yes.

MR. RAMADAN: Director Curtin.

BOARD MEMBER CURTIN: Here.

MR. RAMADAN: Director Lowenthal.

BOARD MEMBER LOWENTHAL: Here.

MR. RAMADAN: Director Camacho.

BOARD MEMBER CAMACHO: Here.

MR. RAMADAN: Director Miller.

BOARD MEMBER MILLER: Here.

MR. RAMADAN: Senator Beall?

EX OFFICIO BOARD MEMBER BEALL: Here.

MR. RAMADAN: Assemblymember Arambula?

EX OFFICIO BOARD MEMBER ARAMBULA: Here.

MR. RAMADAN: Chair Mendonca.

1 CHAIR MENDONCA: Here.

2 MR. RAMADAN: And Director Perea?

3 BOARD MEMBER PEREA: Here.

4 MR. RAMADAN: We have a quorum.

5 CHAIR MENDONCA: Great. Thank you.

6 It's great to have everyone here. Could we do
7 the stand for the Pledge of Allegiance please?

8 (The Pledge of Allegiance is made.)

9 CHAIR MENDONCA: Excellent. We have flags
10 everywhere, so everyone could see it, so. (Laughter.)

11 So it's great to have a full house of
12 Commissioners and a full house of the public here today
13 with us. We're really excited to be in San Jose for this
14 hearing. It's always a great location to meet. And it's
15 particularly important and apt given the subject matter of
16 today's agenda.

17 Before I get into the specifics of the agenda, I
18 want to take a moment to acknowledge an appointment and
19 reappointment to the Board. Thanks to the action of Senate
20 President Pro Tem, Tony Atkins, I'm thrilled to welcome our
21 newest Board Member, Henry Perea, Sr.

22 (Applause.)

23 CHAIR MENDONCA: Henry is well familiar with this
24 project, a former Supervisor in Fresno County and a very
25 welcome addition. So welcome Henry.

1 BOARD MEMBER PEREA: Thank you.

2 CHAIR MENDONCA: And we look forward to a more
3 formal swearing in ceremoniously when we're in your town,
4 so thank you. I'm delighted that you could join us.

5 BOARD MEMBER PEREA: Thank you.

6 CHAIR MENDONCA: I also want to re-acknowledge
7 the appointment and reappointment of our colleague, Ernie
8 Camacho, to the Board. Ernie, congratulations on your
9 reappointment, we really look forward to continued work
10 together on this important project. And thank you for all
11 your hard work for us.

12 BOARD MEMBER CAMACHO: Thank you.

13 (Applause.)

14 CHAIR MENDONCA: Okay. Let's get into the meat
15 of today's agenda. There are three action items before the
16 Board today that will enable us to further the development
17 of the statewide Phase 1 system from San Francisco, Los
18 Angeles and Anaheim.

19 As this Board did for the Southern California
20 routes in the fall of 2018, today we are asked to concur on
21 the staff recommendations for the preferred alternatives to
22 the Northern California routes for the Merced to San Jose
23 and the San Jose to San Francisco segments, for
24 identification in the public draft environmental documents
25 that are up coming.

1 Concurrence of these alternatives is an important
2 step in the environmental review process, because it
3 indicates to the public and to our partners, our
4 preliminary preferences after initial analysis of various
5 alternatives.

6 Equally, if not more importantly, it ensures that
7 we as Board Members can hear directly from the public and
8 critical stakeholders about the potential environmental,
9 community and other issues with the potential alignments
10 including our preferred alternatives.

11 With that important input we can ensure our staff
12 pay particular attention to those issues that are of
13 concern to the public as they develop the draft
14 environmental document. Hearing from the public last fall
15 in Southern California in a similar circumstance was very
16 informative and helpful to the Board and to staff. And we
17 look forward to what I'm sure will be extensive public
18 comment today.

19 Importantly, concurrence on the identification of
20 the preferred alternatives including the environmental
21 documents is not the end of the environmental process, far
22 from it. Analysis on all the alternatives will continue.
23 Public input on the draft environmental document will
24 continue to be afforded and considered, greatly facilitated
25 by the public knowing which alternative is the Preferred

1 Alternative for our proposed project. Work to mitigate the
2 impacts from the project will continue to be developed.

3 A Draft EIR/EIS is scheduled to be made publicly
4 available in 2020 and will provide ample opportunity for
5 further public comment over the course of the coming year.
6 I anticipate staff will bring back to this Board a final
7 EIR/EIS for our consideration in the first quarter of 2021,
8 and associated actual approval decisions of one of the
9 alternatives.

10 The other action item before the Board today is a
11 request to delegate authority to the CEO to further
12 streamline our environmental approval process in light of
13 NEPA Assignment having been granted to this project with a
14 presentation on this item from our Environmental and Legal
15 staff.

16 Okay. I want to describe how we're going to go
17 through the agenda today just to facilitate as much public
18 comment as we can. In order to make that work, I want to
19 leave plenty of time for public comment and discussions of
20 the preferred alternatives. Therefore, we're going take up
21 Agenda Items One, Two, Five, Six and Seven first, before
22 going to Items Three and Four, the preferred alternatives.
23 Okay?

24 We'll have a staff presentation on each of the
25 recommended preferred alternatives when we go to Agenda

1 Item Three and Four followed by public comment. So we're
2 moving those items to the latter part of the agenda, so we
3 can have the full time for public comment.

4 At the conclusion of the public comment, we will
5 consider the question of concurrence with the staff
6 recommendations for both state and federal environmental
7 review purposes. In other words, we're going to vote on
8 the resolution for CEQA purposes and another vote on the
9 resolution for NEPA purposes, after the public comment on
10 Items Three and Four.

11 Again, we will have opportunity for public
12 comment on the preferred alternatives as we consider them
13 in that order on the agenda. If you have a comment on any
14 other agenda item, and if you haven't already turned in a
15 comment card please do so, because we will be beginning
16 with that, okay? Is that clear?

17 Okay. And as well, this is the time now before
18 we go to the floor, any other public comment on non-agenda
19 items. We have a large number of public comments, which I
20 will work through and ask that you each try and limit your
21 time period to try and get to the specific points that
22 you'd like to raise.

23 And I want to start the public comment period by
24 welcoming San Jose Mayor Sam Liccardo to address the Board.
25 Mayor Liccardo?

1 MAYOR LICCARDO: Can you hear me now?

2 AUDIENCE: No.

3 (Off mic colloquy re: mic issues.)

4 CHAIR MENDONCA: In the heart of Silicon Valley
5 it takes us a while to get the technology to work.

6 (Laughter.)

7 BOARD MEMBER SCHENK: I take it no one is
8 speaking?

9 CHAIR MENDONCA: We're trying to get the
10 microphones set up. We need just one minute here.

11 (Pause to address audio issues.)

12 CHAIR MENDONCA: Okay. We know you have a very
13 powerful voice, Mayor Liccardo. We want to make sure
14 everyone can hear it, so thank you for -- there.

15 MAYOR LICCARDO: Thank you, Chair Mendonca.
16 Thank you so much to everyone for your participation here
17 in San Jose and in Santa Clara County. Welcome to San Jose
18 on behalf of our 1.1 million residents. You managed to
19 arrive in the Bay Area on the same day as our President and
20 I look forward to hearing from him later today, undoubtedly
21 praising your progress in building the nation's first high-
22 speed rail system.

23 Thank you for allowing me to address you today.
24 And more importantly, thanks to each of you for your
25 leadership and your steadfast efforts to make the vision of

1 High-Speed Rail come to fruition for the future of
2 California. Thanks particularly to High-Speed Rail staff,
3 especially Brian Kelly and Boris Lipkin for collaboratively
4 working with the city and the community through the High-
5 Speed Rail EIR and the Diridon Integrated Station Concept
6 Plan process.

7 First, please know that you have strong regional
8 support here to build this system all the way to Northern
9 California's largest city, San Jose. At our central
10 station in downtown San Jose high-speed rail will connect
11 to robust regional systems, BART, ACE, Capitol Corridor,
12 Caltrain and Amtrak, to provide a platform-to-platform
13 connection for high-speed rail passengers to every sizeable
14 city in Northern California. Within stone's throw of that
15 Diridon station we're seeing the doubling of the Adobe
16 World Headquarters, six-and-a-half million square feet of
17 Google campus, millions more square feet of other offices,
18 and many thousands of very high density residential units
19 planned or under construction.

20 And while we certainly acknowledge the fiscal
21 realities of building within your budget, I hope you will
22 agree that the \$20 billion you're about to spend
23 constructing a high-speed rail system in the Central Valley
24 needs a connection to the extraordinary opportunity here in
25 Silicon Valley to be truly worth that 20 billion.

1 We look forward to working with you to identify
2 the funding needed to connect millions of residents to the
3 tremendous job opportunities of Silicon Valley and to
4 connect our valley with the affordable housing
5 opportunities in Central Valley.

6 Now, I understand of course today the Board will
7 be identifying the Preferred Alternative of the High-Speed
8 Rail Alignment for the San Jose segment, the Draft EIR, the
9 San Jose to Merced segment, excuse me.

10 Over the past three years we have communicated
11 with the High-Speed Rail staff regarding concerns around
12 alignment and potential impacts to our community. And when
13 the city developed the city generated high-speed rail --
14 excuse me -- a city generated option of high-speed rail,
15 the Authority staff responded that certainly they
16 understood and embraced the vision that the city had, but
17 the vision was beyond the scope of the project for which
18 high-speed rail would be seeking environmental clearance.
19 We were of course mindful of the federal deadlines that you
20 face.

21 So consistent with our discussions the city will
22 continue to invest in the multi-agency Diridon Integrated
23 Station Concept Plan and Real Corridor Plan for San Jose.

24 Now the four alternatives before the High-Speed
25 Rail Authority Board do not align with San Jose's ambitions

1 for Diridon Station, nor with our community's concerns
2 regarding the alignment through Gardner North Willow Glen,
3 nor with the need for grade separations along the Monterey
4 Corridor or in the Gardner neighborhood. And San Jose
5 seeks a full partnership with High-Speed Rail to deliver a
6 safe system that we will all be proud of.

7 Our continued support for High-Speed Rail depends
8 upon the High-Speed Rail Authority's willingness to adopt
9 the work of multiple regional agencies constructing the
10 Diridon Integrated Station Concept Plan for Diridon Station
11 and track approach once it has been environmentally
12 cleared. Linked with that of course is a commitment for a
13 fair share contribution to building and rebuilding a
14 Diridon Station that will accommodate this very important
15 project, making San Jose the first major city in the nation
16 with a high-speed rail system.

17 This city's continued support of High-Speed Rail
18 further depends upon the commitment and investment of fair
19 share from grade separation at five key intersections of
20 Auzerais, Virginia, Braham, Skyway and Chynoweth. Prior to
21 2018, the Authority articulated a position that they would
22 fully grade-separate tracks through San Jose. I think that
23 we all know that a system that will carry more than 600
24 trains a day through San Jose from across the state
25 requires grade separations to comply with international

1 best practices, to provide the speed that you need to get
2 this train to San Francisco by the time designated under
3 Prop 1A, and of course to provide our community with the
4 safety it deserves.

5 Grade separations certainly would make this very
6 important segment commensurate with the many grade
7 separations we see in the Burbank, LA and Anaheim segments
8 as well as the 55 grade separations we see throughout the
9 Central Valley. Surely in the largest city in Northern
10 California, which will take the longest stretch of high-
11 speed rail guideway of any city in the entire corridor, our
12 1.1 million residents deserve the safety that can be
13 delivered only through these grade separations?

14 I very much appreciate your patience in allowing
15 me to speak. And we look forward to working and continuing
16 to work collaboratively with your staff to make a great
17 project we'll all be proud of. Thank you.

18 CHAIR MENDONCA: Great. Thank you, Mayor
19 Liccardo. And thank you for your leadership and your
20 ongoing partnership on (indecipherable).

21 So we have a number of questions and a number of
22 public comments. And I'd just remind people if the comment
23 you'd like to make is on the preferred alternatives, we'll
24 make time for that later in the session. But for those
25 that are not on preferred alternatives, I have a number of

1 comment cards that I'm going to call them in the order that
2 we received them and ask you to come up and be brief with
3 your comments. If after I call it, you're acknowledging
4 that you really want to comment on the public alternatives
5 just say so and we'll hold that card for that part of the
6 discussion.

7 Yes?

8 MR. FELLEENZ: Yes, Mr. Chairman, I just want to
9 acknowledge Councilmember Miguel Arias from the City of
10 Fresno in the audience.

11 CHAIR MENDONCA: Excellent. Thank you. Thank
12 you for joining us.

13 All right, so the first one we had is from John
14 Inkgo. (phonetic) I think I may have butchered your name,
15 I apologize for that, from San Jose.

16 MR. INKGO: Good afternoon. I'd like to
17 relinquish my time and let my comments as written stand.
18 However I'd like to just draw attention to the fact -- draw
19 attention, pardon me.

20 CHAIR MENDONCA: I think our microphone is not
21 working again, so is it working? Can you hear in the back?
22 I saw someone waving; can you hear?

23 AUDIENCE: (Indecipherable.)

24 MR. INKGO: I'll let my comments stand as
25 written.

1 CHAIR MENDONCA: Okay. Thank you. We'll make
2 sure the written comments are for the record. Juergen
3 Pfaff from Burlingame.

4 MR. PFAFF: Hi. My name is Juergen Pfaff. I'm
5 from Burlingame. I'm not sure I understand this High-Speed
6 Rail Project any more. It doesn't seem to have a lot to do
7 with the original Proposition 1A that was approved, but
8 here we are spending billions of dollars on a short section
9 in the Central Valley, which is basically an Amtrak
10 alternative.

11 The real problem that we have in the State of
12 California is actually a housing crisis in the metropolitan
13 area and yes transit has something to do with it. I don't
14 think that high-speed rail will be a viable alternative to
15 a local mass transit system to help with the housing
16 crisis. So I'm of the opinion that this project has no
17 credible chance to ever be built, because there is no
18 funding plan, no Business Plan that I can see that actually
19 meets the requirement of Proposition 1A. So I think that
20 money should not be spent any more on high-speed rail. I
21 think that money should be spent on the metropolitan area's
22 mass transit system. That's my opinion. Thank you.

23 CHAIR MENDONCA: Okay. Thank you.

24 Next will be Charles Voltz from Burlingame.

25 MR. VOLTZ: Good afternoon.

1 CHAIR MENDONCA: Good afternoon.

2 MR. VOLTZ: I want to follow up on the comments
3 of the Mayor regarding the importance of grade separations,
4 particularly who's going to pay for them and when. Because
5 as I understand the current policy of the Board is to run
6 several trains per hour, a combination of high-speed rail
7 and Caltrain on the mid-Peninsula up to 10 trains per hour.
8 And the problem is that in Burlingame and elsewhere the
9 places that emergency vehicles need to get to would be
10 blocked by the lack of grade separations in the critical
11 places.

12 In particular, in Burlingame, it would be
13 Burlingame High School. If there were an active shooter it
14 would be also our elementary school. It would be any place
15 a disabled person, like myself, would need emergency care
16 for ambulances. It would also involve the hotels in case
17 of an earthquake or fire, which we have had in the past.
18 And all of these places would be seriously at risk unless
19 and until the necessary grade separations were existing.
20 And as I understand it, the current policy is to go ahead
21 and run the trains and worry about the grade separations
22 later.

23 And I would like this Board to agenda for a
24 future meeting a policy that would say you're not going to
25 run trains that would endanger public health and safety in

1 Burlingame and other places, because of the lack of
2 adequate grade separations. Thank you.

3 CHAIR MENDONCA: Thank you.

4 Jennifer Pfaff from Burlingame.

5 MS. PFAFF: Thank you for the opportunity to
6 comment. The dreamers in Silicon Valley claim that they
7 cannot find workers. They want to bring workers from such
8 places as Bakersfield, Fresno, Tracy and Modesto to San
9 Jose to staff the vast offices of the tech industry, but
10 this is a pie-in-sky plan. The fare to get from the valley
11 to San Jose for one working would be approximately \$30,000
12 a year, give or take. Are these dreamers in Silicon Valley
13 going to be able to pay for that or hike the workers'
14 salaries by enough pay for that commute? And wouldn't that
15 violate the fundamental premise of high-speed rail and Prop
16 1A, that the line must operate without a subsidy and no
17 sprawl.

18 And given the limited funds available, 5 billion
19 in the bond fund, getting to San Jose will never happen.
20 This is the famous Pacheco Pass route requiring expensive
21 full bore tunnels and surmounting severe geological and
22 engineering obstacles. Currently this line is estimated to
23 cost more than 25 billion and where is that money going to
24 come from? This is a crazy idea and the dreamers of
25 Silicon Valley would be better off building affordable

1 housing for the workers in San Jose or Gilroy or Morgan
2 Hill. Thank you very much.

3 CHAIR MENDONCA: Thank you. We have six more
4 comments on this section of the agenda. So what I'm going
5 to do is call the next three just so that we have everyone
6 ready to comment to make sure that we're making good use of
7 the public's time. And then I'll call the next three.

8 So the next three are Michael Brady from Menlo
9 Park, Kathy Hamilton from Half Moon Bay, and Mike Futrell
10 from South San Francisco, so Mr. Brady?

11 MR. BRADY: Thank you, Mike Brady from Menlo
12 Park. There are \$5 billion approximately left out of the
13 \$8 billion Proposition 1A bond fund. Those are sitting in
14 the bond fund, that amount of money. Meanwhile, there's a
15 big "food fight" going on. Southern California politicians
16 and cities want to get their hands on that money. Silicon
17 Valley, the Central Valley want to get their hands on the
18 money. Caltrain, San Francisco interests want to get their
19 hands on the money, because of the disastrous financial
20 condition of the Caltrain Electrification Program.

21 You are the organization, which has control of
22 that money. You signed a contract with the federal
23 government. You currently owe the federal government \$3
24 billion of that \$5 billion. Do you remember that? They
25 were kind enough to advance the money for this High-Speed

1 Central Valley Rail Line, because you pleaded that you had
2 difficulty coming up with your obligation to match them
3 dollar-for-dollar. At the same they put up the money, you
4 were supposed to put up the money. You didn't. So now you
5 owe them \$3 billion.

6 Have you also forgotten your contract obligations
7 that this line, the only line in the state that you're
8 working on -- and you haven't laid one inch of track --
9 it's called the 119-mile Central Valley Line. It's going
10 to cost \$12.1 billion. So you owe \$3 billion right now to
11 the federal government and you'll be breach of your
12 contract. You've been warned of that by the federal
13 government, unless you pay them, and you've got \$12.1
14 billion to spend on the line. Where do you think you're
15 going to get the money? That \$5 billion
16 is way short of what you owe and what you're going to have
17 to spend.

18 You are the contracting agency. You've got an
19 obligation to stop the food fight.

20 CHAIR MENDONCA: Thank you, Mr. Brady. We're
21 going to maintain the practice of not responding to
22 individual comments, but appreciate the public commentary.

23 Next is Ms. Hamilton.

24 MS. HAMILTON: Hi. I'm Kathy Hamilton. I am a
25 writer, an activist and a Board Member of Community

1 Coalition on High-Speed Rail. I believe Gary Patton sent a
2 letter to the Board yesterday.

3 I wanted to say that Governor Brown promised a
4 new approach to high-speed rail. And he called for more
5 transparency and accountability. Transparency is not
6 satisfied by posting change orders. That's something
7 recently added. And it's a good thing, but presently there
8 are thousands of missing documents no longer in the
9 library. But we are assured they have not been destroyed.

10 The public's only recourse is to do public
11 records requests. The public doesn't like to do public
12 records requests. It takes a long time and it makes them
13 nervous. It doesn't make me nervous, because I ask for
14 them all the time. But you have to know the name of the
15 document that you're asking for or it's impossible to get a
16 document. You can't peruse through the library and say
17 okay, let me look here. Let me look there. So that's
18 really hard.

19 Recently activist Cindy Bloom, out of Southern
20 California, went through the library and she requested
21 enormous amounts of files. It came to her 30 days later
22 with 12 unmarked CDs. Do you know how many documents are
23 on 12 unmarked CDs?

24 I've noticed that the Business Plans are not
25 there prior to 2016. I know you no longer do transcripts

1 of the meeting, which was enormously helpful. This is not
2 transparency. These actions damage the credibility of
3 Governor Brown's new Board.

4 In addition, I wanted to say where is the plan
5 that Mr. Camacho asked for and has been delayed? It was
6 first supposed to appear in July and then we were promised
7 September. Where is that plan to look at all the different
8 segments according to certain criteria? That's it. Thank
9 you.

10 CHAIR MENDONCA: Thank you. And again, we're not
11 going to respond to individual questions, but they will be
12 addressed as part of CEO's Report.

13 So Mr. Futrell in just one moment, but let me
14 also name the next three coming up so that they can be
15 ready: William Warren from Palo Alto, Michael Serratto from
16 Burlingame and William Grindley from Atherton and Mr.
17 Futrell.

18 MR. FUTRELL: Yes. Thank you, Mike Futrell. I'm
19 the City Manager for the City of South San Francisco. We
20 are a separate city from our larger city to the north, San
21 Francisco. You probably know us from the sign on the hill
22 that says "The Industrial City."

23 I'm here on behalf of my mayor, Mayor Carol
24 Matsumoto, who is leading her own public meeting as we
25 speak with a simple message of support and thank you. And

1 unqualified statement of support for your work and the work
2 of your staff and to ask you to please, please build high-
3 speed rail from San Francisco to San Jose, San Jose to
4 Merced and finally eventually one day to Los Angeles.

5 South San Francisco is experiencing unparalleled
6 economic success, the kind of economic success that any
7 city in the country would beg for. But we are dealing with
8 the two-edged sword of housing and transportation. On the
9 housing side, my City Council has not turned down a single
10 housing application. We're building thousands of new
11 houses in South San Francisco.

12 On the transportation side, we have a \$125
13 million local transit program already underway. We are
14 with our businesses for a \$350 million brand new
15 transportation plan. And San Mateo passed the half cent
16 sales tax in November to bring billions locally to
17 transportation. We need high-speed rail as an element of
18 that to continue our economic success.

19 South San Francisco is home to the world's
20 largest life science research cluster with over 225
21 biotechnology companies: Genentech, Johnson and Johnson,
22 Pfizer, Astro Zeneca. They are all there and it is growing
23 at a tremendous rate. We expect 18,000 new biotech jobs in
24 the next 30 months based on the construction underway. And
25 you're a part of that, so please we urge you to keep the

1 faith, persevere. This is a very hard task you have before
2 us, but it's super important for California.

3 We can get this done and we are there for you.
4 South San Francisco will support you whether you need that
5 support locally, regionally and in Sacramento or in
6 Washington D.C. So thank you for your work.

7 CHAIR MENDONCA: Thank you.

8 Mr. Warren.

9 MR. WARREN: Good afternoon, William Warren from
10 Palo Alto, California. At the July Board Meeting a
11 document was delivered to you, the Board, called "If You
12 Connect ACE They Still Will Not Come." I encourage you
13 folks to read that, because there's a fundamental truth in
14 that. I had some handouts, which I don't know if you have
15 received or not. It's a one pager. It looks like this?
16 Great. There is a fundamental truth in there that I think
17 you are about to prepare and build into the Business Plan,
18 and that is that you cannot use ACE as a way of getting
19 people commuters from the Bay Area through Fresno.

20 You can't have people going from Fresno to
21 Merced, to Stockton and then back down to San Jose. There
22 aren't enough hours in the day for a commuter to do that.
23 It is a fundamental flaw. Nobody has faced that. When you
24 add up the hours you're dealing with somewhere in the
25 neighborhood of six-to-eight hours of commuting. Nobody's

1 going to do that. But you're effectively saying you're
2 going to make -- that is going to be the stop gap motion
3 until you have a way to get through the Pacheco Pass. It
4 isn't going to work.

5 I strongly encourage you to look at this, because
6 the hours make sense, because it takes you right now four
7 hours a day if you've commuted from San Jose to Stockton on
8 the ACE train that exists today.

9 Now you want to take that train, pivot it south
10 out of Stockton down to Merced. You can't do that for zero
11 time. It's going to eight-to-nine hours for that commuter
12 to get up in Fresno, through Stockton down to San Jose and
13 go home at night. That's not a plan. That's a disaster
14 waiting for you. Thank you.

15 CHAIR MENDONCA: Thank you.

16 Mr. Serratto.

17 MR. SERRATTO: Michael Serratto and actually I
18 would like to address Board on Item Three, so maybe you
19 could pull my card.

20 CHAIR MENDONCA: Okay. We'll bring it back for
21 next time.

22 MR. SERRATTO: Thank you.

23 CHAIR MENDONCA: Mr. Grindley?

24 MR. GRINDLEY: Good afternoon, William Grindley
25 of Atherton. What are you afraid of? In January 15th, I

1 addressed your Board with a study that took three man years
2 of both Mr. Warren and myself, six man years, which
3 concluded after over 12,000 calculations using your metric
4 that you developed in 2008 in an EIR with the Federal
5 Railroad Administration, that by virtue of total travel
6 time, competitive between airlines and automobiles, High-
7 Speed Rail's projections for 2018 are so off that it
8 doesn't really make sense. In fact, from our calculations,
9 that's 12,000 calculations, only one in every five of your
10 forecasted riders will show up on the basis of total travel
11 time. Now why?

12 Because you refuse to recognize it takes time to
13 get to a high-speed rail station, to wait for a train. And
14 then it takes time when the trains stops near a destination
15 to get off the train and get to the destination. That's
16 not an insubstantial amount of time. I hear local towns
17 talking about the wonderful high-speed rail, if it keeps
18 stopping everywhere that's not high-speed rail.

19 So at that meeting I was promised by the then
20 Chairman that I would hear from a staff member and that Mr.
21 Warren and I would be invited to sit down and talk to the
22 staff about our findings. We have written maybe one
23 (indecipherable), but nine months later no answer. So I'll
24 repeat, what are you afraid of? What are you afraid of?
25 Thank you.

1 CHAIR MENDONCA: Thank you.

2 Do you have any other public commentary cards for
3 items other than Three and Four?

4 MR. RAMADAN: No.

5 CHAIR MENDONCA: Okay. And thank you for public
6 comments. Why don't we now move on to Item Number One,
7 which is considering approval of the minutes from July
8 18th?

9 BOARD MEMBER CAMACHO: So moved.

10 CHAIR MENDONCA: Moved by Mr. Camacho. Is there
11 a second?

12 BOARD MEMBER CURTIN: Second.

13 CHAIR MENDONCA: Second, any additions or
14 corrections? Call the roll, please.

15 MR. RAMADAN: Director Schenk.

16 BOARD MEMBER SCHENK: Yes.

17 MR. RAMADAN: Vice Chair Richards.

18 VICE CHAIR RICHARDS: Yes.

19 MR. RAMADAN: Director Curtin.

20 BOARD MEMBER CURTIN: Here.

21 MR. RAMADAN: Director Lowenthal.

22 BOARD MEMBER LOWENTHAL: Yes.

23 MR. RAMADAN: Director Camacho.

24 BOARD MEMBER CAMACHO: Yes.

25 MR. RAMADAN: Director Miller.

1 BOARD MEMBER MILLER: Yes.

2 MR. RAMADAN: Chair Mendonca.

3 CHAIR MENDONCA: Yes.

4 MR. RAMADAN: Director Perea.

5 BOARD MEMBER PEREA: I'll abstain.

6 CHAIR MENDONCA: Okay. That motion carries.

7 Thank you.

8 Let's move on to Item Number Two, NEPA Assignment
9 Overview and Update and we'll start with a presentation
10 from Mr. Mark McLoughlin.

11 MR. MCLOUGHLIN: Good afternoon Chairman and
12 Members of the Board. I'm Mark McLoughlin, the Director of
13 Environmental Services for the Authority. And I wanted to
14 give you a brief NEPA Assignment Update today and some key
15 points in our program.

16 So just recently, just six months after Governor
17 Brown requested a NEPA Assignment for the Authority, right
18 on schedule we posted the state application online for
19 public comment in November of 2017. And by June of 2018,
20 both the application and the MOU were noticed in the public
21 comment in the "Federal Register."

22 FRA then disengaged and did not sign the MOU
23 until one year later. And on July 23rd, 2019 Governor
24 Newsom signed the NEPA Assignment MOU, which made it
25 effective for the Authority and the State of California.

1 As lead agency the Authority is now responsible
2 for the review and approval of environmental documents
3 prepared under NEPA such as those listed here. The
4 Authority will also fulfill our lead agency
5 responsibilities under other federal and environmental
6 laws.

7 In addition, on Authority projects we are also
8 the lead agency for LA Metro's Link US Project and
9 eventually the ACEforward Project.

10 Although the FRA no longer prepares or reviews or
11 approves the environmental documents, it does also retain
12 other review and approval responsibilities for high-speed
13 rail. These include the ARRA ongoing oversight
14 responsibilities tied to the ARRA grants and certain
15 authorities that cannot be assigned to any state under NEPA
16 Assignment. Among those listed here, FRA's ongoing
17 responsibilities to make air quality conformity
18 determinations, which is especially important as it relates
19 to each ROD that we put before you eventually, the Board.

20 The Authority and NEPA team is already engaged
21 with the FRA in bi-weekly meetings. We've had two of those
22 so far since they've engaged back with us and they're very
23 motivated to help facilitate the assignment, being off for
24 almost a year.

25 As required by the MOU we're also working

1 together, for example, to update our existing policies and
2 procedures and to reflect our role as the lead agency.
3 We're also preparing for annual FRA audits. We will have
4 those annually by FRA. We will audit our assignment,
5 policies, procedures our positions and how we've made and
6 how we've worked through the process.

7 We're also reviewing approving project
8 environmental documents currently. And as the lead agency
9 we've done two actions so far. We've approved two
10 reexaminations to advance construction in the Central
11 Valley. And we've also just recently released the Central
12 Valley Wye Draft Supplemental EIR/EIS in the federal
13 comment period, which ends October 28th, coming next month.
14 And we'll release the LGA Final Supplement for Fresno
15 Bakersfield EIS --

16 CHAIR MENDONCA: Can I just ask you to speak a
17 little bit closer to the mic?

18 MR. MCLOUGHLIN: Sure. With that ends my
19 presentation. Thank you. (Laughter.)

20 CHAIR MENDONCA: You have impeccable timing.

21 MR. MCLOUGHLIN: I can go back slides, I can do
22 that if you like.

23 CHAIR MENDONCA: No, no. That's fine. Thank
24 you. I just wanted to make sure that everyone on the phone
25 could hear.

1 MR. MCLOUGHLIN: That's fine.

2 CHAIR MENDONCA: Okay. So let's open it up for
3 questions and comments from the Board, any questions or
4 comments?

5 VICE CHAIR RICHARDS: Just one comment or
6 question. Mark, so with regards to one of your bullet
7 points on where to implement the NEPA Assignment is now
8 underway. Does it mean it's underway and we're not
9 actually acting? We clearly are acting, so have we got the
10 policies and procedures in place to do this work that has
11 now fallen on us at our request?

12 MR. MCLOUGHLIN: We currently started about half
13 of our assignment of the assignment responsibilities last
14 fall and roughly finished about half of those due to the
15 FRA disengagement. We've also engaged with them. There's
16 also been active participation by the FRA with us, so we're
17 actually doing that right now. Approval of handbooks,
18 policies and procedures are being put in place, and we are
19 actively working with those existing ways of approval to
20 make sure we can document currently while those policies
21 are being developed and in place.

22 VICE CHAIR RICHARDS: Okay. Thank you.

23 CHAIR MENDONCA: Any other questions from the
24 Board?

25 (No audible response.)

1 CHAIR MENDONCA: Okay. Thank you.

2 MR. MCLOUGHLIN: Thank you.

3 CHAIR MENDONCA: We'll move on to Item Five,
4 which is a request for CEO Delegation of Authority Related
5 to the NEPA Assignment. So please continue and close to
6 the mic now, so I can hear you.

7 MR. MCLOUGHLIN: Yes, I will. Thank you.

8 I'd like to introduce this item and then Tom
9 Fellenz will take over with more with more of a description
10 for the delegation to the CEO regarding preferred
11 alternatives that we talked about and previously in
12 Southern California and NEPA Assignments.

13 MR. FELLEENZ: Chairman Mendonca, Board Members,
14 CEO Kelly. Tom Fellenz, Lead Counsel at High-Speed Rail.
15 This Board item is an action item and it's just asking for
16 additional delegation of authority from the Board to the
17 CEO with specific language showing that delegated authority
18 changers are in the attachment, which is the Board Policy
19 HSR-11-001 and it's now updated to today's date.

20 And it's really to do a few, what we believe to
21 be fairly simple delegations that will help streamline and
22 make it more efficient now that NEPA delegation is in
23 place.

24 First of all, it will allow the CEO to identify
25 preferred alternatives for the NEPA process that have

1 already been adopted by the Board in the CEQA process. So
2 that would apply to four Southern California sections:
3 Bakersfield to Palmdale, Palmdale to Burbank, Burbank to
4 Los Angeles and Los Angeles to Anaheim.

5 If there are alternatives, preferred alternatives
6 that are significant in their changes from what the Board
7 had approved in the CEQA documents then that would have to
8 come back to the Board. And the description of what those
9 circumstances would be is in the footnote number 2 in the
10 Board Policy. So it there's a major revision to one of the
11 alignments that significantly affects large populations
12 substantially different than what the previous alignment
13 showed, then that would have to come back to the Board.

14 Secondly, what we're asking is for someone to
15 approve the implementation of NEPA under the Preferred
16 Alternative that the Board had previously approved. And
17 this would really apply to the LGA section, which is on the
18 Fresno to Bakersfield section. So what this does is a
19 delegation to the CEO the Authority to approve the ROD.
20 The board already approved the CEQA document. And now on
21 the same basis, because it's the same alignment for the
22 NEPA process the CEO can go ahead and do that without
23 having to come back to the Board.

24 So this is really for the purposes of being
25 efficient. And so we are here to answer any questions that

1 you might have.

2 CHAIR MENDONCA: Thank you. Brian, did you want
3 to add anything to that or -- any other, any questions or
4 comments from the Board?

5 BOARD MEMBER SCHENK: This is Lynn. I just have
6 a quick question, Tom. So the change is what's interlined
7 on the red, so those are the exact changes?

8 MR. FELLEENZ: Correct, Board Member Schenk, yes.

9 BOARD MEMBER SCHENK: Thank you.

10 VICE CHAIR RICHARDS: And so what that means is
11 that everything else that's in black here we've already
12 acted on before; is that correct? These are just the only
13 additions.

14 MR. FELLEENZ: Correct, Vice Chair Richards.

15 BOARD MEMBER MILLER: I was going to move the
16 item.

17 CHAIR MENDONCA: Is there other questions or
18 comments?

19 Okay. Please call the roll.

20 MR. RAMADAN: Director Schenk?

21 BOARD MEMBER SCHENK: Yes.

22 MR. RAMADAN: Vice Chair Richards?

23 VICE CHAIR RICHARDS: Yes.

24 MR. RAMADAN: Director Curtin?

25 BOARD MEMBER CURTIN: Yes.

1 MR. RAMADAN: Director Lowenthal?

2 BOARD MEMBER LOWENTHAL: Yes.

3 MR. RAMADAN: Director Camacho?

4 BOARD MEMBER CAMACHO: Yes.

5 MR. RAMADAN: Director Miller?

6 BOARD MEMBER MILLER: Yes.

7 MR. RAMADAN: Chair Mendonca?

8 CHAIR MENDONCA: Yes.

9 MR. RAMADAN: Director Perea?

10 BOARD MEMBER PEREA: Yes.

11 CHAIR MENDONCA: Okay. The motion carries.

12 Thank you.

13 Okay. We'll now move to Item Number Six, the CEO
14 Report. Mr. Kelly.

15 MR. KELLY: Good afternoon, Members. I'm Brian
16 Kelly, Chief Executive Officer for the High-Speed Rail. My
17 CEO Report is just going to cover really two areas. The
18 first is while we had no meeting in August, no public
19 meeting in August, there was a lot of activity that we
20 worked through as an Authority. I wanted to cover some of
21 that with the Board Members, and just walk through some of
22 the things that we've accomplished over the course of the
23 last couple of weeks. And then I want to describe to you
24 what lays ahead with the Board Meeting both in October and
25 the one that follows in November.

1 So first, again while we did not meet in August,
2 I did forward a CEO report to the Board. And we made that
3 available on our website. There were some highlights and
4 progress for the program that occurred between the July
5 Board Meeting and today and I wanted to just recap some of
6 those.

7 Of course as you've heard already today, the
8 State of California did execute the NEPA Assignment
9 Agreement with the Federal Railroad Administration. As the
10 Board heard, this assignment is an environmental
11 streamlining measure that has the state stand in the shoes
12 of the FRA for purposes of carrying out the Federal
13 Environmental Review Process. But we are the first
14 railroad project in the nation to be granted this
15 assignment. And we are working closely with the FRA to
16 ensure its success. And so I just wanted to recap that.

17 Also in August, we settled the last CEQA lawsuit
18 on the Fresno to Bakersfield section with the Kings County
19 settlement. I want to particularly call out special kudos
20 to our legal team and to the Board Member Richards for
21 spearheading the negotiations to get that litigation
22 settled and for establishing a very important partnership
23 with Kings County that will be important in the days and
24 weeks ahead.

25 Also, in August, the Governor's Office announced

1 key appointments to our Executive team. And I'm
2 particularly proud of these appointments. That
3 announcement of four new folks working at the Authority
4 include the first ever female Chief Counsel, first every
5 female Chief Engineer in the Authority's history. I think
6 that's very significant. We also elevated Meg Cederoth to
7 our Director of Planning and Sustainability. And we
8 announced Melissa Figueroa as our new Director of
9 Communications. The Board will have the opportunity to
10 meet each of these new additions and exceptional
11 professionals at our October hearing in Sacramento.

12 Of course, as is evident today, the Senate
13 President Pro Tem, Tony Atkins, also appointed new members
14 and reappointed the members to our Board, both Board Member
15 Henry Perea and the reappointment of Ernie Camacho.
16 Congratulations to you both.

17 On Labor Day, we were pleased to announce that we
18 passed 3,000 workers dispatched to our construction project
19 in the Central Valley. This is of course further evidence
20 of the strong economic impact from the investment in high-
21 speed rail in California. We now have over 3,000 workers
22 and more than 500 small businesses that have worked on this
23 project to date. And that number continues to grow as
24 construction opportunities expand.

25 Last week included two more important

1 announcements that are worth covering with the Board. The
2 first was our initial action taken, under NEPA Assignment
3 in which we released publicly the draft final EIS for the
4 Central Valley Wye section. The document is available now
5 for public review and comment. And we look forward to
6 bringing the Record of Decision for this section to the
7 Board, in 2020.

8 The second announcement we made last week was the
9 execution of a Memorandum of Understanding with Los Angeles
10 Metro, LA Metro, in which we outlined our cooperation and
11 collaboration for the reconstruction of the LA Union
12 Station Project. The Authority is providing \$423 million
13 toward that project, which will improve regional transit
14 services in the short term and accommodate high-speed rail
15 operations into Union Station in the longer term.

16 Board Members Camacho and Lowenthal were integral
17 to the MOU's execution. I want to acknowledge them and
18 thank them for their participation in that process. We are
19 now getting to work on the necessary statutory agreements
20 that we have to develop for that project with the
21 Department of Finance and with LA Metro for the full
22 funding to be made available for that project.

23 So again, while we didn't meet in August, I just
24 thought it was worthwhile to recap several of the
25 activities that have been ongoing over the course of the

1 last several weeks.

2 In terms of future Board meetings, just a
3 reminder our October meeting will be held in Sacramento on
4 October 15th. At that meeting the Board will receive the
5 reports requested from our Early Train Operator regarding
6 the side-by-side on investment options. And from our
7 consultant group, KPMG, on the refined business case, for
8 the Merced to Bakersfield project.

9 At the request of Board Member Arambula, we are
10 also scheduled to hold our November Board Meeting in Fresno
11 on November 19th. Among other items at this hearing, the
12 Board will hear the staff recommendation for advancing the
13 track and systems RFQ into the RFP phase. This is an
14 important step, so that a final decision of the TNS
15 contractor can come to the Board in June of 2020.

16 And then lastly, I just wanted to answer one
17 comment that was made about documents that we have
18 available or don't have available on our website. And
19 mostly it's just to acknowledge and say that like all state
20 agencies in California government we've gone through a
21 process of remediating our documents that are available on
22 our website to ensure that they are ADA compliant prior to
23 them being available on the website. We remediated several
24 thousand pages of documents and declared on July 1st that
25 all the documents on our website were indeed remediated and

1 ADA compliant.

2 There are some documents that had to come down
3 off the website while we remediate those documents. I
4 think the best example of our prior business plans. All of
5 them came off for some time while we remediate those and
6 they will be fully remediated before they're available once
7 again on the website. This is not a process or a project
8 that is limited to high-speed rail, but is a broad project
9 with all state agencies to ensure compliance with the ADA.
10 And so I just wanted to make that clarification.

11 That concludes my CEO Report for today. And I'm
12 happy to answer any questions from the Board.

13 CHAIR MENDONCA: I have one quick question. Can
14 you just explain in English, for the public, what
15 remediation is underway, what that means for the website?

16 MR. KELLY: I'll do my best. In essence, there
17 are documents that are available on the website that are
18 difficult for somebody with disabilities to access or use
19 tools or equipment they may have at home to read those
20 documents. Sometimes it involves a voice read over or
21 other things. There are color graphics that are a part of
22 the solution.

23 So like I said, all state agencies had to review
24 the documents on their website and ensure that they were
25 remediated to make that process much more accessible for

1 any individual with a disability that needs that
2 assistance. And so the processes are what we call a paper
3 remediation process to make sure the documents when they
4 are back on the website are compliant. And that's what we
5 do. There's a whole guideline and entity that produces
6 what the standards are. And we work to meet those
7 standards.

8 CHAIR MENDONCA: Okay, great. Thank you.

9 Any questions or comments for Brian? Okay.

10 Thank you.

11 BOARD MEMBER CURTIN: I have a question.

12 CHAIR MENDONCA: Oh, did you have one? Sorry, go
13 ahead, Danny

14 BOARD MEMBER CURTIN: Yeah. So as I said in the
15 past, my concerns are that we have this 119-mile
16 requirement and we need to make sure we get this done in a
17 very, very tight timeline. So I couldn't help but looking
18 at the article yesterday. I wanted to ask just one or two
19 quick questions.

20 One piece that got my attention was that -- and
21 whether it's accurate or not I wanted to get a little
22 clarification -- that we're looking at 4 out of 50 bridges,
23 viaducts, etcetera, actually starting work or having work
24 on them. Can you tell me where that is, because that
25 sounded like an extraordinarily difficult goal to meet in

1 the next couple of years.

2 MR. KELLY: I'm sorry, can you restate the
3 question? I think I missed --

4 BOARD MEMBER CURTIN: Yeah. In the -- again, I
5 don't know the accuracy of the article or that sort of
6 thing, but it indicated that only 4 of 50 bridges, viaducts
7 and other structures are actually having work on them. I'm
8 assuming that's in the 119-Corridor from Madera to --

9 MR. KELLY: Yeah, I mean the article covered the
10 119-mile construction set from CPs 1 to 4.

11 BOARD MEMBER CURTIN: Yeah. So, I mean that
12 seems like an extraordinary number. Could you give us an
13 update about where that is, Joe, or whomever?

14 MR. HEDGES: Yes, sir. What's important about
15 CP2-3 is this, is that the majority of those structures are
16 Type 2 structures. They're not on the critical path. The
17 great news is right now is that we've just renegotiated
18 CDFW permits, which allows us basically to finalize the
19 wildlife permeability issues associated with these major
20 Type 1 structures, the long viaducts. What we have right
21 now on the critical path is those designs have begun and
22 are advancing. And we're planning for the early start of
23 construction for those structures.

24 I acknowledge that there's only basically seven
25 structures right now with regards to CP2-3 that are either

1 underway, or what's more importantly is we're about ready
2 to launch into these long viaducts, which is the critical
3 path for the program to achieve ARRA.

4 BOARD MEMBER CURTIN: Okay, but from my
5 perspective that whole 119 is sort of a critical path. I'm
6 not talking in a technical term here, but --

7 MR. HEDGES: It is, sir. Yeah, the 119 is the
8 critical path. But you have to acknowledge that there are
9 specific work items on the combined schedules that drive
10 the critical path of the program.

11 BOARD MEMBER CURTIN: Right.

12 MR. HEDGES: The critical path of the program is
13 on these long structures that have been delayed with
14 regards to the wildlife permeability associated with the
15 ATCs that go back to time of award when the guideway was
16 brought to the deck. (phonetic)

17 BOARD MEMBER CURTIN: Okay. So we're still, I
18 mean on the critical path, and the entire 119 is still
19 looking at meeting the deadlines as required by the FRA at
20 whatever period of time, 2022?

21 MR. KELLY: Yes. I mean, as we've stated before
22 the deadline for the construction work we have to complete
23 in 119 is daunting.

24 BOARD MEMBER CURTIN: Yeah.

25 MR. KELLY: Particularly in light of the fact

1 that a lot of the first order work, project development
2 work, right-of-way, third-party agreements and other things
3 were not completed at an earlier point. However, Joe has
4 led a task force that goes down to the Valley every week on
5 CPs 1, 2-3 and 4, goes through a checklist of the things
6 that we've got to get done. And as we discussed in the F&A
7 Committee prior to the full Board there is a plan that Joe
8 will be coming before the Board with, to F&A in October,
9 that lays out where exactly where we are in right-of-way,
10 where we are in third-party agreements and how we'll move
11 the work forward (indiscernible) and demo.

12 BOARD MEMBER CURTIN: (Overlapping) Yeah and I
13 appreciate that. I know it's an enormous task and it's
14 been an issue from day one on my presence on this Board,
15 right-of-way and third party relocation was an enormous,
16 complex and difficult. So you referenced that you're
17 looking at policies and procedures and that I'm assuming is
18 what you're referring to in the article. That we're
19 actually putting some new procedures and policies together
20 to get our hands around the third-party and the relocation
21 issues and the right-of-way issues?

22 MR. KELLY: Well, when you say policies and
23 procedures, I mean what we're doing is executing agreements
24 with some of the third-party partners that were not in
25 place, things like access agreements to move the utilities

1 from one location to another.

2 BOARD MEMBER CURTIN: Yeah. Okay, so those -- in
3 other words you're moving the ball on those agreements, but
4 there's not any actual policy type shift on how you're
5 doing it? It's just you're getting down, knuckling down
6 and getting it done.

7 MR. KELLY: I mean, Joe, if there's anything you
8 want to add, I would say this, this is about putting your
9 head down and doing the work.

10 BOARD MEMBER CURTIN: Yeah.

11 MR. KELLY: And so you go down there and you look
12 at what the challenges are. And all of them are, as Joe
13 articulated earlier at the F&A Committee, are a project-by-
14 project, challenge-by-challenge effort.

15 As I said, Joe has led a team that includes our
16 right-of-way folks, third-party commercial folks and
17 others. We go down and we take up each of these issues
18 one-by-one. And we have a 20- page matrix in CP1, about a
19 45-page matrix in CP2-3 and about 20-page in CP4. And you
20 just go through and you check off the list as you
21 accomplish the task. And that's the process that we're
22 implementing.

23 BOARD MEMBER CURTIN: Okay. Well, I appreciate
24 that. And the frustration is not now, in the past that we
25 didn't actually take these as seriously as we should have,

1 because that's what's gotten us into this bind now. And
2 maybe there's an ability to do multiple, instead of one at
3 a time, have two or three teams and do them all one at a
4 time, so that you're doing two or three in a day or
5 whatever the heck it is. But I know it's a daunting task.
6 I just want to make sure we're staying focused as a Board,
7 as well as on the Authority, that we need the 119 as soon
8 as possible.

9 MR. KELLY: I mean, Joe also mentioned at the
10 F&A, it's worth repeating here that we are applying some
11 what's called Lean Six Sigma principles to the right-of-way
12 process, where you cut out any inefficient parts of that
13 process to streamline it and move as quickly as we can.
14 That's a process we have implemented.

15 BOARD MEMBER CURTIN: Lean Six Sigma?

16 MR. KELLY: Lean Six Sigma, which is essentially
17 a process of making sure that your decisions are efficient,
18 that you're cutting out any unnecessary steps.

19 BOARD MEMBER CURTIN: Okay. That sounds like you
20 have a new policy to me, which is making me feel happy. We
21 could have done a Lean Six Sigma two years ago; we wouldn't
22 be having this conversation. So all right, thank you.

23 MR. KELLY: Sure.

24 CHAIR MENDONCA: Any other questions or comments?
25 Please, Bonnie?

1 BOARD MEMBER LOWENTHAL: Well first of all,
2 Brian, I want to thank you for coming down to Los Angeles.
3 Ernie and I were really pleased to participate. And for
4 all of those who say is it going to happen in Southern
5 California, I think that MOU goes a long way to answer
6 people's questions.

7 It occurred to me when you were having the F&A
8 discussion and you mentioned that the irrigation districts,
9 which there are so many of them, are a challenge for you to
10 have access, make agreements with, we have three Authority
11 members from the Central Valley who are very well versed
12 with the people in those irrigation districts. Joaquin,
13 Henry Perea and Tom Richards know the people, work with
14 them all the time, have close relationships. So I would
15 implore you to use our own people to further your desire to
16 get some of these contracts done. Nobody knows better than
17 these guys.

18 MR. KELLY: I appreciate that. Thank you.

19 CHAIR MENDONCA: Okay. Just for the record I'd
20 like to note that I consider myself half a member from the
21 Central Valley, having spent half my life there.

22 BOARD MEMBER LOWENTHAL: Oh, I'm so sorry.

23 CHAIR MENDONCA: That's okay.

24 BOARD MEMBER LOWENTHAL: That makes four.

25 CHAIR MENDONCA: Three-and-a-half.

1 BOARD MEMBER CAMACHO: Joe, earlier today I asked
2 a question relative to construction and the amount of
3 construction. And maybe for full Board I'd like to ask it
4 again. The construction activity for CP1, 2-3, and 4,
5 amounts to about \$20 million for ending July. Could you
6 give us an order of magnitude what it may have been then
7 for August?

8 MR. HEDGES: Sir, right now I don't have the
9 August numbers, but in July, CP2-3 was 17.7 was the
10 approved invoice, 13 billion with regards to CP1 as
11 reported -- million, sorry. Always think big here, so and
12 then CP4 was at 8. Those are what's in the minutes of the
13 F&A. So August is going to grow probably by another 10 or
14 15 percent accordingly.

15 And you're seeing too, the biggest indicator
16 right now of that is if you go back and you look at the
17 number of workforce on the jobs, it's doubled since March.
18 It's on a steady climb.

19 BOARD MEMBER CAMACHO: So what we -- CP1, 2-3 and
20 4 cumulative you would say it's about 15 percent, 10 to 15
21 percent more?

22 MR. HEDGES: Approximately 10 to 15. I'd have to
23 go check, sir. This is just (indiscernible) making
24 incremental changes.

25 BOARD MEMBER CAMACHO: All I was looking for is

1 that graph the turn the other way.

2 MR. HEDGES: No, it is. And if you look at it,
3 the curve has been up for the last couple of months. And
4 the biggest indication, like I said, is CP4 has held at 8
5 million for the last two months.

6 BOARD MEMBER CAMACHO: I think that's the reason
7 it's so important for us to at least get what we have
8 concretely, if we knew at the end of July it was this
9 number and if we can't get a hard number for August or
10 September, then it would help us if you would give us at
11 least best guestimates or.

12 MR. HEDGES: Yes, sir. We can do that. And we
13 can also too -- I monitor the KPIs with regards to weekly,
14 with regards to performance on PG&E and with regards to the
15 number of people out on the job sight as a leading edge
16 indicator of performance.

17 BOARD MEMBER CAMACHO: Thank you.

18 VICE CHAIR RICHARDS: I think, if I may Mr.
19 Chairman, I think if we just implement what we talked about
20 in F&A today with your reports in October, it'll give
21 everybody a lot more -- not necessary comfort, but we'll
22 have the information that I think that we can draw the
23 conclusions as to where we are and how rapidly we're
24 getting there. So I think the plan is in place and we'll
25 look forward for your implementation of it and then

1 delivery to the F&A next month. Thank you.

2 MR. HEDGES: Thank you.

3 CHAIR MENDONCA: Thank you. Are there any other
4 comments or questions?

5 (No audible response.)

6 CHAIR MENDONCA: Okay. Thank you. Then move on
7 to Item Number Seven. I know that Vice Chair Richards,
8 most of the members of the Board were at the F&A Committee,
9 but is there anything you'd like to add to that discussion?

10 VICE CHAIR RICHARDS: No. I think other than
11 Danny Curtain, I think we were all there, but you got your
12 comments in. And I appreciate those also, Danny, so we are
13 working on addressing with refined reporting some of the
14 information that you were talking about earlier. Hopefully
15 we'll see that in a form that we can look at and rely upon
16 month-to-month at F&A. And then call out to the Board.

17 CHAIR MENDONCA: Okay. Thank you. And if there
18 are no other comments or questions on that item we'll move
19 back to Item Number Three.

20 And just to remind everyone, what we're going to
21 do here is we're going to Item Number Three, then have
22 public comment, then we'll do Item Number Four and have
23 public comment.

24 So Boris, please take it for Number Three.

25 MR. LIPKIN: Great, thank you, Chairman Mendonca

1 and Board Members. Boris Lipkin, Northern California
2 Regional Director. And thank you for being here in San
3 Jose today for this meeting. As you know we're taking a
4 big step in Northern California. And it's important that
5 you get to hear directly from the public that's here that's
6 living in the communities along the route that we're going
7 to be talking about today.

8 Also, before I jump into the actual presentation,
9 this has been a big effort by the Northern California team.
10 I just want to take a second to thank many of the staff
11 that have really worked hard on both the technical work to
12 get us to this point as well as all of the outreach that
13 we've conducted over the last couple of months.

14 I'll just mention some of the folks who have been
15 integral to this: Gary Kennerly, Dave Spock, James Tung,
16 Morgan Galli, Phyllis Potter, Chris Tewa, Bruce Bakoogie,
17 (phonetic) Julien Bertina, Yosef Giev, (phonetic) Yvonne
18 Chan and then the entire HNTB, ICF and Print and West
19 (phonetic) teams. And then along with those folks, my
20 predecessor in these shoes, Ben Tripousis, is also here and
21 has been along for much of the ride to get to this point.

22 And so it has been a large undertaking by the
23 entire project team here in the Bay Area. So I just want
24 to make sure that they get recognized for the hard work
25 that's gone into this step in the process.

1 So I think, Chairman Mendonca, you laid out sort
2 of the objective of identifying the Preferred Alternative.
3 So what the ask is of the Board to concur with the staff
4 recommendation of identifying Alternative 4 as the
5 Preferred Alternative for the San Jose to Central Valley
6 Wye extent of the San Jose to Merced Project section for
7 purposes of the Draft EIR/EIS.

8 In sort of common CEQA parlance, this would be
9 the equivalent of the proposed project. It being moved
10 forward and at many agencies this would be something that
11 staff would do on our own and then just include in a draft
12 environmental documents. I think it's a great move that
13 the Board has asked us to, instead of just making those
14 decisions ourselves, that instead what we go through is the
15 process that we've done here over the last few months is do
16 the analysis, release the staff recommendation, vet those
17 with the communities along the route, bring that feedback
18 back to you. And then give you the opportunity to guide us
19 in what you would like to see as the Preferred Alternative
20 in the draft environmental documents. And so that's kind
21 of what we're here to do today.

22 The other thing that I'll mention and I think
23 you've brought up as well, Chairman, that this is not a
24 final decision. I think the way to describe it is I'm not
25 sure if this is the end of the beginning or the beginning

1 of the end of the process, but that's somewhere kind of on
2 the balance of where we're at. But there's a lot more for
3 us to do as we get to the draft environmental documents
4 stage, more opportunities for public comment and input for
5 us to consider, and then coming back to you for adoption of
6 the final project after the final EIR is completed.

7 So to give you a sense of kind of what we have
8 done up to this point, we have gone through a process of
9 identifying a range of alternatives and refining those over
10 time. I'll describe a little bit of the steps that we've
11 taken over the last 10 years to get here. Over the last
12 year-and-a-half we've really focused on the evaluation of
13 those alternatives. And the results of that evaluation are
14 the heart of this presentation.

15 As I mentioned, we released those recommendations
16 back in July and have been vetting those with the public.
17 And have lots of input that we've already gathered and more
18 that you'll hear directly from folks today. And then we're
19 here back with Step Three asking you concur with our
20 recommendations and give us directions for the next step.

21 So in this project section, the evaluation of
22 alternatives has really been about a 10-year process,
23 starting in 2009. We took our first go at it in the 2010
24 to 2014 timeframe. We looked at all sorts of different
25 options of different routes in this project section, took a

1 little bit of a hiatus as focus for the agency shifted to
2 Southern California. And then came back and refined those
3 previous options in 2016 and '17. And then out of the 2018
4 Business Plan, added a fourth alternative that I'll
5 describe in a little bit more detail, over that time. And
6 of course public input has been a critical component of the
7 entire process along the way.

8 VICE CHAIR RICHARDS: Mr. Chairman, if I may for
9 a moment, would you explain to the public what Checkpoint B
10 means?

11 CHAIR MENDONCA: Yes. Thank you, Vice Chair
12 Richards. Checkpoint B is a marker in our agreements with
13 federal regulatory agencies for them to concur with the
14 range of the alternatives that we have under study. And so
15 that's been an important component of our agreements with
16 the federal government on how we do the environmental
17 process.

18 MR. LIPKIN: The input that we've gotten over
19 just the last three years, we've had over 500 different
20 meetings and engagements, really getting an in-depth
21 understanding and input from communities that know their
22 areas much better than we would. And that's be incredibly
23 valuable for us across sort of our normal and regularly
24 scheduled community and technical working groups, public
25 open houses, as well as other engagements.

1 The blue bar is the outreach just focused on the
2 Preferred Alternative that we've done over the past couple
3 months before coming back to you.

4 Along with the members of the public and
5 communities, we've also had the privilege of interfacing
6 with many different agencies along the route that have
7 jurisdiction over different areas. And so this is not, I'm
8 not going to go through this line-by-line, but just to give
9 you a sense of some of the great input that has led us to
10 this point and has helped us refine the alternatives along
11 the way before bringing them to you. This has been a large
12 partnership. This project section covers about 84 miles.
13 And so we've had lots of engagement with both communities
14 and agencies of jurisdiction in this project section.

15 To walk you kind of relatively quickly through
16 the process of developing the range of alternatives, I'm
17 not going to pause in great depth on every slide, because
18 there's a lot of history here that has happened over time.
19 But sort of the first range of decisions was in 2005 and
20 2008 to decide to connect the Silicon Valley and Central
21 Valley would we use the Altamont Pass or the Pacheco Pass?
22 That decision was made in 2008. And that moved us forward
23 into looking at the various options of how we could get
24 from San Jose down through Gilroy then across the Pacheco
25 Pass out to the Central Valley.

1 We started with probably a couple of dozen
2 different route options, everything east, west, north,
3 south and really kind of a broad spectrum of things that we
4 looked at. As I mentioned, we first narrowed that down in
5 the 2011, 2012, 2013 timeframe after the analysis that was
6 done at the time. When we came back in 2016 and '17,
7 things had evolved on the ground and so we needed to make
8 adjustments and refine the alternatives that we have had
9 previously. And then as I mentioned, out of the 2018
10 Business Plan, we had one more alternative that got added
11 to get to the final four options that we are looking at
12 here today.

13 So for this project section, it spans all the way
14 from Scott Boulevard in Santa Clara, on the north side of
15 the map, down through San Jose and Gilroy and then across
16 Pacheco Pass to Carluco Road, which is in Merced County.
17 It's about 84 total miles.

18 In the range of alternatives we have four
19 different options, but for parts of the routes, they will
20 sometimes overlap. So for example when we go through,
21 going through Pacheco Pass, all of the alternatives are the
22 same horizontal and vertical profile in that part of the
23 corridor. The differentiation is when we have two, three
24 or four different options between San Jose and Gilroy.

25 Just to kind of orient you to what the various

1 elements that we will talk about are, so I think many of
2 you are probably already familiar with this already. When
3 we have a dedicated corridor, so when it's just high-speed
4 rail using the corridor we have generally either a viaduct,
5 which is an aerial structure, many of which we are building
6 in the Central Valley, an embankment or a dedicated at-
7 grade corridor where we're separated from any adjacent
8 other rail operators.

9 In the Alternative 4 that we added from the 2018
10 Business Plan we have a blended configuration. So this is
11 where we would share tracks with a commuter rail operator,
12 Caltrain in this case, as well as sharing the corridor with
13 the Union Pacific freight railroad. And then through
14 Pacheco Pass, we have our twin bore tunnels to get through
15 the mountains, we have a couple of those.

16 To walk through the project section, we have
17 broken it down into several subsections. Starting with the
18 Diridon approach, we have two different alternative options
19 here with one design variation. Starting with where the
20 viaduct starts for the arrow options in Alternatives 1, 2
21 and 3 either at Scott Boulevard or I-880, going through at
22 an aerial Diridon Station before continuing over Highways
23 280 and 87 and then coming back to grade after Tamien
24 Station.

25 And then the second option we have in this

1 project section is utilizing the existing rail corridor
2 with an at-grade Diridon Station and then continuing
3 through the existing Caltrain corridor up through the
4 Tamien Station.

5 In the Monterey Corridor, this is South San Jose,
6 we have three options in the range of alternatives. One is
7 a viaduct down the middle of Monterey Road taking two of
8 the lanes to create the space for the viaduct. Alternative
9 2 is a fully grade-separated embankment between the
10 existing rail corridor and the Monterey Road. And then
11 Alternative 4 utilizes the existing rail corridor
12 throughout this area.

13 When we get down through to Morgan Hill and San
14 Martin, we similarly have three alternative options.
15 Alternatives 1 and 3 are the viaduct that swings to outside
16 of the downtown Morgan Hill and towards 101 staying on the
17 west side of the highway before coming back in San Martin.

18 And then Alternative 2 and Alternative 4 go
19 through downtown Morgan Hill. Alternative 2 grade-
20 separating all of the streets and creating a dedicated
21 corridor adjacent to the existing rail corridor and then
22 Alternative 4 using existing the rail corridor.

23 And then finally the differentiation is that it
24 is peak when we get to Gilroy. This is where we have two
25 station options: one in Alternative 3 is the East Gilroy

1 station out by where the outlet malls are there. And then
2 Alternatives 1, 2 and 3 utilizing either a viaduct
3 embankment or the existing rail corridor to get to a
4 downtown Gilroy station where the existing Caltrain station
5 is.

6 And then all of the alternatives converge at
7 Tunnel 1, which is next to Casa de Fruta as we start to get
8 through the Pacheco Pass.

9 The Pacheco Pass section includes our long tunnel
10 in this project section, the thirteen-and-a-half mile
11 tunnel that swings north of the San Louis Reservoir. And
12 then we get out after I-5 into the San Joaquin Valley where
13 we have a mix of embankment and viaduct structures for the
14 guideway in the Grass Lands Ecological area, which is a
15 sensitive wildlife area out in this project's subsection.
16 We are consistent with our programmatic EIR/EIS commitment
17 of a viaduct through the area to minimize the impacts to
18 the wildlife there. And then of course this is an area
19 that we have continued engagement with folks with expertise
20 in this particular area and have lots of sensitive habitat
21 there that we will continue to engage with along the way.
22 And of course there will be a lot more on this as we get
23 into the Draft EIR/EIS.

24 So that's the setup. That's the range of
25 alternatives to give you the lightning tour of the project

1 section.

2 Now for the analysis that we've conducted,
3 there's a broad range of things that we will cover in the
4 Draft EIR/EIS. When it comes to identifying a Preferred
5 Alternative, our focus is on those areas that are
6 differentiators between the alternatives.

7 So there's other things that are important. And
8 we will cover in full when we get to the next stage in the
9 process. But right now we're focused on those areas that
10 will have a marked difference between the alternatives, so
11 that we can give you our best understanding of where we
12 might be headed.

13 And in the analysis that we've done, as you can
14 imagine there's not going to be a perfect answer that just
15 on every single category that we would look at will perform
16 the best. This is complicated. And there's a whole bunch
17 of trade-offs that come with identifying the Preferred
18 Alternatives.

19 So really what we're looking for is a balance
20 between the system performance, operations and cost
21 characteristics. So this is sort of what the high-speed
22 rail infrastructure will look like, how will it perform,
23 the set of environmental factors, many of which have a
24 substantial regulatory burden to them, and then of course
25 the important community factors which are either things

1 effecting communities along the route or things that we've
2 heard through outreach that folks wanted us to look into.

3 And so the kind of rollup of all of this, I'll
4 cover briefly. In your Board Memo there's actually numbers
5 for many of these different metrics. And you can see how
6 the different alternatives stack up. Of course there's
7 also a full staff report that gets into the next layer of
8 detail and analysis that's attached to the Board item as
9 well.

10 To cut to the chase, the staff is recommending
11 that Alternative 4 be identified as the Preferred
12 Alternative for the Draft EIR/EIS. This includes the
13 blended system, extending the blended system from San Jose
14 where it's currently supposed to terminate down to Gilroy
15 and then continuing on a dedicated route through the
16 Pacheco Pass.

17 When we compare the system performance
18 characterizes, Alternative 4 by using the blended system we
19 give up several minutes of travel time. So the fastest
20 route that we could pick would be Alternative 3, which is a
21 dedicated corridor swinging and cutting off the corner
22 there through the East Gilroy station. Those several
23 minutes though are something that we make up for in other
24 parts of the system. And then of course there's a lower
25 capital cost associated with utilizing the existing rail

1 corridor.

2 On the community factors, this is where you start
3 to see some of the benefits of utilizing that existing
4 corridor, so across the many areas of displacement, so
5 residential, commercial, public facilities and agricultural
6 impacts, we see the lowest impact from Alternative 4. So
7 by using what's already a railroad use of the space we have
8 less impacts to everything outside of the rail corridor.

9 We also have better consistency with the Gilroy
10 General Plan, where the station location and low visual
11 impact. But we do have tradeoffs on the other side where
12 we have higher noise impacts, because we have the at-grade
13 crossings where trains will blow their horns. And then of
14 course on some of the environmental justice factors by
15 swinging to East Gilroy where there's less population, we
16 avoid some of those impacts to those communities in
17 Alternative 3.

18 Across the environmental factors, across the
19 Board, on waters and wetlands, habitat for and other
20 natural resources, parks and historic resources this is
21 where Alternative 4 really shines by being able to utilize
22 what's already an existing rail corridor.

23 And then finally from an extra kind of policy
24 perspective, Alternative 4 provides for the ability to
25 extend the blended system down to Gilroy, which is

1 something that the communities in South San Jose and South
2 Santa Clara County have wanted better Caltrain commuter
3 rail service. And so this option allows us to leverage our
4 planning and our investment to also have additional
5 benefits to those communities. And Caltrain has undertaken
6 a business plan to develop a long-range service vision that
7 has also looked at the opportunity for them to piggy back
8 off of what we're doing here. And if we move forward with
9 Alternative 4 ultimately then being able to use that
10 infrastructure for better commuter rail service, so that we
11 get more bang for our buck of what we can do with the rail
12 corridor here.

13 So to roll all of that up we do see tradeoffs
14 with the alternatives, but when we take in all kind of in
15 summary form our recommendation for Alternative 4 is based
16 on having the fewest displacements, fewest impacts to
17 natural resources and wetlands and other habitats. We give
18 up a little bit of travel time and have a little bit more
19 noise from Alternative 4, but of course we also have the
20 lowest capital cost and then the best leverage of our
21 investment towards allowing that extended Caltrain service.

22 Now as I mentioned we released these
23 recommendations back in July. And we've had an extensive
24 outreach program over the last couple of months trying to
25 gather feedback. In your packet there's another report

1 that's a summary of all of the feedback that we've
2 received. I'm going to relatively quickly cover some of
3 those highlights, because I know there's many members of
4 the public who will give your feedback directly. So I
5 don't want to step on their toes.

6 But just to give you a sense, this is our summary
7 of what we did in July and August. In July, we were
8 focused on our technical community working groups. And
9 then we had public open houses in August with engagements
10 with city councils and county board of supervisors and
11 others along the way, interspersed in between.

12 Sort of key themes out of all that engagement, we
13 heard lots of support and lots of interest in the mobility
14 that high-speed rail provides. And really focused on both
15 the connection between Silicon Valley and the Central
16 Valley that is critical for this project section is
17 enabling a piece of -- for that, as well as the entire
18 Phase 1 system and the connections down to Southern
19 California.

20 We heard lots of really positive reaction to the
21 Alternative 4's ability to minimize residential and
22 commercial displacements, which are issues that we had
23 certainly heard before related to some of the other
24 alternatives that we've studied.

25 As I think you heard from the Mayor, I think he

1 articulated quite well the interest in grade separations
2 across the corridor and especially in San Jose focused on
3 safety, traffic, noise and emergency vehicle response
4 times. Because Alternative 4 has those train horns,
5 there's a lot more concern about noise impacts and interest
6 in how that'll be studied and what mitigations do we
7 propose in the Draft EIR/EIS.

8 We heard about community cohesion in the greater
9 Gardner area and I know there's some representatives here
10 who will speak to that further. And then in Los Banos we
11 heard interest for a station there. Prop 1A of course,
12 doesn't allow us to have a station between Gilroy and
13 Merced. But there's lots of opportunities for us to look
14 at how we improve mobility in that area. And then we also
15 got feedback back on historical and cultural resources as
16 well.

17 Just to give you a quick snapshot from the three
18 sets of groups that we were engaged with, in our community
19 working group, in this area, we didn't hear a ton of
20 interest in one of the other alternatives from the range of
21 alternatives under study, except for the area around
22 Gardner where there's interest in the I-280/87 option of
23 going around that area instead of through the existing rail
24 corridors.

25 What we did hear was, of course, a lot of

1 interest in grade separations as an add-on element above
2 and beyond what we have on top of Alternative 4. At our
3 open houses, first we heard lots of support for the project
4 and for the Preferred Alternatives and especially focused
5 on those key differentiating factors of reducing
6 residential displacements. But of course on the tradeoff
7 side, the noise impacts associated with some of those --
8 that option.

9 We also heard lots of discussion and interest of
10 how the extended blended system would work down to the
11 Gilroy and what that would mean for communities along the
12 route and what our plans are and how we're going
13 collaborate with our partners at Caltrain.

14 And then finally from cities and councils, I
15 think you -- I don't mean to repeat the Mayor's feedback.
16 I know there are also representatives here from Gilroy who
17 are -- Gilroy was supportive of Alternative 4 and they'll
18 speak to that themselves as well as from Morgan Hill, and I
19 know their city manager will be able to provide you their
20 feedback directly.

21 I think you've already laid out our next steps
22 after today's hearing. This is sort of the last thing that
23 we need to in order to get to the draft environmental
24 documents stage. We anticipate those being out early next
25 year and then getting feedback through a 45-day public

1 comment period and then getting to a final EIR/EIS that we
2 will bring back to you for certification in early 2021.

3 So I think with that I'm going to pause here and
4 ask for your concurrence and recommendation after you hear
5 from members of the public as well.

6 CHAIR MENDONCA: Great. Thank you very much for
7 thorough report and all the hard work.

8 What we're going to now is have time for public
9 comment on this agenda item. And then we will come back --
10 ask you to come back up if Board Members have comments or
11 questions. And then vote on the recommendation. So I have
12 over 20 comments. So I'm going to group them three or four
13 at a time and ask people to come up so we can get as good
14 use of the public's time as possible and ask everyone to
15 please keep your comments brief and to the point.

16 And so I'm going to call the first four up. If
17 you would come up, Michael Serratto from Burlingame, Bert
18 Weaver from San Jose, Jason Kim from San Jose, and Alberto
19 Mezo I believe, I apologize if I said that wrong, from
20 Gilroy.

21 So let's begin with Mr. Serratto. Thank you.

22 MR. SERRATTO: Thank you ladies and gentlemen.
23 My name is Michael Serratto. I'm the President of the
24 Hollister Land --

25 CHAIR MENDONCA: Could you get a little closer to

1 the mic just so we can hear you? Thank you.

2 MR. SERRATTO: I'm the President of the Hollister
3 Land and Cattle Company, which is the largest single
4 private land owner in the Grasslands Ecological Area. And
5 I'm here to express my concerns about the alignment of
6 Alternative 4 through the Grasslands Ecological Area.

7 The primary thing that strikes me is that over
8 the years, the Hollister Land and Cattle Company was formed
9 in 1927 on lands owned by like Miller and Lux Cattle
10 Company. It's within the historic floodplain of the San
11 Joaquin River.

12 And over the years the federal government, the
13 state government, private land owners have contributed
14 millions and millions of dollars to create the Grasslands
15 Ecological Area. The federal government, for example, has
16 created the San Louis National Wildlife Refuge. The Bureau
17 of Reclamation supports the Central Valley Project
18 Improvement Act, which supplies water to the Grasslands.
19 The US Fish and Wildlife Service has purchased easements on
20 private landowners' properties to the extent of millions of
21 dollars. These are waterfowl habitat easements. The
22 federal government provides grants under the North American
23 Waterfowl Conservation Act to private duck clubs in
24 conjunction with conservation organizations like Ducks
25 Unlimited and the California Waterfowl Association. The

1 State of California provided refuges.

2 Our organization has a budget of \$432,000 this
3 year. And that will be used entirely, either directly or
4 indirectly, to support waterfowl and waterfowl habitats.

5 I urge you to adopt the proposal suggested by the
6 Grassland Water District representatives to either put the
7 train underground, put a physical shield above it, or
8 abandon the project altogether and put the train through
9 the Altamont Pass Corridor.

10 CHAIR MENDONCA: Okay. Thank you, Mr. Serratto.
11 Mr. Weaver.

12 MR. WEAVER: Hello. I'm Bert Weaver. I
13 represent the Delmas Park Neighborhood on the San Jose
14 Community Working Group. Delmas Park Neighborhood is the
15 area that includes all of the area around Diridon Station.
16 I want to agree with the neighbors that you're going to
17 hear from very soon from Gregory Plaza, North Willow Glen
18 and Gardner that the at-grade track alignment south of
19 Diridon Station is a bad idea. Part of why it's a bad idea
20 is that it would create an extremely unsafe condition in
21 Gregory Plaza by blocking one of the two access routes in
22 and out of the area.

23 In addition, it would essentially close Auzerais
24 Avenue for most of the day just because of the high number
25 of trains going back and forth across that at-grade

1 crossing. This is simply unacceptable.

2 There is a solution. Put all of the electric
3 trains on an elevated viaduct over the freeways, skirting
4 the neighborhood. You've already heard from Mayor
5 Liccardo. I should also note that Dave Cortese of the
6 County Board of Supervisors also supports this alternative
7 of an elevated viaduct. And I urge you to reject Option 4
8 and instead adopt the elevated viaduct option.

9 CHAIR MENDONCA: Thank you Mr. Weaver.

10 Mr. Kim.

11 MR. KIM: Hi. Good afternoon. My name is Jason
12 Kim. I'm here representing the Santa Clara Valley
13 Transportation Authority, VTA.

14 We want to express our support for the High-Speed
15 Rail Program and the Preferred Alternative. We want to
16 thank High-Speed Rail staff for all their ongoing
17 coordination with VTA concerning this project. And we look
18 forward to continued coordination with all the work we'll
19 be continuing to do with this program.

20 We want to ensure that our continued coordination
21 would potentially resolve and minimize all conflicts going
22 forward. And we want to specifically call out all the work
23 that we're doing together on Diridon project and look
24 forward to all the additional work we'll be doing in terms
25 of what happens next with the Preferred Alternative,

1 including aspects of community involvement and anything
2 related to other potential work needing to be done with
3 this Preferred Alternative.

4 So again, we want to express our support for the
5 High-Speed Rail Program and the Preferred Alternative.
6 Thank you.

7 CHAIR MENDONCA: Thank you, Mr. Kim.

8 And as Mr. Mezo, I believe that's your name, did
9 I say that right?

10 MR. MEZO: Close.

11 CHAIR MENDONCA: Okay. So as you're coming up
12 let me name the next four so we can have them prepared
13 behind you: Reyn Akiona, Teresa Alvarado, Steve Roberts and
14 Harvey Darnell, if you could be prepared. So please go
15 ahead and I apologize for saying your name wrong.

16 MR. MEZO: No worries and thank you. Good
17 afternoon Board of Directors. It's my pleasure to be here
18 in support of Alternative 4. My name is Alberto Mezo. I'm
19 the Assistant Superintendent of Business Services and Chief
20 Business Official for the Gilroy Unified School District.

21 We're in complete support of Alternative 4 as it
22 would avoid our educational facilities, which of course are
23 significant: one being the middle school, which serves 900
24 students; the second one being our only charter school in
25 Gilroy Unified, which serves 540 students. A really main

1 concern is that intersection of I.O.O.F. and Monterey as we
2 are in support of the blended alternative at-grade. Half of
3 the trains are going to travel at 110 miles an hour. Half
4 of them may stop. So we're in particular the concern is
5 our safety of the students, pedestrians and elderly.

6 So we look forward to the process of reviewing
7 the EIR and making our comments public, so it won't be the
8 last time that you hear from me. But we certainly think
9 that the city, the Gilroy Unified School District, our city
10 is excited by this project. And we're 100 percent in
11 support of it. We just want to make sure that our
12 pedestrians, our young students, our youth are safe. Thank
13 you.

14 CHAIR MENDONCA: Thank you, Mr. Meza.

15 Reyn Akiona. I am again -- I apologize in
16 advance if I'm not saying your name properly.

17 MR. AKIONA: Better than most. Well, first I
18 want to start off. My name is Reyn. I'm the Environmental
19 Program Director for Bowles Farming Company through which
20 the alignment bisects our operation. However, I'm not here
21 on behalf of our own troubles and issues associated with
22 the project. I'm sort of more concerned about the more
23 (indiscernible) issues that are associated with the
24 alignment of the project. I've spent the last decade
25 working as an ecologist in the Grasslands Wildlife

1 Management Area.

2 CHAIR MENDONCA: Could I ask you to speak just a
3 little closer to the mic, thank you.

4 MR. AKIONA: Sure, I apologize. So I spent the
5 last decade working as an ecologist in the Grasslands
6 Wildlife Management Area. And as an ecologist who has
7 monitored and captured animals and knows the sound of birds
8 flying across the Grasslands and knows the wildflowers that
9 exist there, I cannot tell you that you can underestimate
10 the sort of the tie the ancient tie or the ecological
11 character of those lands. However, I think beyond that
12 sort of loose and philosophical value of those landscapes I
13 think there's most pragmatic value to those Grasslands
14 ecological areas.

15 Currently, the Grasslands Ecological Area, due to
16 its size and its orientation, might be the last opportunity
17 for ecological connections throughout San Joaquin Valley.
18 In their California Central Connectivity Project, Caltrans
19 and the California Department of Fish and Wildlife
20 identified the Grasslands as one of only two major
21 California essential connectivity areas in the San Joaquin
22 Valley. In turn agencies, NGOs, landowners, ranchers,
23 farmers have all invested heavily into finding creative
24 solutions that build habitat connectivity in this region
25 such that it could sustain wildlife conservation for

1 millennia.

2 We are in trust of a challenge here in the state
3 of California. We have a history wherein development and
4 infrastructure have at times been found at odds with our
5 resource interests. And with a community
6 that's increasingly sensitive to this history I cannot
7 understate the chance of success upholding these wildland
8 interests.

9 And I know I'm out of time. But I will tack on I
10 do understand that the Board has received commentary from
11 agencies in the area. And I would charge that the Board
12 review those letters personally, prior to making the
13 decision.

14 CHAIR MENDONCA: Thank you.

15 Ms. Alvarado.

16 MS. ALVARADO: Good afternoon Board Members.
17 Thank you for the opportunity to provide comments regarding
18 the proposed Preferred Alternative for the San Jose to
19 Merced project section. Determining a Preferred
20 Alternative is an important milestone for High-Speed Rail
21 to continue planning efforts for this crucial segment.
22 SPUR supports staff's recommendation as laid out in the
23 memorandum.

24 SPUR, the San Francisco Bay Area Planning and
25 Urban and Research Association, is an early supporter of

1 high-speed rail, having authored numerous reports and
2 articles on how high-speed rail benefits California and how
3 the Bay Area can make the most of high-speed rail.

4 Two years ago, following an SPUR sponsored study
5 trip to high-speed rail station cities in Europe, the
6 California High-Speed Rail Authority joined the Valley
7 Transportation Authority, Caltrain and the City of San Jose
8 in a cooperative agreement to create and deliver the
9 Diridon Integrated Station Concept Plan. The DISC Plan
10 must ensure that high-speed rail service is planned in a
11 way to achieve High-Speed Rail's ridership projections and
12 infrastructure requirements.

13 Likewise, it is critical for the High-Speed Rail
14 Project to effectively integrate into the transit network
15 of local communities in which it is linked. Therefore we
16 would recommend the ongoing involvement of High-Speed Rail
17 staff in a DISC planning process and urge High-Speed Rail
18 to adopt the DISC Rail Alignment Plan.

19 It is imperative that the planning efforts
20 underway today will enable the DISC partners to deliver on
21 the world class, multimodal station design and service
22 integration that we inspire to achieve. That can only
23 happen in unison.

24 And the benefit of collaboration really cannot be
25 overstated, as was repeatedly conveyed to us in Europe. As

1 one of our hosts from ARAP, (phonetic) a subsidiary of
2 France's National State Owned Railway said, everyone will
3 get less than they wanted, but more than they expected.

4 CHAIR MENDONCA: Thank you.

5 Mr. Roberts.

6 MR. ROBERTS: Good afternoon, Board. My name is
7 Steve Roberts. And thank you for allowing me to address
8 you. I'm here representing the Rail Passenger Association
9 of California and its members who live in the San Joaquin
10 Valley, East Bay, San Jose and all throughout the Bay Area.
11 As an organization we are strong advocates for expanded
12 public transportation. And as a result RailPAC recommends
13 that The High-Speed Rail Board go ahead and adopt
14 Alternative 4 as the Preferred Alternative for the San Jose
15 to Merced line segment.

16 In order to support strong economic growth in
17 California, we need the additional transformative
18 transportation capacity that this link will offer us. We
19 can't -- a no-build option is not an option. It's only an
20 option for gridlock, so we must move ahead with this and
21 link the Bay Area and the San Joaquin Valley. Thank you.

22 CHAIR MENDONCA: Thank you Mr. Darnell, I mean
23 sorry, thank you Mr. Roberts.

24 And as Mr. Darnell is coming up, can I ask the
25 next four to get in line please: Mary Pizzo from San Jose,

1 Danny Garza from San Jose, Patricia Gormley from San Jose
2 and Bill Rankin from San Jose. So Mr. Darnell, the floor
3 is yours.

4 MR. DARNELL: Thank you Chairman, Board Members,
5 Senator and Assemblyman. My name is Harvey Darnell and I
6 am the former Chairman of the Greater Gardner Strong
7 Neighborhoods Initiative Coalition.

8 I stand before you as I did in April of 2010 to
9 enlighten you on the harm an at-grade high-speed rail
10 alignment will do to my neighborhood, which has had
11 multiple major transit incursions over the last 85 years.
12 This is the "Mercury News" coverage from that testimony.
13 And you have a copy of that smaller version in front of
14 you. And someone pointed out I'm wearing the same jacket.
15 (Laughter.)

16 You also have the 18-page document that we
17 presented to you. And I encourage you to peruse that
18 before you make your vote today. That day Chairman Pringle
19 thanked our group for our polite and thought-provoking
20 presentation. The Board subsequently withdrew our
21 alignment at-grade from consideration in 2011. In an
22 effort the value engineering was reinstated as an
23 alternative in 2013 under Governor Brown.

24 I subsequently joined the San Jose Community
25 Working Groups. There were three of them. I am the only

1 San Jose member to have attended all the meetings of all
2 three groups over the several years. I can tell you that
3 at the last San Jose Community Working Group only two
4 members voted for Alternative 4. The rest of the members
5 wanted hybrid alignments, which either bypassed
6 neighborhoods such as our 280 and 87 elevated alignment or
7 had grade separations at all the crossings.

8 I ask you to honor the City of San Jose Council
9 request by fully developing and evaluating the alignment
10 over 280 and 87. With an at-grade alignment through my
11 neighborhood there will be a loss of a part of Fuller Park,
12 noise and vibration issues, environmental justice issues,
13 and above all safety issues at the grade crossings. Thank
14 you so much and welcome to San Jose.

15 CHAIR MENDONCA: Thank you, Mr. Darnell. And for
16 the record, I like your coat. (Laughter.)

17 MR. DARNELL: Thank you. And for the record we
18 support high-speed rail.

19 CHAIR MENDONCA: Thank you.

20 Thank you. Ms. Pizzo.

21 MS. PIZZO: I need my notes. Hi. My name is
22 Mary Pizzo. I'm a resident of Gregory Plaza for 32 years.
23 And I've been providing active feedback on this High-Speed
24 Rail Project for one-third of the time I've lived there.
25 Again, I was attending the meetings. We were planning.

1 We've been providing feedback. So as a result when we see
2 the staff's Preferred Alignment we're very discouraged,
3 because at-grade that plan, needs to be considered in
4 totality from the station all the way down to Merced. It
5 negatively affects the residents of Gregory Plaza,
6 Gardener, Delmas and both in the Auzerais Crossing and
7 along Monterey Highway.

8 We currently have Union Pacific and Amtrak and
9 Caltrain and the Capitol Corridor and the ACE train already
10 coming through our neighborhood. Adding high-speed rail in
11 my particular neighborhood will bisect the neighborhood
12 once again. And in this case, closing one of two points to
13 access our neighborhood, forcing the residents in and out
14 of only one direction, forcing them to do U turns to get
15 back heading north, and forcing residents and pedestrians
16 to have to cross under railroad tracks that are currently
17 there in order to go to the neighborhood school and move
18 forward to get to the Diridon Station.

19 The High-Speed Rail Board already approved our
20 alternative alignment and the elevated track outside of the
21 neighborhood, so disregarding your earlier work is
22 disrespectful to your workers. It also destroys trust in
23 voters and residents of these processes. So I'd like you
24 to elevate your sites and consider this project elevation
25 throughout areas of the alignment where it makes sense.

1 Thank you.

2 CHAIR MENDONCA: Thank you.

3 Mr. Garza.

4 MR. GARZA: I have a bit of a PBI, so sometimes I
5 don't read as well. Honorable Senator Jim Beall, Chair and
6 Board, my name is Danny Garza. Here are a couple of the
7 organizations I belong to: New Lock and MAPA (phonetic)
8 are national organizations. And there are many others that
9 I belong to. Right now, I am representing Gardner. I'm
10 also a member, but do not represent the State of California
11 Department of Transportation Small Business Advisory
12 Council as an alternate to Paul Guerrero for the La Raza
13 Roundtable. I also am a sitting member with MAPA for DGS.
14 I'm community driven.

15 We do know our community better than High-Speed
16 Rail. I'm here for Gardner, because we feel we've been
17 tricked. The Alternate 4 is basically a bait and switch.
18 We approved, as a community, this project 10 years ago,
19 because of the beautiful picture that's not here that was
20 there 10 years ago. That picture was a beautiful white
21 suspension bridge going around our neighborhood and our
22 schools, protecting our children and our community.

23 For high-speed rail to go around was the only
24 reason we supported this project; tracks through our
25 neighborhood is a breach of trust. It seems as if the

1 Federal Rail has withdrawn its dollars for the same reason.

2 In closing, promises to communities now lead to
3 abuse. This can be blended around Gardner. Time and time
4 again, Gardner has been requesting this bypass as
5 everybody, even Boris, knows that we have been. Either a
6 bridge or a viaduct is what is preferred. Please honor
7 your original promise to go around our neighborhood. It's
8 already been divided as has been reinstated.

9 Please do not use our community to balance your
10 budget. Thank you.

11 CHAIR MENDONCA: Thank you Mr. Garza.

12 Ms. Gormley.

13 MS. GORMLEY: Good afternoon. I am Patricia
14 Gormley and am part of the Greater Gardner Coalition. Why
15 can't we learn some lessons from the Challenger Space
16 Shuttle Morton Thiokol O-Ring disaster? Why can't we learn
17 from that?

18 Politicians, technocrats and value design cannot
19 trump engineering reality. In 2010, the California High-
20 Speed Rail Authority selected a Preferred Alignment south
21 of Diridon Station using Interstate 280 and Highway 87,
22 thus bypassing our high-density and socio-economically
23 diverse community.

24 The damaging structural, safety and quality of
25 life impacts, due to noise, vibration, fragile soils and

1 at-grade crossings made the tortuous rail through our
2 neighborhoods: Gardner, Gregory Plaza and North Willow Glen
3 a very bad choice. The rail speed limit of 35 miles per
4 hour through that corridor contributed to the decision to
5 bypass our neighborhood. This engineering reality has not
6 changed in the last nine years. So I urge you, I urge you,
7 I plead with you to reject the current High-Speed Rail
8 Authority's new Preferred Alignment through our community.
9 The selection is not based on engineering reality, but on
10 what a low-ball budget can buy: critical infrastructure on
11 the cheap. Don't let your legacy become another Morton
12 Thiokol moment. Thank you.

13 CHAIR MENDONCA: Thank you Ms. Gormley.

14 As Mr. Rankin comes up I'm going to call the next
15 four as well. Please come up with Mr. Rankin: Ms. Turner,
16 Abigail Ramsden, Edmund Sullivan, and Leslie -- I think
17 it's Mels or Wilfs, I'm not sure, apologies Leslie.

18 Mr. Rankin.

19 MR. RANKIN: Hi. Thank you for the opportunity
20 to speak here today. My name is Bill Rankin. I'm a member
21 of the Greater Gardner Neighborhood Advisory Coalition and
22 have been since we presented to this Board in 2010. I am a
23 supporter of rail travel in San Jose, especially as we
24 enter this new chapter in the Diridon area.

25 This is a High-Speed Rail Board meeting which is

1 of course is your sole concern, but we as a neighborhood
2 must deal with many more railroads than just High-Speed
3 Rail. There's Caltrain, ACE, Amtrak and Union Pacific.
4 And if CMOFF (phonetic) is moved south of Tamien then the
5 rail traffic through the area will increase exponentially.
6 That is an unfair burden and as you can see from our
7 presentation our neighborhoods have taken the brunt of the
8 South Bay's transportation advances over the years.

9 As we look to the future of our city's
10 infrastructure we need to look to the past. There have
11 been monumental flubs in the South Bay when it comes to
12 transportation infrastructure. Aiming the San Jose airport
13 towards the downtown core just a few miles away and not
14 completing BART in the '60s are still being paid for in
15 shorter buildings downtown and much higher costs to build
16 BART. Please do not be the body that adds to that record
17 by underestimating the impact of 150-plus trains per day
18 at-grade. The most successful high-speed rail systems in
19 the world rarely have trains at-grade.

20 The elevated bypass over 280/87 is a better long-
21 term engineering solution than the short sighted decision
22 to build a blended system between Tamien and Diridon.

23 Build for the future of this exciting new
24 development in the Diridon area. Join our mayor, local
25 council members and Supervisor Dave Cortese who endorsed

1 the 280/87 viaduct. Please reexamine your own decision in
2 2010 that recognized that the viaduct is a superior
3 engineering solution. The cheapest option is rarely the
4 best option.

5 From the beginning, your message to the
6 neighborhoods was that you wanted to do high-speed rail
7 right. The viaduct will make for the best approach to
8 Diridon and will serve the future San Jose well. Coming
9 through at-grade will not serve San Jose well. Thank you.

10 CHAIR MENDONCA: Thank you Mr. Rankin.

11 Ms. Turner.

12 MS. TURNER: Good afternoon. Thank you for the
13 opportunity to speak today. My name is Christina Turner
14 and I'm the City Manager for the City of Morgan Hill.
15 We're a small community. We're between Gilroy and San Jose
16 and we have about 45,000 residents.

17 Our community has a beautiful and growing
18 downtown with a Caltrain station. We applaud you as a
19 Board and as a staff, specifically Boris Lipkin who's been
20 great to work with, for addressing California's
21 transportation crisis.

22 The Morgan Hill City Council has asked that you
23 place the High-Speed Rail Project within the freeway right-
24 of-way to avoid property impacts. While this continues to
25 be Morgan Hill's preference, we want to provide you with

1 comments on staff's recommended alignment. And our
2 comments are on page 84 of the San Jose Merced section of
3 your staff report.

4 Morgan Hill supports electrification of existing
5 rail corridor through Morgan Hill. And thanks to the
6 Authority for working to secure the rights of the corridor
7 from Union Pacific. We know that this investment is
8 significant and that electrification will support the
9 additional commuter rail service that the city has been
10 requesting from Caltrain.

11 As you move forward with the planning and
12 development of the project I want to highlight three
13 specific areas.

14 The first is public safety. This project has the
15 potential to substantially change our community and impact
16 public safety response times. You may not realize that our
17 small community has two of the highest average daily trip
18 rail crossings in the Caltrain corridor between San
19 Francisco and Gilroy. We request that the Authority work
20 to ensure the public safety will not be compromised and
21 consider long-term mitigations including grade separations.

22 Number two, Caltrain station planning. We ask
23 that the Authority partner now with Caltrain VTA and us in
24 master planning our station.

25 And finally, number three, community benefits.

1 This project can connect communities by utilizing
2 infrastructure for enhancements including
3 telecommunications and reclaimed water. We ask that you
4 consider these opportunities in the design of the project.

5 Thank you for continuing to work with the City of
6 Morgan Hill.

7 CHAIR MENDONCA: Thank you.

8 Ms. Ramsden.

9 MS. RAMSDEN: Good afternoon. My name is Abigail
10 Ramsden, and I work for The Nature Conservancy in
11 California. I'm here to express my support for Alternative
12 4 and to reflect on a productive relationship that has been
13 built between The Nature Conservancy, the Peninsula Open
14 Space Trust, the Santa Clara Valley Open Space Authority
15 and the Valley Habitat Agency.

16 Over two years we have worked together to share
17 scientific data, wildlife studies, information on
18 conservation investments and priorities in a specific area
19 focused on Coyote Valley, the Pajaro River Floodplain, the
20 Pacheco Pass area and Romero Ranch.

21 Through this work we have seen the mitigation
22 hierarchy play out in that the design of Alternative 4
23 avoids impacts minimizes them wherever feasible. And the
24 design center better supports our conservation objectives.
25 These are concepts that we promote statewide through the

1 use of tools like Green Prints and through investments in
2 regional advanced mitigation programs. The result is that
3 Alternative 4 minimizes impacts to wildlife corridors, it
4 incorporates wildlife crossing designs, it supports
5 agricultural operations and is more sensitive to
6 floodplains and river systems.

7 This is an example of how conservation
8 organizations and infrastructure agencies can work together
9 collaboratively to solve problems. We are ready to engage
10 at the next stage. Certainly we will review and comment on
11 environmental documents. We will be focused on mitigation
12 implementation in this key area and we will hope to explore
13 with the Authority whether or not the regional conservation
14 investment strategy might be a solution to mitigation
15 needs.

16 We would like to conclude by thanking the staff,
17 the Environmental team, the consultants and everyone who
18 worked with us over this two-year period to come up with a
19 great result for the environment. Thank you.

20 CHAIR MENDONCA: Thank you, Ms. Ramsden.

21 Mr. Sullivan?

22 MR. SULLIVAN. Thank you. So I'm Edmund
23 Sullivan. I'm the Executive Officer of the Santa Clara
24 Valley Habitat Agency. We're implementing a Federal
25 Habitat Conservation Plan and a State Natural Communities

1 Conservation Plan within Santa Clara County. So all those
2 areas that Abby mentioned are within our plan area.

3 And I'd like to thank the Authority staff and
4 their consultant team for working closely with us and our
5 conservation partners in trying to solve this complex
6 problem of how to deal with environmental mitigation.

7 So our focus is very narrow. It's wildlife
8 connectivity within the County of Santa Clara and its
9 impacts to endangered species within the county. And it's
10 also how the project will mitigate those impacts, because
11 we are implementing a 50-year permit. And part of what we
12 have to do is buy land within Santa Clara County to
13 mitigate impacts to projects that are seeking endangered
14 species permits through CESA and the federal Endangered
15 Species Act, so working collaboratively with the Authority
16 on ensuring that the mitigation that the Authority doesn't
17 do, is not in conflict with our habitat plan. And staff
18 has been working with us diligently, your staff, to
19 accomplish that.

20 From our perspective, the Authority's team has
21 been thoughtful and responsive to our concerns. For our
22 limited suites of issues related to wildlife conductivity
23 and endangered species Alternative 4 is not in conflict
24 with our regional conservation goals.

25 As Abby mentioned, we'll stay involved and stay

1 engaged. I do hope that the Authority can work through
2 some of the issues that were brought up by Morgan Hill and
3 San Jose related to at-grade crossings. Both those
4 organizations are part of our organization.

5 And again, I just want to thank the Authority and
6 staff for working with us to ensure a better design
7 outcome.

8 CHAIR MENDONCA: Thank you, Mr. Sullivan.

9 And as you're coming up, can I call the next four
10 as well: Catherine Hickey, Scott Knies, I believe, and Gary
11 Harris and Girum Awoke.

12 MS. MILES: Thank you. My name is Leslie
13 Miles. I'm an architect, maybe I should have been a
14 doctor, because obviously I didn't write very clearly.

15 CHAIR MENDONCA: Sorry. It's my fault. Thank
16 you, Ms. Miles.

17 MS. MILES: I'm an architect and developer and I
18 was also a member of the community group in Morgan Hill.

19 In 2003 and 2005, we developed a derelict Granary
20 into the sort of a mixed-use project encompassing about a
21 third of the downtown rail corridor. Our project received
22 the California Redevelopment Agency Award of Excellence for
23 Commercial Development in 2009. Additionally, the project
24 was the 25th LEED certified building in the world and the
25 second LEED Gold building in the world.

1 The project was instrumental in the City of
2 Morgan Hill, getting a federal grant for redeveloping Depot
3 Street. In addition to our \$20 million, which included not
4 just commercial, office, retail, restaurants, but also
5 residential, Morgan Hill currently has over \$80 million
6 currently in construction in the downtown with a variety of
7 mixed-use projects that clearly identified Morgan Hill as
8 being on the cutting edge of transit-oriented development.

9 And so in order to follow-up with that, and
10 thinking through the process for the future, I'd really
11 encourage you to come and visit Morgan Hill. It's really
12 nice to be able to get out and look at a site and see what
13 the impacts potentially could be. Because one of the real
14 challenges that we have in Morgan Hill is that we do have
15 seven at-grade crossings. And those crossings could be
16 impacted significantly by the number of trains.

17 Right now we have a single-track, but if we
18 multiply that track by three it gives us the opportunity
19 and the concern of having potentially 46 minutes of
20 stopping across the city with no ability to cross.

21 Thank you

22 CHAIR MENDONCA: Thank you, Ms. Miles.

23 Ms. Hickey?

24 MS. HICKEY: Hi, thank you. Good Afternoon. So
25 I'm Catherine Hickey, I'm Conservation Director with Point

1 Blue Conservation Science. We're based in Petaluma,
2 California. And I'm also Hemispheric Council Chair at the
3 Western Hemisphere Shorebird Reserve Network involving 20
4 countries across the Americas.

5 Relevant to the San Jose to Merced project
6 section I'm here to communicate that this is not just a
7 local issue or a California issue, but the outcome of this
8 project is relevant internationally. The grasslands
9 ecological area in Merced County is one of the most
10 important wetland sites in all of the Americas for
11 biodiversity, especially wetland-dependent birds including
12 migratory shorebirds, which is my thing in particular.

13 Shorebird populations are declining globally due
14 to wetland conversion, degradation and other threats
15 thought to be highly vulnerable to future projected changes
16 in climate, issues on the Arctic breeding ground, sea-level
17 rise and also projected more severe droughts in interior
18 regions like the California Central Valley.

19 So clearly, conservation of the remaining and
20 critically important wetlands for these species globally is
21 high stakes for us. With the alternatives being considered
22 for the high-speed rail through the Central Valley we are
23 seriously concerned about the integrity of the grasslands
24 ecological area wetland complex.

25 Point Blue along with other conservation and

1 science NGOs including Ducks Unlimited and Audubon
2 California have been participating in a process with the
3 High-Speed Rail staff to discuss alternatives to this
4 particular portion of the route including one below-grade
5 and one above-grade shielded alternative. And I'm
6 concerned that the alternatives we've discussed in that
7 process have not been formally and sufficiently considered
8 and presented for your deliberations.

9 I'd like to reiterate the request that you will
10 hear from Grassland Water District and Resource
11 Conservation District, that you conduct an alternatives
12 analysis that includes a below-grade alternative, above-
13 grade shielded alternative or an alternative that avoids
14 the (indiscernible) altogether. Conduct the impacts
15 analysis for the state Volta and Los Banos Wildlife Areas
16 and if you -- (Timer sounds) all right.

17 CHAIR MENDONCA: Go ahead. Finish your sentence.

18 MS. HICKEY: I just want to say that we can have
19 cleaner transportation, preserve biodiversity, meet our
20 public commitments and support quality of life for our
21 local and global communities. We just have to make that
22 choice and invest in it, so thank you for your time.

23 CHAIR MENDONCA: Thank you.

24 MR. KNIES: Good afternoon, Board Members. Thank
25 you again for being in San Jose for this important

1 milestone decision that's going to move this crucial
2 project forward for our state. Scott Knies, I'm the
3 Executive Director of the San Jose Downtown Association.
4 We represent 2,000 business and property owners in downtown
5 San Jose. We've been working with the (indiscernible)
6 staff for many years. I think they would characterize us
7 as the organization that's been consistently opposed to an
8 aerial alignment through downtown San Jose.

9 So we are here in support of Alternative 4 with
10 two caveats. First the station, please continue your
11 partnership and productive partnership with the city of San
12 Jose, Caltrain, VTA and BART, making that work for the
13 station. It certainly caught our eyes, your announcement
14 earlier this week about the \$400 million investment in
15 Union Station. As we get a little bit further along here
16 we are looking forward to the same type of investment with
17 the station here.

18 The second caveat, and you've heard this from
19 many others, is if you're going to do a corridor through
20 the largest populated area in Northern California then
21 you're going to have to do this corridor
22 impeccably. You're going to need to address the noise, the
23 vibrations. You're going to have to do the grade
24 separations, the aesthetics. This is particularly crucial
25 for the neighborhoods just south of downtown.

1 You've heard from many of our primary neighbors
2 in Gardner and North Willow Glen. But also through the
3 Monterey Corridor there are some heavily traveled
4 intersections there, so for it to work in San Jose we need
5 to do those two things to make an alternative
6 (indiscernible). Thank you.

7 CHAIR MENDONCA: Thank you.

8 Mr. Harris?

9 MR. HARRIS: I'm not a very good speaker. I get
10 nervous. I appreciate the opportunity to speak to you
11 about the high-speed rail going through the
12 Grasslands. The Grasslands is in Los Banos, California and
13 the last largest remaining wetland in California down a
14 corridor known as Henry Miller Road. This corridor
15 represents the middle of the Grasslands, separating the
16 North Grasslands from the South Grasslands. Ducks, geese,
17 shorebirds, even animals, use this corridor go from their
18 north Habitat to the south habitat. If constructed, it
19 will be a barrier 20, 30-feet, 40-feet high that will
20 surely restrict the natural flow of wildlife.

21 The Grasslands had a barrier restriction before
22 when the Bureau of Reclamation built the Friant Dam to stop
23 the flood water from flooding the Grasslands each year.
24 The Grasslands had to sue to make sure got that we got our
25 water. We did.

1 When the Bureau of Reclamation built the San Luis
2 Drain, they exported selenium and other chemicals leached
3 out by irrigation techniques to the Grasslands. Today we
4 have several hundred acres of poisoned land that cannot be
5 used for wildlife.

6 So another assault on the Grasslands is the
7 California High-Speed Rail. What a waste of taxpayers'
8 money and detrimental to the Grasslands. Have any Board
9 Members ever been to the Grasslands?

10 CHAIR MENDONCA: Yes.

11 MR. HARRIS: Have you? Thank you. That's it.
12 Have you? (Indiscernible) that's good. Anyways, it's
13 obvious what I'm saying. Thank you for letting me vent my
14 frustrations and I'll never vote for another boondoggle
15 like this again.

16 I used to take kids to the Grasslands and have
17 them sit in a circle and have them listen, "What do you
18 hear?" "Nothing." That's what they said, "Nothing."
19 That's good. Maybe a meadowlark and maybe a blackbird, but
20 there was nothing. It was quiet. Let's keep it that way.
21 The grasslands are an important place to go. Thank you.

22 CHAIR MENDONCA: Thank you, Mr. Harris.

23 And as Mr. Awoke comes up can I call next four,
24 please? Ric Ortega, Ellen Wehr, John Sanders, and Adina, I
25 believe Levin, I believe is the last four.

1 So thank you, Mr. Awoke.

2 MR. AWOKE: Thank you, Mr. Chairman. My name is
3 Girum Awoke. I'm the Public Policy Director for the City
4 of Gilroy here representing our mayor and council members.

5 We have submitted a letter, which is included in
6 the package, but I do have a copy and my contact
7 information that I will share with the Secretary.

8 The City of Gilroy, in general, is in support of
9 this project. Of the four alternatives presented, the City
10 believes the preferred blended at-grade alignment within
11 the existing UPPR right-of-way presents the least amount of
12 impact to property and businesses and will likely cause
13 less destruction to infrastructure. However, the city has
14 some concerns as outlined below and I'll just mention the
15 highlights.

16 Safety, flow of vehicular and pedestrian traffic
17 across the right-of-way, this is important to the City of
18 Gilroy.

19 Another item is the fire station access and
20 response times. The future number of trains in the
21 corridor will cause an excessive amount of (indiscernible)
22 downtime and how will this affect the fire department
23 response. This is very important to us. So as part of the
24 study we would like the Authority to make sure the fire
25 department response times are satisfied and update a

1 response cover study as needed.

2 Historic buildings on the west side of the rai,
3 this is also important for us. So as part of your future
4 endeavor and study we want to make sure that the Authority
5 minimizes the impact to historic property.

6 Related to impacts to private properties, we want
7 to make sure that the Authority makes the proper outreach
8 and coordination of these private properties.

9 Downtown parking impact, Gilroy is a major
10 transportation hub and this station will bring significant
11 economic and social benefits, but at the same time there
12 will be concerns with parking in the downtown area. There
13 is scarce parking in the downtown, so we want to make sure
14 that there is some mitigation measures identified as part
15 of the study.

16 Traffic-related on Leavesley Road in downtown, we
17 want to make sure the Authority considers alternative
18 transportation mitigation measures as part of a future
19 endeavor.

20 I want to thank Boris and his team for their
21 continued cooperation with our city. Thank you.

22 CHAIR MENDONCA: Great. Thank you, Mr. Awoke.

23 And these are the last four comments that I have
24 cards from for this section, so Mr. Ortega.

25 MR. ORTEGA: Good afternoon. I appreciate the

1 opportunity present. My name is Ric Ortega. I'm the
2 Manager of the Grassland Water and Resource Conservation
3 District, and also oversee the Grasslands Environmental
4 Education Center located along the Henry Miller
5 Alignment. I'm also a concerned parents of a child just
6 starting kindergarten at Volta Elementary located just feet
7 away from the proposed alignment and across the street from
8 the Volta Wildlife Area.

9 The staff report does not capture the concerns of
10 many environmental agencies and lacks alternatives
11 throughout the ecological area, especially where it becomes
12 very proximal to the Volta Wildlife Area and the Los Banos
13 Wildlife Area. My boards are disappointed that the
14 Preferred Alternative contains no design detail on how the
15 Authority intends to mitigate impacts through the
16 ecological area.

17 California has lost 95 percent of its wetlands.
18 the ecological area contains the largest remaining block of
19 these wetlands and host millions of migratory waterfowl and
20 shorebirds each year. Impacts to the GEA for the proposed
21 alignment under 4A are certain and significant.

22 The construction and operation of the high-speed
23 rail true that GEA and adjacent to the state-owned wildlife
24 areas is incompatible with the public trust uses for which
25 these lands were initially acquired for by both the State

1 of California and through its federal
2 partnerships. California Department of Fish and Wildlife
3 and others have asked for a Section 4(f) impacts analysis
4 for the Volta and Los Banos Wildlife Areas as well as the
5 Grassland Environmental Education Center, which has not
6 been completed.

7 We formally request that the Authority conduct an
8 Alternatives Analysis that includes a below-grade
9 alternative, an above-grade shielded alternative and an
10 alternative that avoids the GEA altogether, also conduct a
11 4(f) impacts analysis for Volta and Los Banos Wildlife
12 areas and the Environmental Education Center.

13 If you proceed with this alternative, the
14 Preferred Alternative, adopt language in your resolution
15 that was proposed by the Grassland Water District and the
16 Resource Conservation District to make clear that you are
17 not for foregoing the need to address serious questions
18 about the project design, impacts and mitigation to the
19 Grasslands. Thank you.

20 CHAIR MENDONCA: Thank you, Mr. Ortega.

21 Ms. Wehr?

22 MS. WEHR: Good afternoon, Ellen Wehr, General
23 Counsel for Grassland Water and Resource Conservation
24 District. I have an ask at the end of this, so stick with
25 me. You received comments from our organizations as well

1 as wildlife agencies about their concerns with the lack of
2 any alternative Trudy Grassland Ecological Area. The only
3 proposed alternative is an embankment, with several very
4 high viaducts over canals and wetland slews.

5 Our GEA working group has requested the review of
6 a below-ground alternative in this area as well as an
7 above-ground shield to prevent wildlife impacts,
8 particularly bird impact, noise impacts. Neither of the
9 alternatives are presented to you today despite the fact
10 that there are similar design differentiation in the
11 alternatives that are proposed west of Pacheco Pass.

12 The Authority's price estimate for the below-
13 ground alternative through the GEA is well within the price
14 variations for the four alternatives you are considering
15 west of Pacheco Pass. And the below-grade alternative
16 should have been analyzed.

17 The Authority continues to defer disclosing to
18 us their cost estimate for an above-grade shielded
19 alternative in the GEA. And without any details we are
20 concerned that the shield might not be long enough to
21 protect state wildlife areas and permanent conservation
22 easement lands.

23 We specifically request that if you go forward
24 with your decision today you take our concerns and those of
25 CDFW and the Fish and Wildlife Service submitted in our

1 written comments into serious consideration. And we've
2 asked, although it was not put forward in the staff report,
3 that you include the following language in your NEPA and
4 CEQA resolutions.

5 First, "The Authority continues to consult
6 with effective entities and stakeholders in the Grasslands
7 Ecological Area of Merced County, identification of
8 Preferred Alternatives in this segment is subject for the
9 refinement, and shall not impede the full and fair
10 consideration and analysis a feasible project design and
11 environmental mitigation measures to avoid or minimize
12 ecological impacts on the GEA."

13 Second, "The identification of a Preferred
14 Alternative shall not limit the responsibility of the
15 Authority to conduct a thorough analysis and determination
16 under Section 4(f) of the U.S. Department of Transportation
17 Act regarding the potential for constructive use of state
18 wildlife areas in the Grassland Ecological Area."

19 So we ask you to consider including that language
20 in your resolution. We think it's a reasonable request at
21 this juncture. Thank you.

22 CHAIR MENDONCA: Thank you.

23 Mr. Sanders?

24 MR. SANDERS: Good afternoon, John Sanders, San
25 Martin. Like other neighborhoods we have concerns in San

1 Martin with the High-Speed Rail Preferred Alternative 4 and
2 its impact on community cohesion. Alternative for will
3 disrupt and split communities like San Martin. There will
4 be significant adverse impacts on traffic, pedestrians,
5 noise, vibrations, impact on emergency services response
6 time. Like other communities, we need grade separations at
7 major streets in Saint Martin. And this suggestion has
8 been continually ignored by High-Speed Rail.

9 As a result of all these considerations,
10 Preferred Alternative 4 is the cheapest alternative for
11 High-Speed Rail and the most expensive and disruptive
12 alternative for the local communities it goes
13 through. Thank you.

14 CHAIR MENDONCA: Thank you.

15 MS. LEVIN: Good afternoon, Board Members. My
16 name is Adina Levin. I'm with the Friends of Caltrain
17 nonprofit supporting successful modernization of Caltrain
18 in the context of a regionally integrated transportation
19 network. And with those goals we do support the blended
20 system regarding which I have two points about this project
21 section.

22 And the first is supporting what Teresa Alvarado
23 of SPUR had said supporting the Diridon Integrated Station
24 Concept Plan and the great collaboration that is in place
25 between the various different agencies and the cities

1 working on the DISC. And encourage High-Speed Rail to do as
2 has been stated in public at various meetings, to update
3 its Preferred Alternative to take into account the good
4 work and designing the best alternative as identified in
5 the Diridon Integrated Station Concept Plan process.

6 Point two is with regard to the blended system
7 and electrification through Gilroy. The Caltrain Business
8 Plan analysis has suggested that there is substantial
9 additional ridership to be approved, particularly in South
10 San Jose where there are underserved stations. And that
11 electric service therefore would enable significant local
12 additional ridership, in addition to supporting the goals
13 of High-Speed Rail.

14 So I'd like to support that proposal as
15 well. Thank you very much.

16 CHAIR MENDONCA: Thank you.

17 Could you -- do you have a card?

18 MR. LEBRUN: No, but I'd (indiscernible) and I'd
19 be happy to quote the relevant sections (indiscernible) --

20 CHAIR MENDONCA: No, I know. I just want to make
21 sure that you have it for the record, so afterwards.

22 MR. LEBRUN: Thank you. So the first thing I
23 want to say is I really want to thank Mr. Roy Hill without
24 him none of this would ever have happened. Roy Hill was
25 instrumental in actually getting this alternative in the

1 2018 Business Plan. We had 10 years of absolute nonsense
2 with Parsons Brinckerhoff prior to that, so I want to
3 recognize him.

4 But now we have Alternative 4, which is basically
5 watch the proposal was, but now the devil is in the details
6 is how are we going to make it work. And you've seen some
7 slides that are showing one track with Union Pacific, non-
8 electrified and two electrified tracks next to it. And I
9 start thinking how are you going to do grade separation?
10 How can you possibly design a Downtown Morgan Hill Station
11 with that kind of track configuration?

12 So my advice to you moving forward is reach out
13 to your Early Train Operator Deutsche Bahn, who will
14 explain to you how in Germany high-speed rail, intercity
15 rail, commuter rail and freight all share the same
16 tracks. They don't need dedicated tracks for freight, so
17 that's my advice for you right now. Thank you.

18 CHAIR MENDONCA: Thank you.

19 And with that we have no more public comment on
20 Item Number Three. What I'd like to do is, Boris if you
21 would come back up and open it up for the Board, for any
22 questions or comments. And can I, if it's okay as the
23 Board's privilege, can I ask you a couple of them to begin
24 with?

25 MR. LIPKIN: Absolutely.

1 CHAIR MENDONCA: So we clearly heard from both
2 The public commentary and your community outreach, a very
3 fair concern for communities throughout the Caltrain
4 Corridor about grade crossings. And just while we can't
5 assume all the costs associated with those independently,
6 what can we do in collaboration with other transit
7 partners: Caltrain, VTA, etcetera, to help address this
8 important concern as voiced by the community?

9 MR. LIPKIN: Yeah, I think the comments that you
10 heard about grade crossings are not a huge surprise. This
11 is a conversation that's been ongoing in the region for a
12 number of years now with cities up and down the
13 Peninsula. And you will hear I think more about this in
14 the San Francisco to San Jose project section, the rest of
15 the Caltrain Corridor really taking a hard look at what are
16 some options for grade separations.

17 Of course, we've been a part of some of that
18 including and San Mateo where we are a partner in that
19 grade separation project. It's also been something that I
20 think has been an important component of the DISC process
21 where we've been in a partnership with Caltrain and VTA and
22 the city that is looking at a couple of those grade
23 crossings. And similarly, we are working on setting up a
24 similar partnership in Southern San Jose for our San Jose
25 Rail Corridor Plan that would look at the three grade

1 crossings in the Monterey Corridor in a similar way.

2 As I think you mentioned, Chairman, I don't see
3 us being able to (indiscernible) the burden of the 70 grade
4 crossings between San Francisco and San Jose by ourselves.
5 But it does seem like there's an opportunity in how these
6 things have really happened over time and these projects
7 taking shape is by strong partnerships between local
8 entities, regional entities and of course, the state, and
9 sometimes even the federal government being engaged and
10 involved.

11 And so it seems like that's a relevant example
12 for us to continue to follow as we engaged in the region
13 and we look at how those things can come together. And
14 that we can be a part of and at the table certainly with
15 the other agencies that would be engaged as well.

16 CHAIR MENDONCA: Okay. Thank you. I have a
17 couple of other questions then I'm going to open it up to
18 others.

19 One is what are the design considerations that we
20 can review for the concerns that were expressed about
21 issues in the Grasslands Ecological Area?

22 MR. LIPKIN: Sure. I think you heard in some of
23 the discussion, the analysis of the routes between the area
24 in the Central Valley has been a very long-standing process
25 going back to even the 1990s and really kind of in the NEPA

1 and CEQA context since about 2001. Over that time we've
2 looked at over 15 different route options going in, around,
3 through and avoiding the GEA altogether.

4 We've consulted with many of the stakeholders
5 with FRA and other agencies along the way. And after all
6 of that analysis, kind of how we landed here was after
7 consultation with the U.S. Army Corps of Engineers as well
8 as the USEPA who agreed with us that this was the best
9 option sending one route through the GEA after the
10 extensive analysis had been done to that point, because all
11 of the other options had higher levels of impact.

12 At the same time we've been looking at how do we
13 reduce some of those impacts as we are applying for route
14 and the design, as well as how do we mitigate the remaining
15 impacts. And so we've looked at those underground
16 options. We are studying that enclosure that was
17 discussed. And it's something that we're going to be
18 coming back to some of the stakeholders in this area with
19 our analysis of that in the coming months.

20 And of course, there will be a lot more about
21 those mitigation options in a conversation that will
22 continue as we get to the draft environmental stage.

23 We talked about from the very beginning
24 identifying a Preferred Alternative does not cut off that
25 conversation by any means. It's a step that enables us to

1 continue to move forward in those discussions. And I think
2 this conversation just redoubles the need to continue to
3 engage in this part of the corridor as we do with the rest
4 of the more urbanized area between San Jose and Gilroy as
5 well.

6 CHAIR MENDONCA: Okay. So we will be having more
7 conversations through the review process of what those look
8 like?

9 MR. LIPKIN: Yes, yes.

10 CHAIR MENDONCA: Okay. Let me ask you one last
11 question. It's related is what commitment has Authority
12 made to habitat protection in the San Jose to Merced
13 segment and land conservation, etcetera?

14 MR. LIPKIN: Yeah, this has been an important
15 part of the development process in this project
16 section. One of the key commitments that was made in the
17 programmatic along with going on a viaduct through the GEA
18 was 10,000 acres of conserved lands that we would endeavor
19 to bring about as part of mitigation for our impacts in
20 this area. And those are things that we'll be working with
21 Mark and his team on the environmental side to identify
22 proper sites and options for mitigation.

23 And if you want more detail on that I am happy to
24 bring up some of our project managers that can give you the
25 next step sort of details beyond that.

1 CHAIR MENDONCA: I think that's good for now.
2 So why don't I open it up to other questions or
3 comments from other Board Members?

4 BOARD MEMBER SCHENK: Mr. Chairman, this is
5 Lynn. I just wanted to say my question was about the
6 Grasslands, so you got the answer for me. Thank you.

7 CHAIR MENDONCA: Thank you. I'm sorry I can't
8 see your hand being raised, so thank you for saying
9 it. (Laughter.)

10 BOARD MEMBER MILLER: Just in this process if we
11 select the Preferred Alternative does that mean no other
12 alternatives will be looked at in the document?

13 MR. LIPKIN: No. I think that's an important
14 point and thank you for that question, all of the
15 alternatives that we've -- the four alternatives in this
16 part of the section will be looked at in full and the Draft
17 EIR. As I mentioned right now we're just focused on those
18 differentiating elements and trying to give people a sense
19 of what our focus might be. And so that they can focus
20 their comments as they look at the Draft EIR of where we
21 might be headed.

22 But this is not a final decision. Nothing gets
23 left off the table at this stage of the process.

24 BOARD MEMBER MILLER: Thank you for that. And
25 then secondly on the partnership on grade separations,

1 you're talking about a design and funding partnership; is
2 that correct?

3 MR. LIPKIN: I think what the rules are can vary
4 in different places. Certainly we have been in San Mateo,
5 for example, primarily a funding partner with some input
6 into design but less so than where we might be coming in
7 from an earlier stage. And be more part of more how the
8 design comes about.

9 So we already have lots of knowledge about the
10 various grade crossings and some the design work that's
11 been done, for example, for Alternative 2 might be relevant
12 to some of that. So those will probably depend on the
13 exact location and where plans are at and what our role
14 might be.

15 BOARD MEMBER MILLER: Okay. Thank you for that.

16 CHAIR MENDONCA: Thank you. Other questions, yes
17 Bonnie.

18 BOARD MEMBER LOWENTHAL: Boris, thank you. And
19 thank you to everyone in the public that took the time to
20 come and very carefully express your concerns, your
21 challenges to High-Speed Rail. It was very, very
22 important.

23 And Boris, I just wonder how you're going to
24 follow up on all of the comments that were made today?

25 MR. LIPKIN: Sure. I think some of the

1 particular feedback that we've heard is areas that we want
2 to make sure that we study as we get into those draft
3 environmental documents. Many of the members of the public
4 that you've heard have engaged with us previously and are
5 either part of our community working groups or technical
6 working groups and others that we have regular interactions
7 with.

8 Of course, when we release the Draft EIR/EIS at
9 that point we will have both another series of open houses
10 just like we did on the way to this stage, as well as a
11 public hearing.

12 And then the other thing that I would say is our
13 staffs is constantly engaged with communities on the route,
14 and are available for any of those discussions outside of
15 maybe formal meetings whether there's particular areas of
16 one-on-one interaction that we need to have, that we've
17 been doing that over time and are happy to continue to do
18 that. Our office is here in San Jose and we do travel up
19 and down the corridor. And so we're happy to come engage
20 with folks where they are as well.

21 BOARD MEMBER LOWENTHAL: So everyone here knows
22 how to get in touch with Boris, right? Is that right, I'm
23 assuming. Well, thank you for that. I can't think of
24 anything more important. This is a public process.
25 There's nothing worse than being ignored and we want to try

1 to avoid that, so I really appreciate your doing all of the
2 follow up and doing the work.

3 You know, all I can think of is, we can't let a
4 perfect be the enemy of the good. And we're struggling
5 along here. This isn't the end. It's part of the process
6 and it sounds like there will be many opportunities to
7 refine Alternative 4 as you move forward. Thank you.

8 EX OFFICIO BOARD MEMBER BEALL: Thank you. And I
9 appreciate you being here in my community where --
10 especially my board chambers, which I served for 12 years
11 in this room. So it's kind of a homecoming for me.

12 And I also want to congratulate Henry for being
13 here. And Henry served with me when he was on the Board of
14 Supervisors in Fresno on the C-SAC Board (phonetic) and I
15 was his son's seat mate in the Assembly. So the family is
16 well known as well as Joaquin's dad who served with me in
17 the Assembly as well as Bonnie Lowenthal. So a lot of
18 these people are familiar with me in terms of working and
19 I'm sure they're going to listen and be concerned about
20 everybody's concerns.

21 So I'm a long-time supporter of this project. I
22 think it's very important to bring High-Speed Rail to the
23 Bay Area and to San Jose. We all know this is a very large
24 project, a mega-project in fact. And we will encounter all
25 of the challenges as we go through this, moving forward

1 from the Central Valley to San Jose and the Bay Area. And
2 creating, in fact creating in this part about 3,000
3 additional jobs and there's been 3,000 jobs in the Central
4 Valley. So in our area it's going to create a large number
5 of jobs.

6 I have things that I've heard from my
7 constituency, which encompasses most of the high-speed rail
8 area here in this community. And I want to kind of talk
9 about it just a bit very shortly. I'm not going to take
10 too much time, but first of all the Diridon Station. The
11 BART Project is coming to the Diridon Station relatively
12 quickly. And we are going to have the BART Project. Right
13 now we are essentially about 80 percent funded for the BART
14 down to the Diridon Station and up to Santa Clara, so that
15 project is on its way to be funded.

16 Recently, we achieved -- Governor Brown last year
17 -- and put in the budget \$730 million for the BART to San
18 Jose project coming from SB 1, which I was pleased to be
19 the author of. And we also got \$375 million for the BART
20 to San Jose project from the toll bridge increase that was
21 approved by the voters in the Bay Area, which I also
22 authored. So those are the two, we got a lot of money.

23 We also put \$100 million of toll bridge funds
24 into the Diridon Station project specifically, so we're
25 investing a lot of money.

1 By increasing the level to above 80 percent of
2 the total funding we are now eligible for the federal
3 government, FDA-expedited project delivery funding. And
4 just a few weeks ago the BART to San Jose was awarded the
5 engineering money of 125 million under that expedited
6 project delivery system, which is the first expedited
7 project approved by the federal government, in fact. So we
8 got \$125 million for the expedited delivery for the BART to
9 San Jose.

10 I'm saying this because the Diridon Station is
11 part of that project. And I hope that the High-Speed Rail
12 continues to work with the planning for the multimodal
13 station there, so we essentially want to keep the
14 construction simple and we want to build it all at
15 once. We don't want to have multiple phases, like we
16 finish the BART part of the station and then some other
17 part and maybe later the high-speed rail part. We want it
18 all built together at once.

19 Okay, so that's the first thing I want to say. I
20 think there's got to be some planning and thinking in terms
21 of that station about how to expedite it. We are putting a
22 lot of dough into that station and we expect that that
23 station will be built all at once rather hopefully in
24 phases, which will not be desirable. We want it to be
25 built all at once, so I wanted to say that. And that's one

1 of the most important things.

2 The Gardner neighborhood issues, I think we have
3 to spend a little time on that and work out the
4 details. Those are things we have to address. The
5 environmental, social and environmental impacts of that
6 neighborhood needs to be addressed. And I'm going to be
7 working with everybody on that. I'm very familiar with
8 that neighborhood.

9 Actually, when I was a young man I used to go to
10 Virginia and Bird Street and get on a flatbed truck and to
11 go out and pick tomatoes, so it goes back to when I was 13
12 years old and I first got my work permit for picking
13 tomatoes in San Jose from the Gardner neighborhood. And a
14 lot of the people that were on that flatbed truck were
15 Gardner. I don't know if some of you were in that
16 neighborhood then, but that's when I first got to know a
17 lot about the Gardner neighborhood.

18 And it's turned into a vibrant, wonderful, active
19 community. And they worked so hard over the last 20 years
20 for that, we just want to keep it that way, because they
21 worked real hard over the last 20 yards. It's more kind of
22 a -- I would say it's a spiritual thing that we have to
23 protect. The fact that they work so hard to build up their
24 community from -- it had a lot of problems and they've been
25 building and building and building. And they've done such

1 a great job on that and it's hard to understand that when
2 you sit here at a meeting. And just don't get the flavor
3 for that from people, but this is a neighborhood that's
4 really worked very, very hard to build up their
5 community. And so we have to respect that, I think.

6 And lastly, I think Mr. Chairman and Members,
7 probably one of the most important things we need to do is
8 electrify Caltrain down to Gilroy. I think that is very
9 important and I want to see the Union Pacific come to the
10 table and work this out. Because I think electrifying the
11 Caltrain to Gilroy and doing the rail upgrades along the
12 corridor, it's going to be so important, so we can have
13 complete Caltrain services down to Gilroy.

14 And I'll throw another thing on the table that
15 hasn't been brought up ever. Why not have a bus bridge
16 from Merced to Gilroy, so that people can go from Merced
17 and Los Banos. It looks like it's going to be interim kind
18 of situation here in terms of the construction, you
19 know? But why not have a bus bridge, an express bus that
20 comes through that corridor to get people to Gilroy. And
21 then they can catch the electrified trains that are going
22 up to San Jose, San Francisco and so forth.

23 Because I think the idea of having some kind of
24 interim inter-regional connection, I think will be
25 something that we ought to think about as an answer for

1 people that want to see that connection right now. It's
2 absolutely a horrible situation right now, that Pacheco
3 Pass. We need to remedy the situation. I know that the
4 transportation highway funds are being looked at to fund
5 that project and build it up. It's going to happen, but we
6 need to have some transit approaches like we have a similar
7 bus going from Santa Cruz to San Jose to the Amtrak
8 station. And I think we ought to look at these kinds of
9 ideas.

10 So I thank you for being here. I'm going to be
11 working this next year, of course, on financing options
12 that will help do all these things we are talking
13 about. We did SB 1. We had SB 9 that allowed multi-year
14 funding. I think the High-Speed Rail needs to have some
15 kind of multi-year funding legislation to complete the
16 projects.

17 We have SB 5 on the Governor's desk. SB 5 will
18 help fund some of these ideas we have around Gilroy and the
19 Diridon Station for transit-oriented development
20 infrastructure projects around transit stations. So SB 5
21 is on the Governor's desk. We have widespread support for
22 that.

23 We also passed a bill last week on infrastructure
24 financing districts now on the Governor's desk in terms of
25 the budget. It's a budget bill that was put on the

1 Governor's desk to expedite infrastructure financing
2 districts, so I think we have some new financing ideas.

3 So in conclusion when this comes back in the
4 spring, it's time to come back at the same time that the
5 Business Plan is going to come back, because we are in the
6 two-year cycle on the Business Plan. This is going to be a
7 Business Plan item to talk about financing, how do we pay
8 for things.

9 And when the Business Plan comes back I think
10 that's the time we kind of can propose some of these
11 financing things to help deal with some of these things
12 like the electrification, the Diridon Station. They can do
13 multi-year funding. The Gardener neighborhood issues, some
14 of the interchange overpasses that are talked about here.
15 Those kinds of things could be dealt with in that way and I
16 think it's a reasonable thing to look at.

17 And I hope that you will consider some of these
18 concerns that I'm raising. I will continue to raise these
19 issues in terms of my overall effort to finance
20 infrastructure in California. We've gone a long way in
21 terms of infrastructure financing over the last two or
22 three years. We've achieved things with SB 1 and the other
23 bills that we've done. We continually are going to be
24 searching for other answers to how to finance
25 infrastructure in California. I'll continue to work with

1 you on that.

2 Thank you, Mr. Chairman.

3 CHAIR MENDONCA: Okay. Thank you.

4 Other comments from Board Members? Mr. Perea.

5 BOARD MEMBER PEREA: Yeah, it seems like we've
6 been talking about three flash points in this alignment.
7 Do you have any aerials of those that we could visually see
8 the neighborhood of Morgan Hill and then the wetlands and
9 what we're talking about?

10 MR. LIPKIN: I don't know that I have more
11 detailed maps than the ones that we showed in the
12 presentation here, but we do have lots more. We have
13 detailed plans and things like that that I'd be happy to if
14 you would like to --

15 BOARD MEMBER PEREA: Yeah, the maps are good, but
16 sometimes it would be good if we could have an aerial,
17 because I'd like to see this neighborhood.

18 MR. LIPKIN: Yeah. At our open houses and
19 community engagements, we have had all of those different
20 plans as well as opportunities for folks to sit down there
21 at a computer and type in their address, for example, and
22 see what it --

23 BOARD MEMBER PEREA: No, understood. I'm sorry,
24 I'm talking about for us as Board Members. If you had
25 something up here we could take a look and say okay, this

1 is what these folks are talking about.

2 MR. LIPKIN: I don't have that with me. I would
3 be happy to follow up with you if you'd like me to share
4 those with you in detail and we can go through them
5 together.

6 BOARD MEMBER PEREA: Okay. But as we've all
7 said, this is the beginning of a process. There'll be a
8 lot of discussion, and Senator Beall I hear that and I'm
9 glad to hear you're going to be working a lot on the issues
10 that are in this area.

11 The only the other question I have is on page 38,
12 the San Jose to Merced timeline. And it was good to be at
13 the previous meeting, because I was hearing that there's a
14 lot of critical paths that are in place. And this is, I
15 know it's very broad. But one of my big concerns or issues
16 moving forward is making sure that there's little to no
17 slippage in our projects. Which means, I mean I understood
18 there's sometimes things are going to happen that we just
19 are not expecting, but the worst thing is that could happen
20 is to have slippage, because there was a lack of
21 communication internally or with our contractors.

22 So what I'm asking is where can I find a more
23 detailed timeline, critical path, after today moving
24 forward so that we can ensure as a Board, as time is going
25 that there's no slippage?

1 MR. LIPKIN: Sure, I think in your F&A reports,
2 in the Finance and Audit Committee, there's a schedule for
3 the environmental documents that shows the progress along
4 each of the milestones. In that, we do have additional
5 detail that we use to manage the project on a day-to-day
6 and week-to-week basis that we can go into that level of
7 detail of what the production schedules are or more of a
8 dashboard basis if you'd like to see that.

9 BOARD MEMBER PEREA: Okay.

10 MR. LIPKIN: This has been a -- we're very much
11 aligned with you in terms of the need to continue to move
12 forward. What I might say is that when I stepped into this
13 role about 18 months ago, our goal was at that time to
14 bring the Preferred Alternatives to the Board in September
15 of 2019. And here we are 18 months later, bringing the
16 Preferred Alternative to you. We do have a couple of
17 months that we might be slipping, as I think Joe mentioned
18 at F&A, but we are -- these schedules are really important
19 to us. We review these on a weekly basis, from a
20 management standpoint on a monthly basis with our
21 confidence meetings. And there's lots and lots of
22 discussions of how we stay on track and what are the
23 pending issues, how do we get those resolved, so we can
24 continue to move forward.

25 BOARD MEMBER PEREA: And we're looking to

1 complete and certify the EIR for this segment winter-spring
2 '20-'21?

3 MR. LIPKIN: Correct.

4 BOARD MEMBER PEREA: Okay. Now how close of a
5 date, refined date do you have to that?

6 MR. LIPKIN: So the reason that it's a little bit
7 vague here is because I know we're coming back next month
8 to the Board with more specific dates. We usually have a
9 month that we present. And I didn't want to get ahead of
10 that presentation next month, so we will be locking that
11 down and then managing to that after that.

12 BOARD MEMBER PEREA: Okay. And you're the
13 Director in this area?

14 MR. LIPKIN: Yes, in Northern California.

15 BOARD MEMBER PEREA: Okay. So you would be the
16 one that'd accountable for making sure that this timeline
17 is met?

18 MR. LIPKIN: So our internal structure has -- I
19 don't want to get into details but yes our Northern
20 California team is accountable for the delivery of the
21 product.

22 BOARD MEMBER PEREA: Okay. Thank you.

23 VICE CHAIR RICHARDS: Thank you, Mr. Chairman.

24 Boris, first of all, for you and your team and
25 the CEO, you've done a terrific job of putting this all

1 together. And we know that there's no perfect solution on
2 an alignment that's going to universally impact everybody
3 equally or be acceptable to everyone equally. There are
4 some things in here, and I'm very concerned about the
5 comments with regard to Gardner and the Grasslands,
6 comments with Morgan Hill and splitting their downtown
7 area.

8 I'm very concerned about safety. And whether
9 it's at 110 miles an hour or 79 miles an hour or whatever
10 it might be, or 220 miles an hour, one of the things that I
11 think was done successfully is we talked about grade
12 separation. And it seems to me a lot of the things I'm
13 hearing here will help to be mitigated by that. And I
14 would strongly encourage that staff considers that and
15 doesn't set that aside necessarily.

16 Secondly, I'm concerned about the Use Agreement
17 with Union Pacific. So much of what we are doing is
18 relying upon that. So I'm sure that that's foremost in
19 your thoughts also in ensuring that the viability of the
20 alignment is based upon that agreement.

21 I'm interested to some extent, by the language
22 that was suggested I think by Ms. Wehr. I don't know what
23 the implications of something like that might be. And I'm
24 not sure, because I haven't seen it in writing whether or
25 not it's appropriate, Tom. But --

1 MR. FELLEENZ: Mr. Vice Chair, the alternative
2 already speaks to the -- in the whereases as to our
3 continuing obligation to refine these. That on page 9, I
4 think is a letter, is a suggested additional language and I
5 don't see a legal barrier to adding that to the resolution.

6 VICE CHAIR RICHARDS: Are there any pitfalls in
7 adding it?

8 MR. FELLEENZ: No.

9 BOARD MEMBER MILLER: Well, I want to -- the
10 second part of that statement I would say we wouldn't --
11 the second sentence maybe it was. I mean that I know that
12 I think that we're very concerned about this issue. All of
13 us on this Board that have spoken have expressed that, but
14 I don't want to tie us into a particular analysis that is
15 maybe not beneficial -- because we really don't know -- at
16 least I don't know the Section 4(f) of the US. But I do
17 want to say that I think that we should tell staff in our
18 motion kind of the areas that we would like them to
19 address.

20 MR. FELLEENZ: Sure, absolutely. You can direct
21 staff as to what areas you'd like more scrutiny on that
22 were raised as concerns in the public comment period.

23 And then also, you know the resolution has a
24 series of whereases. And one of them is the identification
25 of preferred at this time is not an implementation of the

1 decision by the Board. And full consideration of all the
2 effects of the alternatives will be considered in the
3 ongoing environmental process. And that is part of the
4 resolution. So I think that also covers the obligation of
5 the Authority and for staff to continue with this process.

6 CHAIR MENDONCA: Okay.

7 VICE CHAIR RICHARDS: And to consider all
8 mitigations that we can possibly incorporate with regards
9 to the Grasslands.

10 BOARD MEMBER PEREA: Mr. Chairman, I just had one
11 quick question. The counsel for one of the organizations
12 said that we consider adding some language to the
13 resolution. Is anybody opposed to that?

14 BOARD MEMBER MILLER: When you look at an
15 environmental document, you look feasible mitigation. You
16 don't look at all possible mitigation, because you're
17 really constricted by the law and by your project, you
18 know. So that kind of language I would say we just need to
19 steer clear of, but understanding that we want to look at
20 the feasible mitigation measure.

21 CHAIR MENDONCA: Okay. Can we hold on that
22 question until we have a motion just on the specifics?

23 BOARD MEMBER MILLER: Yeah.

24 CHAIR MENDONCA: But when you finished, Tom, or
25 did you have other things?

1 VICE CHAIR RICHARDS: Well, I appreciate both the
2 comments here. I think it focuses on what I was thinking
3 also. But I am concerned about the language. But I am
4 concerned about the process from this point forward, the
5 process being that this is isn't a conclusion today, but
6 this is the beginning of the work assignment that you all
7 will be working on for the next 18 months or so.

8 But to ensure that these things are all
9 incorporated in what you're going to be looking at, so that
10 there's certainly enough concern by the people who have
11 raised these comments and probably from us sitting here,
12 listening also, that we need to address appropriately and
13 respectfully whatever we can do to mitigate the impacts of
14 this alignment on those people who are being affected as
15 well as those who are not. So I think that that's it for
16 me. Thank you.

17 Thank you, Mr. Chairman.

18 CHAIR MENDONCA: Thank you.

19 Lynn, did you have anything? Anyone else? Okay.
20 If we have no more comments or questions, thank you very
21 much. I would like to just express my gratitude. I know
22 this is a lot of work. And the fact that we've had this
23 much engagement is encouraging. The fact that there was
24 this much engagement today is part of why we have a public
25 process. And I think we've heard loud and clearly from

1 both the public and all of the Board Members who've spoke
2 on how important that is going forward.

3 So I appreciate your openness and engagement with
4 everyone. I appreciate all the public commentary on this.
5 And you have my commitment as an ongoing basis that we will
6 continue to have that kind of open end ongoing dialogue to
7 make sure that we're addressing the concerns that were
8 raised today.

9 So with that, I will accept a motion. We
10 actually need to do two votes on this, one, concur with
11 Alternative 4 for CEQA as the Preferred Alternative. And
12 then a second vote for concurring with Alternative 4 as the
13 NEPA Preferred Alternative.

14 VICE CHAIR RICHARDS: So moved, Mr. Chairman.

15 BOARD MEMBER MILLER: Can I add a couple of
16 caveats to that motion just in line of what we've been
17 talking about today, which is that we are concerned about
18 mainly three things which is the coordination of the
19 Diridon Station planning. That that be part of -- I know
20 it will be part of your analysis, but it's something that
21 we heard, the Gardner neighborhood and some of the other
22 neighborhoods where over-crossings or grade separations
23 were of particular concern. And the third was the
24 Grasslands issue that we look at that, particularly in
25 terms of feasible mitigation.

1 CHAIR MENDONCA: Okay, so I take that as a
2 friendly amendment, Tom, for both of them with a particular
3 focus on those three issues?

4 VICE CHAIR RICHARDS: Yeah. And we discussed
5 Gardner and Morgan Hill, San Jose. With those three
6 specifically I heard during the testimony.

7 CHAIR MENDONCA: Okay. Those would be covered in
8 the categories of grade separations?

9 VICE CHAIR RICHARDS: Yes.

10 CHAIR MENDONCA: Okay. So I have a motion and a
11 second. Are there any other comments? Okay. Then we'll
12 call the vote. Please do the roll.

13 MR. RAMADAN: Director Schenk? Director Schenk?

14 CHAIR MENDONCA: Why don't we come back to her?
15 She may have stepped out.

16 BOARD MEMBER SCHENK: Yes. Yes, yes, sorry. I
17 was on mute, yes.

18 MR. RAMADAN: Vice Chair Richards?

19 VICE CHAIR RICHARDS: Yes.

20 MR. RAMADAN: Director Curtin?

21 BOARD MEMBER CURTIN: Yes.

22 MR. RAMADAN: Director Lowenthal?

23 BOARD MEMBER LOWENTHAL: Yes.

24 MR. RAMADAN: Director Camacho?

25 BOARD MEMBER CAMACHO: Yes.

1 MR. RAMADAN: Director Miller?

2 BOARD MEMBER MILLER: Yes.

3 MR. RAMADAN: Chair Mendonca?

4 CHAIR MENDONCA: Yes.

5 MR. RAMADAN: Director Perea?

6 BOARD MEMBER PEREA: Yes.

7 MR. RAMADAN: The motion carries.

8 CHAIR MENDONCA: Okay, just to be -- thank you
9 everyone -- just to be clear those were Resolution 1905 and
10 1906 for CEQA and NEPA as amended. Oh, no, sorry. That
11 was 1905. We now need to do 1906. So can you take the
12 roll for that one? Is that clear, the one we just voted on
13 was the CEQA one. We're going to do now the NEPA one, okay
14 1906.

15 MR. RAMADAN: Director Schenk? Director Schenk?

16 BOARD MEMBER SCHENK: Yes.

17 MR. RAMADAN: Vice Chair Richards?

18 VICE CHAIR RICHARDS: Yes.

19 MR. RAMADAN: Director Curtin?

20 BOARD MEMBER CURTIN: Yes.

21 MR. RAMADAN: Director Lowenthal?

22 BOARD MEMBER LOWENTHAL: Yes.

23 MR. RAMADAN: Director Camacho?

24 BOARD MEMBER CAMACHO: Yes.

25 MR. RAMADAN: Director Miller?

1 BOARD MEMBER MILLER: Yes.

2 MR. RAMADAN: Chair Mendonca?

3 CHAIR MENDONCA: Yes.

4 MR. RAMADAN: Director Perea?

5 BOARD MEMBER PEREA: Yes.

6 MR. RAMADAN: The motion carries.

7 CHAIR MENDONCA: Okay. Thank you. Thank you
8 very much. Right, so --

9 MR. LIPKIN: You're not getting rid of me this
10 easy.

11 CHAIR MENDONCA: We're not going to get rid of
12 you. We're going to at the pleasure of the Board just keep
13 rolling on this. If anyone needs to take a rolling break,
14 please go ahead and do that. But let me go thank you
15 everyone on Item Number Three. We'll now move on to Item
16 Number Four.

17 MR. LIPKIN: Okay. So this should be now a
18 familiar drill. This is the staff recommendation for the
19 Preferred Alternative from San Francisco to San Jose. And
20 so this is Agenda Item Number Four for today.

21 Just as our recommendation in San Jose to Merced,
22 we're asking for the Board's concurrence to identify
23 Alternative A as the Preferred Alternative in the San
24 Francisco to San Jose Draft EIR/EIS. A similar setup where
25 this is not a final decision. This is setting us up for

1 the draft environmental documents. The final approval
2 comes at the end of the process. We will study both
3 alternatives through the draft and into the final documents
4 as well.

5 The same approach in terms of how we got to this
6 stage. The kind of key difference between this project
7 section and the rest of the statewide system is in this
8 corridor we have very specific legislation that limits the
9 options that we can look at.

10 In 2012, as part of an agreement and in some ways
11 in reaction to what we had proposed previously, which was a
12 fully dedicated route between San Francisco and San Jose,
13 we reached an agreement with Caltrain. And in the region
14 to instead of building a whole new high-speed rail
15 infrastructure along the Caltrain Corridor to instead use a
16 blended system, so sharing the tracks with Caltrain,
17 electrifying that corridor, and having that more forward as
18 a foundational piece while we would continue to study
19 what's needed for high-speed rail on top of that.

20 That agreement was codified in legislation that
21 directs us to have primarily a two-track system, primarily
22 within the existing rail corridor. And so when we look at
23 alternatives, it's really looking at what is that
24 incremental high-speed rail infrastructure that's needed on
25 top of what Caltrain has already approved and is in the

1 middle of constructing today.

2 Similarly, we have actively engaged with the
3 communities along the route. The one thing that I'll
4 mention that is especially focused on this project section
5 is we've had the benefit of the CSPG and LPMG which are the
6 City County Staff Coordinating Group and the Local Policy
7 Maker Group, which are made up of representatives from each
8 of the towns and cities along the route, all the way from
9 San Francisco to Gilroy. They have monthly meetings. We
10 have a standing agenda item along with Caltrain to really
11 engage with each community and that's really helped us get
12 input from everybody along the way here as well as of
13 course extensive outreach and engagement with our community
14 technical working groups and others throughout the process.

15 In this corridor we've also been working with our
16 agency partners. Obviously Caltrain being the absolute
17 primary one for the importance of making sure that the
18 blended system works and that our plans are properly
19 aligned. So when we get to the range of alternatives, this
20 is the existing Caltrain Corridor for this project section.

21 We're really looking at the area from 4th and
22 King Station in San Francisco as a temporary terminal for
23 us, while -- if the connection to Salesforce Transit Center
24 isn't completed that's a project that has been
25 environmentally cleared by the TJCA, so it's already got a

1 Record of Decision. And so we're looking at a temporary
2 terminus in San Francisco, going down the corridor all the
3 way to Scott Boulevard, which is the end of the project
4 section or sorry, the end of the Preferred Alternative
5 recommendation, because that's where San Jose to Merced
6 takes over.

7 And so in the Draft EIR you will have the project
8 section going all the way through Diridon Station, but for
9 these purposes you already gave us direction on the
10 Preferred Alternative from Scott Boulevard south.

11 The two key differentiating factors in this
12 project section are the location of the light-maintenance
13 facility. So that in Alternative A it's located on the
14 east side of the tracks in Brisbane. In Alternative B it's
15 located on the west side of the tracks.

16 And then the other differentiating factor in this
17 project section is in Alternative A, we do not have a
18 passing track in the middle of the corridor. In
19 Alternative B, we have a six-mile stretch of passing track
20 between San Mateo and Redwood City.

21 As I mentioned, the other elements are common
22 elements between the two alternatives that do not
23 differentiate them, but just to give you a sense of what
24 that looks like. We're talking about upgrading the
25 corridor and modernizing it to be able to operate it at

1 speeds up to 110-miles an hour. For purposes of all of our
2 analysis we've assumed the level of service that Caltrain
3 has previous approved, which is the six trains an hour that
4 they cleared as part of their environmental process. And
5 then adding up to four high speed trains an hour that will
6 be phased in over time as service ramps up.

7 We also have a number of other safety
8 improvements that we want to make along the corridor,
9 including modifications of the two hold-out rural stations
10 at Broadway and Atherton. That would make them standard
11 stations that would be able to have north and south bound
12 trains there at the same time. That's not an option today.

13 As well as safety modifications at all of the at-
14 grade crossings to modernize those, so some of the key
15 components of that are the quad gates or having gates at
16 all four parts of the intersection. The channelization to
17 make sure that cars can't swerve around the gates and get
18 into the corridor. And there's already a lot of right-of-
19 way fencing that's been built over the last 5 or 10 years
20 here, but where there's gaps we'll fill in those gaps to
21 make sure that the entire corridor is fenced and as much as
22 we can keep everybody off of the tracks where trains are
23 going by.

24 On those two key differentiating factors of
25 passing tracks and the light-maintenance facility, just to

1 give you a little bit of a history. The process of looking
2 at passing tracks and passing track options has been a
3 joint effort with Caltrain basically since the days of or
4 even before that the blended system was adopted in 2012.
5 And so over the years we've looked at a variety of
6 different options. This ties into sort of some key
7 assumptions around the balance between infrastructure,
8 service planning and the variety of service plans that you
9 might want to run, as well as the performance of the
10 signaling system and how close together trains can be.

11 And so after all that work we narrowed it down to
12 Alternative A and B, so after looking at many different
13 options that's the short middle four. That's the six-mile
14 passing track in Alternative B and then the no-passing
15 track alternative.

16 As I think I mentioned briefly, in San Jose to
17 Merced, Caltrain has undertaken a planning exercise to
18 develop a long-range vision for what their service might
19 look like over time and looking at growth above and beyond
20 high-speed rail. And so as part of that process they've
21 picked up some of our work that's gotten us to -- and
22 whether there's a needed infrastructure for high-speed rail
23 and looked at okay, what is the increment above that? And
24 what are some of the potential passing tracks that might be
25 necessary at that stage. That goes beyond our work here

1 and that will require future environmental clearance and
2 other work. But that's something that would continue to
3 engage with our partner with and doing that analysis.

4 Focusing in on the passing tracks, as I mentioned
5 they would stretch from San Jose to Redwood City in
6 Alternative B. One of the other kind of key things that
7 happens to be able to build those passing tracks, is we
8 would have to relocate the San Carlos Caltrain Station
9 about 2,000 feet to the south. And so that's one of the
10 kinds of key commission features there.

11 And the light-maintenance facility, while we are
12 studying the two options in Brisbane these are not the only
13 sites that we've looked at over the years. Just to give
14 you two of the other ones that we studied in more detail
15 were at the Port of San Francisco as well as the San
16 Francisco International Airport. Those sites both had
17 particular issues that made them infeasible, whether there
18 was already planned development on the site that we needed
19 to be able to put our facility. Or additional
20 environmental or community impact such as with the Port of
21 San Francisco having to rebuild a part of Highway 280 and
22 then close off one of the key onramps on that road, so some
23 big issues.

24 What we've narrowed down to is Alternatives A and
25 B which are the two sites in Brisbane on the Baylands

1 sites. I'll talk a little bit more about the tradeoffs
2 between them, but this is sort of meant to give you the
3 rough layout of those facilities. And Board Member Perea,
4 you asked about an aerial, I do have one here for you. And
5 so I've got one.

6 So I know you've seen kind of this setup and it's
7 very similar to San Jose to Merced. This is the full range
8 of things that we're going to study in the Draft EIR. The
9 differentiating factors are much narrower set, because
10 we're really focused on those two key features that we are
11 differentiating. And so the analysis becomes frankly a
12 little bit simpler than what we had in San Jose to Merced,
13 which had all those variations between four different
14 alternatives and mix of routes.

15 We're still looking at finding the balance
16 between various factors. And we've identified the ones
17 that kind of go into each of the buckets of system
18 performance, environmental and community factors.

19 Similar to the San Jose to Merced in your Board
20 Memo, there's numbers for all the things that I'm about to
21 share as sort of the rollup of all of that analysis. So
22 you can see the detail behind it and of course the staff
23 report gets into the next level of detail as well. But to
24 cut to the chase, the staff is recommending Alternative A,
25 which is the East Brisbane Light-Maintenance Facility and

1 the no-passing track option in that alternative. And I'll
2 kind of cover the basis for this recommendation as well.

3 On the system performance characteristics, what
4 we see is that with the passing track option it would give
5 us a slightly faster travel time for high-speed rail, so we
6 would save a couple of minutes during an average peak hour
7 trip. Caltrain would be a couple of minutes slower, but
8 what we've been able to prove out and in working with
9 Caltrain is that from a capacity standpoint there's enough
10 capacities to upgrade an efficient blended system without
11 the passing track. And so while there's a little bit of
12 tradeoff in travel time it's not a significant difference.

13 Across the many community factors obviously
14 building six miles of infrastructure in a densely-populated
15 area would have a variety of community factors that go with
16 Alternative B. That's everything from residential and
17 commercial displacement. There's things built right up
18 against the corridor and so we would be having a potential
19 impact there with the passing track.

20 As well as the kind of key consideration from a
21 land use perspective in Brisbane has been that city on its
22 ballot in 2018 approved a general plan amendment to allow
23 development on that Baylands site. The approval that the
24 voters gave put a mixture of mixed-use and housing
25 developments on the northwest corner of the site and then

1 commercial open space and other developments on the rest of
2 it.

3 And so Alternative B would put the light-
4 maintenance facility both over -- would have a larger
5 impact to that planned residential mixed-use development as
6 well as putting the light-maintenance facility closer to
7 where there would be homes in the future. And so from a
8 land use perspective and compatibility with those plans
9 there's an advantage to putting it on the east side of the
10 site.

11 From an environmental standpoint these two
12 differentiators are completely focused on the light-
13 maintenance facility where we have more wetlands on the
14 west side. And that's something that the U.S. Army Corps
15 of Engineers has a big say in, in terms of wetlands impact.
16 As well as a wildlife habitat that's part of Ice House
17 Hill, which has endangered species on the west side of the
18 tracks and so the light-maintenance facility has lower
19 environmental impact there.

20 And then the other thing just to note in terms of
21 the alignment within our plans and Caltrain, and again this
22 is sort of another one of those policy considerations. As
23 I mentioned, Caltrain has been looking at various service
24 visions for their future. What they've looked as their
25 baseline scenario has been effectively the same thing as

1 what we've looked at as part of our EIR/EIS, which does not
2 include the passing track. As they looked at future
3 service growth, they've identified some passing sitings and
4 things that they would need as that service raps up. But
5 those are different than the passing track option that we
6 have in Alternative B.

7 And so by pursuing Alternative A, all of those
8 things become incremental parts to what we are planning an
9 infrastructure that we're proposing here, whereas in
10 Alternative B those would have potential conflicts between
11 their plans and our plans as those advance going forward.

12 So to kind of roll all of that up, what we see is
13 a marginal tradeoff of a little bit more travel time. But
14 by not having the passing track we see fewer displacements
15 and impacts to natural resources and wetlands, lower
16 capital costs from not having to build that infrastructure,
17 and then better alignment with or partners at Caltrain.

18 So just as in San Jose to Merced we have been out
19 all over the region in conducting a similar outreach effort
20 to make sure that we have feedback to give you. And just
21 as in the other project section, we do have a full report.
22 And I'm sure that there will be members of the public who
23 will be able to articulate their views as well directly.

24 Just to kind of go through the key themes and a
25 snapshot of everything that we've heard along the way, when

1 it comes to the passing tracks we sort of heard the balance
2 of two things from those communities through which the
3 passing tracks would run. We've heard supports of
4 Alternative A, because it reduces those impacts that the
5 passing track would have if it was built.

6 At the same time, in many of our engagements what
7 we heard was the desire for improved service and operating
8 speeds both for us and for Caltrain and making sure that
9 those higher service levels that might be needed in the
10 future were something that we continue to be part of and
11 planning for with our partners. And that might involve
12 different passing tracks that I would mention than what we
13 have in the Alternative B.

14 We heard concerns from both the city and the
15 developer, the property owner in Brisbane about the
16 location of the light-maintenance facility and its
17 potential impact on their proposed development there. We
18 have and will continue to engage with both the developer in
19 terms of how we can have design compatibility between their
20 plans and ours, as well as with the city to alleviate some
21 of their concerns.

22 There's also, in this corridor as you can
23 imagine, lots of questions about our coordination with
24 Caltrain as well as other things going on in the region
25 such as the downtown and extension of San Francisco. We

1 are very grateful, Caltrain actually had a staff member at
2 all of our open houses and so we were able to direct them
3 to them to hear kind of both sides of that story. As well
4 as San Francisco had representatives in our San Francisco
5 open house speaking to some of those city projects there.

6 As you heard in San Jose to Merced, grade
7 separations and grade crossings are similarly issues in San
8 Francisco to San Jose.

9 And then the sort of new thing that's come out in
10 our outreach more recently has been interest from
11 communities, especially in the southern part of San
12 Francisco about workforce development opportunities with
13 the light-maintenance facility in terms of both the
14 construction as well as the future operations of that
15 facility.

16 At our community working groups we had a lot of
17 discussion about those passing tracks and how do we plan
18 for the growth that goes above and beyond high-speed rail.
19 And how do we make those through long-term investments in
20 the corridor. Travel times were one of the key things that
21 kept coming up both for us and for Caltrain in that
22 conversation.

23 At our open houses there was similarly lots of
24 support for the Preferred Alternative and sort of desire
25 for us to move forward with both Valley-to-Valley in Phase

1 1 service as soon as possible. That came out really
2 clearly that people were excited about the system and the
3 mobility that it would offer. And wanted to see it happen
4 and sort of saw the benefits that it would give compared to
5 other modes of travel.

6 And then the kind of last thing to mention out of
7 the city, county and our other engagements, we definitely
8 heard from the passing track cities that they appreciated
9 the reduced impacts as I mentioned previously. But we also
10 heard of concerns in both Millbrae and in Brisbane around
11 the potential impacts on proposed developments in those two
12 locations that we'll need to continue to coordinate with
13 those communities on.

14 In this project section, the timeline looks very
15 similar. It's a little bit behind San Jose to Merced. We
16 actually moved up the milestone of identifying the
17 Preferred Alternative, so that we could bring both of these
18 together in one meeting as we're doing today. But we do
19 have a little bit more work to do to get the draft
20 environmental document out. And then coming back similarly
21 in the spring of 2021 for your final certification of the
22 EIR/EIS.

23 So with that, our request is for the Board to
24 concur with staff's recommendations for Alternative A as
25 the Preferred Alternative in the Draft EIR/EIS.

1 CHAIR MENDONCA: Okay. Thank you very much,
2 Boris. I appreciate the summary and the work on that. So
3 we'll now go to public comment. And then we'll call you
4 back up for questions or comments from the Board.

5 So we have seven comments and I'm going to ask
6 the first four to go ahead and lineup: Jerry Brazel from
7 San Mateo, Doug Johnson from San Francisco, Stuart
8 Schillinger from Brisbane and Greg Greenway from Redwood
9 City. Mr. Brazel.

10 MR. BRAZEL: Thank you. And welcome to the new
11 Board Members and all that. The first time I talked to the
12 Board I think Quentin Kopp (phonetic) was on Board. And
13 way back then, even with the timeline we were talking about
14 four tracks all the way from San Jose to San Francisco.
15 I'm in favor of four tracks, but once they went to the
16 blended rail system we're lucky we have two tracks with all
17 that.

18 But going back 50 years ago, when I was in the
19 Army I had the chance to ride high-speed rail in Japan.
20 They had just opened up the Japanese Bullet. In the past
21 50 years high-speed rail has been built all around the
22 world. I've ridden high-speed rail in Europe. I've ridden
23 high-speed rail in China. In fact in China, in the past 10
24 years they've built 15,000 miles of high-speed rail, an
25 average of 1,500 miles a year. We're still working on our

1 first 115 miles.

2 But this is reference to Item Four. In all the
3 high-speed rail systems in the world they all have passing
4 track. Now, I realize you're working with a blended
5 system, but I'm in favor of passing tracks. I live in San
6 Mateo, right near where the passing tracks will go, so I'm
7 a resident there. I'm in favor of it. I'm in favor of
8 high-speed rail.

9 And I hope you can work it out. It's on my
10 bucket list to ride high-speed rail in this country and
11 please get moving faster on all this. That's all. Thank
12 you.

13 CHAIR MENDONCA: Thank you.

14 Mr. Johnson?

15 MR. JOHNSON: I love a good bucket list. Doug
16 Johnson, I'm with the City of San Francisco, the Planning
17 Department. I am the Transportation Planning Manager. You
18 should all be in receipt of Mayor Breed's letter to you all
19 indicating its' very clear, strong support from the city
20 for high-speed rail and for Alternative A.

21 High-speed rail will provide a safe and
22 sustainable alternative to San Francisco, the region, and
23 the state for its visitors, all of our residents, students
24 and workers. Within the region it is critical, so high
25 levels of electrified Caltrain service and high-speed rail

1 are available and delivered as soon as feasible.

2 We all know our freeways are crowded. Travel
3 options are few. Airport and freeway expansions would
4 impose massive environmental and direct costs to
5 accommodate the state's long-term mobility needs. We look
6 forward to ongoing cooperation with your team on this
7 alternative and the broader program. The City is confident
8 that there are solutions to challenges identified and
9 discussed here today. Thanks.

10 CHAIR MENDONCA: Thank you, Mr. Johnson.
11 Mr. Schillinger.

12 MR. SCHILLINGER: Good afternoon. My name is
13 Stuart Schillinger. I am the Deputy City Manager for the
14 City of Brisbane. On behalf of the City I would like to
15 thank the Chair and the other members of the Board for this
16 opportunity to submit my testimony in opposition to the
17 California High-Speed Rail Authority's identification of
18 the Brisbane Baylands site as the only location for
19 placement of the high-speed rail light-maintenance facility
20 along the San Francisco to San Jose project section.

21 The City appreciates that there's not enough time
22 to address all of our concerns today. And therefore we
23 respectfully request that the Board include my prepared
24 remarks and accompanying materials on behalf of the City in
25 the record for this hearing.

1 In July 18th, 2019 public presentation to the
2 Brisbane City Council, the Authority's representative
3 stunned the residents of Brisbane when they identified the
4 Brisbane Baylands, a single parcel of land, as both the
5 first and second preferred alternative for location of the
6 light-maintenance facility along the San Francisco, San
7 Jose project section.

8 Let me repeat that. Authority staff is
9 recommending that the Board identify the Brisbane Baylands
10 as the only location the Authority should actively consider
11 for placement of its planned section maintenance facility
12 between San Jose and San Francisco.

13 This Board's acceptance of that recommendation
14 would be an abuse of discretion for the reasons detailed in
15 the City's comment letter to the Authority of August 21st,
16 2019, which letter I incorporate in my testimony today.

17 First, it is clear that the Authority staff has
18 not performed reasonable due diligence on the Baylands and
19 does not understand the practical difficulties, hazards and
20 costs associated with the development of a maintenance
21 facility on this site.

22 Without evaluating these challenges and those
23 associated with other potential alternatives, the Authority
24 cannot make the determination that other sites are not
25 practical by comparison.

1 Second, the proposed preference cannot be
2 accepted or endorsed by this Board, because it is
3 fundamentally inconsistent with dually adopted local and
4 regional planning goals and plans including the Plan Bay
5 Area and Regional Transportation Plan/Sustainable Community
6 Strategies that were developed and adopted to ensure land
7 use in the area is consistent with the state's climate and
8 sustainability goals.

9 I have more to say, but I will leave it at that.

10 CHAIR MENDONCA: Okay. Thank you. And we do
11 have your comments and will incorporate them in the record.
12 Thank you.

13 Mr. Greenway. And then while Mr. Greenway is
14 coming up can I call the other public comments that I have:
15 Mr. Roberts, Ms. Levin and Roland. Please.

16 MR. GREENWAY: Good afternoon. The Peninsula
17 Freight Rail Users Group is a coalition of the freight rail
18 shippers on the Caltrain Corridor. We want the High-Speed
19 Rail Project to succeed. And we think that the staff
20 recommendation is a sensible way to move the project
21 forward. It will lead to more substantive and detailed
22 conversations going forward.

23 Like most stakeholders, our support is not
24 entirely unconditional. From the freight shippers'
25 standpoint the main consideration is that the High-Speed

1 Rail Project does not impede the ability to ship cargo on
2 the Caltrain Corridor. We think that this decision before
3 you today does not have negative impacts. And based on our
4 experience we're very confident that going forward, we will
5 continue to have conversations with the Authority and
6 staff.

7 Of course there's tradeoffs between Alternatives
8 A and B and Boris laid out the analysis that goes into the
9 staff recommendation. We think that analysis is sound and
10 I'd add a couple of considerations that give me confidence
11 in particular.

12 One is the public outreach has been outstanding.
13 I want to commend Boris and Morgan Galloway and the
14 outreach team. I participate in one of the community
15 working groups and am involved in lots of other ways with
16 staff outreach efforts. And I can say that I believe that
17 they sincerely listen and that public input is incorporated
18 into the recommendations.

19 The other thing that gives me confidence is the
20 alignment with the Caltrain Business Plan. That's
21 incredibly important to people in San Mateo County.
22 Alternative A is consistent with the Caltrain Modernization
23 Project as it's environmentally cleared. Alternative B
24 does have passing tracks, but presumably if Caltrain is
25 going to double or triple its capacity over the next -- by

1 2040, there's going to be a whole other conversation about
2 passing tracks much more comprehensive beyond the middle
3 four in Alternative B.

4 And so for those reasons I would encourage you to
5 support the staff recommendation.

6 CHAIR MENDONCA: Thank you.

7 Mr. Roberts?

8 MR. ROBERTS: Good afternoon, Steve Roberts from
9 the Rail Passenger Association of California. Thank you
10 for giving (indiscernible) these remarks. Our association
11 is in favor of the recommended Alternative A for between
12 San Francisco and San Jose.

13 And we also think that this initiative along with
14 working with Caltrain's 2040 initiative provides an
15 opportunity to join in and move forward in fully utilizing
16 the unique and valuable asset that the Caltrain Corridor
17 is. And I look forward to working with everyone in fully
18 maximizing the value of that asset in our urban area.
19 Thank you.

20 CHAIR MENDONCA: Thank you.

21 And thank you, Ms. Levin, while you're coming up
22 I realized that there were a couple of other comments that
23 were clipped together that I did not see. So but if Ms., I
24 don't know is it Ledbetter and Horen could come up and
25 speak after Roland that would be great. So please go

1 ahead, Ms. Levin.

2 MS. LEVIN: Okay. Adina Levin with Friends of
3 Caltrain and I do want to add that we have about 8,000
4 (indiscernible) in Peninsula Corridor from San Francisco
5 through San Jose supporting -- as an organization we
6 support the blended system. And are really encouraging the
7 Caltrain Business Plan and regarding that, wanted to talk
8 about that and the compatibility with the alternative with
9 no passing tracks.

10 So what High-Speed Rail has studied is compatible
11 with what Caltrain studied back in 2013-2014 for the basic
12 electrification. However, as that analysis has been
13 superseded by Caltrain's analysis for the Business Plan,
14 Caltrain's Business Plan analysis indicates the opportunity
15 to increase ridership by three to four times and replacing
16 five-and-a-half freeway lanes that are not going to need to
17 be built with addressing that pent-up demand. But to
18 address that pent-up demand based on the new analysis in
19 the Caltrain Business Plan that the Board is about set to
20 direction for in October that does require passing tracks.
21 And the main goal there is not about speed as Mr. Lipkin
22 said, it is about frequency.

23 Being able to get more frequent service and it is
24 also about schedule quality. The lack of passing tracks
25 would change from being able to have a regular clock-based

1 schedule every 10 or 15 minutes to having bunched trains
2 every 2 or 3 minutes and then another one 20 minutes from
3 then, that would preclude making good connections to local
4 and regional service. And it would greatly decrease the
5 appeal of the service to riders and suppress ridership.

6 So I would urge you to, as with the DISC,
7 acknowledge that this analysis has been superseded and
8 commit to working with Caltrain to update the analysis in
9 the future to accommodate Caltrain's current Business Plan
10 as opposed to going on a five-year-old obsolete
11 information. Thank you.

12 CHAIR MENDONCA: Sorry, now Ledbetter?

13 MR. LEDBETTER: Good afternoon. My name is Nile
14 Ledbetter and I am the Airport Intermodal Planner for the
15 San Francisco International Airport. I'm here today on
16 behalf of SFO Airport to congratulate the California High-
17 Speed Rail Commission for identifying a staff-recommended
18 alternative that brings high-speed rail to the Peninsula
19 and to reiterate the importance of Millbrae Intermodal
20 Station for Peninsula operations when planning for high-
21 speed rail's future.

22 For the airport, the seamless interconnectivity
23 of the station between all its transit options including
24 future high-speed rail is integral for the station's
25 success. As major European hub airports such as Frankfurt

1 and Amsterdam do, there is great opportunity for connecting
2 directly plane and train. Where airlines place code shares
3 on high-speed trains and revenue sharing occurs to allow
4 for point-to-point trips utilizing both modes.

5 A resident of Fresno therefore could travel to
6 Denver, New York, or even Tokyo on one ticketed itinerary.
7 This can only occur if the transfer at Millbrae is
8 intuitive and as convenient as transferring between
9 terminals within an airport. The frequency of the high-
10 speed rail and its connecting mode between the station and
11 the airport terminals will play key roles in this
12 connectivity.

13 As SFO continues to get closer to its maximum
14 yearly capacity of 71 million passengers offloading
15 interstate air traffic to rail is a sustainable option for
16 the airport to maximize its operations as it looks to the
17 future.

18 San Francisco International Airport would like to
19 thank the California High-Speed Rail Commission and its
20 Board Members for its continued push for connecting the
21 Peninsula and Bay Area's residents and jobs to greater
22 California and also beyond to the world. Thank you.

23 CHAIR MENDONCA: Thank you very much.

24 Ms. Horen?

25 MS. HOREN: Thank you, Board Members, for

1 allowing me to speak before you. My name is Deb Horen.
2 I'm a Brisbane citizen, a member of the High-Speed Rail
3 Citizens Committee. I'm a member of the Brisbane Citizens
4 for Responsible Development.

5 We do not have community outreach in Brisbane.
6 We had one brief City Hall meeting that was not publicized,
7 so because of that I'd like to respectfully request four
8 minutes. I can read this really quickly in four minutes.
9 Please?

10 CHAIR MENDONCA: Go ahead.

11 MS. HOREN: Thank you. Before I present my
12 evidence on why choosing Alternative A for the railyard in
13 Brisbane is a grave mistake, let me briefly remind you that
14 there's a long history of Brisbane residents supporting
15 high-speed rail on Alternative B on the west side. There
16 was even a National Renewable Energy Laboratory study done
17 that looked at co-locating solar panels with high-speed
18 rail, with the railyard connected on the nearby PG&E
19 substation to supply substantial renewable energy for the
20 region. Our EIR identified this alternative plan as the
21 most environmentally and economically feasible development
22 plan for the Brisbane Baylands.

23 Choosing Preference A, the east side of the
24 Brisbane Baylands, is another example of mismanagement of
25 land acquisition detailed yesterday at the "L.A. Times" as

1 the High-Speed Rail's biggest problem. And why is this
2 true?

3 First, High-Speed Rail used an incomplete EIR
4 that had major data gaps to draw their conclusions. Most
5 of the unregulated hazardous materials in the former dump
6 are unknown. What is known is that the site is rife with
7 lead, arsenic, heavy metals and likely has irradiated soil
8 from the former Navy yard at Hunters Point.

9 Second, heaped on top of the dump since its
10 closure in 1967 is approximately 70 feet of additional soil
11 and hazardous materials from UPC's profitable soils
12 processing business. From 1990 to 2009, the UPC soils
13 business accepted unregulated waste from construction sites
14 including excavation from the subway station. Nineteen
15 years of that 70-foot mountain of dirt piled additional
16 unknown, untested, hazardous waste at the alternative base
17 site.

18 Third, the calculations of the High-Speed Rail
19 staff for the required elevation level of the rails will
20 require digging below this additional 70 feet and then
21 digging into the dump, to a depth that not only will put
22 lives in harm's way, but will be underwater for
23 conservative projections of sea rise. Remember the dump
24 was not an engineered or even diked Bay landfill. Remove
25 the fill and the Bay will pour back in helped over sea

1 rolls by the severe storms that are becoming commonplace
2 across the globe.

3 Fourth, and finally people who don't live in
4 Brisbane like to say the prevailing winds in Brisbane are
5 from the west. I live in Brisbane. When it gets windy the
6 winds come from every direction. And surely we know the
7 powerful easterly winds that whip up and cause fires across
8 our state.

9 Moving this soil to the depth you need for your
10 railyard, so close to the town of Brisbane will cause
11 public health hazards that no moral person would attempt.
12 No matter how you try to mitigate this, arsenic, lead and
13 unknown hazardous substances will be dispersed in the town
14 upon the people of Brisbane.

15 Why would you put people's health and safety at
16 risk when there's already a railyard at the required
17 elevation on the west side that is unlikely to be impacted
18 by sea-level rise and climate change? The site has a
19 smaller footprint and would allow more housing. The west
20 side, Alternative B, does not displace housing (Timer
21 sounds) since housing has not been built.

22 Do I get my two more?

23 CHAIR MENDONCA: Yes. Please go ahead.

24 MS. HOREN: Thank you. Let's see, housing has
25 not been built. In fact, no specific plan or development

1 agreement for this site has been submitted. No zoning
2 changes have been made. Since SB 262 failed in the state
3 Legislature, the state can now increase the housing
4 numbers. The location of this housing will likely migrate
5 from the planned location. Nothing is set in stone. No
6 agreements have been signed, as one of your consultants
7 said in the public meeting.

8 Measure JJ passed by the assistance of Brisbane
9 narrowly is merely an intention. The state can impose what
10 it wishes on Brisbane. Since SB 262 failed, the timeline
11 now allows for a thoughtful integration of high-speed rail
12 and housing.

13 Regarding the impacts on the wetlands, it will be
14 the same outcome should you choose Alternative A or B.
15 There are no protected silver spot butterflies on the
16 Baylands. There's one creek that goes across Side A and
17 Side B and it goes to the Bay. And regardless of which
18 side is chosen, a culvert needs to be built. And so
19 Alternative A or B as far as environmental impacts is equal
20 with both alternatives.

21 And finally, it's a false equivalence to combine
22 the site at Brisbane with the entire corridor in choosing
23 alternatives. Because of the toxicity of the Brisbane
24 site, the criteria are not the same. Sorely missing in
25 your criteria for Brisbane is public health and safety,

1 which may make Alternative A in Brisbane cost prohibitive
2 in terms of negative impacts. What price do you put on
3 human lives?

4 In conclusion, I'd like to ask you to consider
5 Alternative B for Brisbane for the facts that I have
6 mentioned. And the many other substantive reasons that my
7 time limit here today does not allow me to present. Thank
8 you so much for the extra time.

9 CHAIR MENDONCA: Thank you, Ms. Horn.

10 Roland?

11 MR. LEBRUN: Thank you, sir. I'm going to try to
12 go very quickly through all the hot spots, which have come
13 about in the last 20 minutes or so.

14 Millbrae passing tracks, you do not need passing
15 tracks in Millbrae for the same reason that you not need
16 passing tracks at Fullerton, which is between L.A. and
17 Anaheim. There's actually a memo on the Authority's
18 website that explains why not. If every train stops why
19 are you having passing tracks?

20 Now, we do need passing stations in
21 (indiscernible) and we can have lots of them. And there's
22 one of them that's completely missing from Alternative A,
23 which is called Redwood Junction, which is a connection to
24 the Barton Rail. And I suggest you model it after the
25 Ebbsfleet Station, which is on the high-speed line between

1 London and Channel Tunnel.

2 Now, Brisbane, why do we need this massive 100-
3 acre, 27-track facility when Deutsche Bahn submitted a
4 report to the Legislature on May the 1st saying that they
5 plan to operate eight trains, two of which are spare. Why
6 do you need 27 tracks?

7 Location, I suggest that you look at the Javelin
8 facility in Ashford, again on the high-speed line with the
9 London Channel Tunnel. Ashford is (indiscernible) Gilroy,
10 how can they maintain 29 trains with 8 tracks?

11 Now, in closing I would like to voice support for
12 Alternative A. But I would like you to consider a single
13 area consolidated between San Francisco and Gilroy. And
14 then at a later date let's start talking about another EIR
15 between Gilroy and Fresno, and preferably that would use an
16 alignment that's going to eliminate all the wetlands issue
17 that (indiscernible) profusely in the previous item. Thank
18 you.

19 CHAIR MENDONCA: Thank you, Roland.

20 And we do have one more, I believe Drew, is that?

21 DREW: Good afternoon, Members of the Board. I
22 wasn't going to speak, but I keep looking at this picture
23 up there and I keep thinking I need to say something about
24 that. That location is within minutes of where I live.
25 And why I want to convey is I am generally for high-speed

1 rail. I'm actually also generally for the passing. I
2 understand why that's not being recommended here, because
3 of the cost so to speak. I get the math from an
4 engineering perspective.

5 But I can tell you that location with that
6 rendering is more beautiful than what we currently have in
7 that area. We have a narrow strip. There's car lots in
8 that area and there's just parked cars. There are some
9 little businesses like a little yoghurt shop and some
10 thngs, but this is not -- you know, passing tracks by
11 definition seem everyone, "Oh, we don't want passing
12 tracks. It would be terrible."

13 In this area passing tracks isn't a terrible
14 thing. I mean, the land through a lot of this is open.
15 It's parking lots in the City of Belmont and stuff. So
16 it's not like a thousand residents are going to be wiped
17 out while doing passing tracks or something.

18 So it's kind of just being, I wanted to convey
19 the openness that from a long-term perspective passing
20 tracks are needed for a variety of reasons. I understand
21 maybe technically it's not for this purpose, but passing
22 tracks in this area are not all bad. It's set up possibly
23 to do it versus other areas and stuff.

24 So with mitigation, maybe adding a bike/ped path
25 for miles along the route that adds something back to the

1 neighborhoods and stuff and it's okay. You know, it's a
2 trade. We all have to make trades here. And I live,
3 literally that's minutes from where I live and stuff. So
4 anyway, thank you.

5 BOARD MEMBER MILLER: Thank you, Drew.

6 So with that I have no more public comments on
7 this section. And Boris, if you could come back up and
8 open it up for questions or comments from the Board.

9 Does anyone have any questions or comments for
10 Boris? Henry?

11 BOARD MEMBER PEREA: Real quickly, I just want
12 to, based on comments from a lot of the folks a lot of
13 compliments to you and your staff, like you've done some
14 really great work out there. And also here the critical
15 path, I'd like to meet with you more just to talk more
16 about the path to get it done.

17 MR. LIPKIN: Sure, happy to do it. Thank you.

18 VICE CHAIR RICHARDS: Thank you. I just had a
19 question just with regards to the package, Boris, for this
20 item which the document which starts, "Briefing, September
21 17, 2019." There's no numbers on these pages, but it would
22 be I think the eighth page back. It's where it says,
23 "Budget and Physical Impact." And maybe I've got one
24 that's not the most recent, but then it says, "Budge
25 Review," here but it's not put in. Right below it says,

1 "Reviewer information and signature."

2 MR. LIPKIN: Yeah, I'm looking at it now. And I
3 know we had some budget language from -- you're looking at
4 this or this?

5 VICE CHAIR RICHARDS: There is a different one?
6 I'm looking at this.

7 (Off mic colloquy to locate the correct
8 documents.)

9 MR. LIPKIN: Thank you, Vice Chairman, for
10 pointing that out. The language that should go there is
11 language that's similar to San Jose to Merced that reflects
12 what's in the chart that's on the previous page that shows
13 the cost differential and confirms that that's consistent
14 with the Business Plan estimates.

15 VICE CHAIR RICHARDS: Okay.

16 MR. LIPKIN: It looks like it got left out of the
17 memo and I apologize for that oversight. I don't know,
18 Brian, if you want to add anything else from that?

19 VICE CHAIR RICHARDS: Okay. So it's just going
20 to be reflective of what's on the previous page?

21 MR. LIPKIN: Correct. There's a table on the
22 previous page that has the cost difference between the two
23 alternatives. And then what was intended to be there is
24 very similar language to what we had in San Jose to Merced
25 that just reaffirms that it's consistent, based on those

1 numbers, with our Business Plan estimates beforehand. And
2 again, I apologize, that just got left out of the Board
3 Memo.

4 VICE CHAIR RICHARDS: And is it also based on
5 2017 numbers?

6 MR. LIPKIN: Correct.

7 VICE CHAIR RICHARDS: And can I just ask a quick
8 question? Why are we using -- I mean to ask that before --
9 2017 numbers instead of 2019 numbers?

10 MR. LIPKIN: So for consistency with both the
11 Business Plan, not year-of-expenditure dollars but
12 constant-year dollar estimates are presented there. As
13 well as when we took action in 2018 on those Southern
14 California preferred alternatives we simply maintained that
15 through for Northern California, because that's the
16 previous thing that had come. Of course, those will be
17 updated as we do the 2020 Business Plan and so things going
18 forward will --

19 VICE CHAIR RICHARDS: So it's just consistent
20 with previous practice?

21 MR. LIPKIN: Correct.

22 CHAIR MENDONCA: Okay. Any other comments or
23 questions? If not, we'll accept a motion and again we're
24 going to do this in --

25 BOARD MEMBER CAMACHO: So moved.

1 CHAIR MENDONCA: -- two parts. The first one
2 will be the CEQA one, Resolution 1907 and Ernie just moved,
3 is there a second?

4 BOARD MEMBER MILLER: Second.

5 CHAIR MENDONCA: Any further comments?

6 Call the roll, please.

7 MR. RAMADAN: Director Schenk.

8 BOARD MEMBER SCHENK: Yes.

9 MR. RAMADAN: Vice Chair Richards.

10 VICE CHAIR RICHARDS: Yes.

11 MR. RAMADAN: Director Curtin.

12 BOARD MEMBER CURTIN: Yes.

13 MR. RAMADAN: Director Lowenthal.

14 CHAIR MENDONCA: She had to leave.

15 MR. RAMADAN: Director Camacho.

16 BOARD MEMBER CAMACHO: Yes.

17 MR. RAMADAN: Director Miller.

18 BOARD MEMBER MILLER: Yes.

19 MR. RAMADAN: Chair Mendonca.

20 CHAIR MENDONCA: Yes.

21 MR. RAMADAN: Director Perea.

22 BOARD MEMBER PEREA: Yes.

23 CHAIR MENDONCA: Okay. Thank you. Now, to
24 Motion 1908, Resolution 1908 is just the NEPA accept.

25 BOARD MEMBER CAMACHO: So moved.

1 CHAIR MENDONCA: Moved, is there a second?

2 BOARD MEMBER SCHENK: Second.

3 CHAIR MENDONCA: Okay. Any other comments?

4 Call the roll, please.

5 MR. RAMADAN: Director Schenk.

6 BOARD MEMBER SCHENK: Yes.

7 MR. RAMADAN: Vice Chair Richards.

8 VICE CHAIR RICHARDS: Yes.

9 MR. RAMADAN: Director Curtin.

10 BOARD MEMBER CURTIN: Yes.

11 MR. RAMADAN: Director Camacho.

12 BOARD MEMBER CAMACHO: Yes.

13 MR. RAMADAN: Director Miller.

14 BOARD MEMBER MILLER: Yes.

15 MR. RAMADAN: Chair Mendonca.

16 CHAIR MENDONCA: Yes.

17 MR. RAMADAN: Director Perea.

18 BOARD MEMBER PEREA: Yes.

19 MR. RAMADAN: The motion carries.

20 CHAIR MENDONCA: Okay. Thank you.

21 So that was the last item on the agenda. I'd
22 just like to make a couple of closing remarks. First of
23 all, I'd like to thank Boris and your team once again for
24 all of the heavy lifting going through this, and recognize
25 that there will be much more heavy lifting subsequent to

1 this. So I appreciate your leadership and since everyone
2 knows where you live I'm sure they'll hear from you, and
3 you will hear from them. (Laughter.)

4 Secondly, in all seriousness I'd just like to
5 again thank the public and all of those who commented as in
6 the Item Number Three and Item Number Four. This is the
7 beginning, not the end of the process. I know there is a
8 fair amount of sensitivity in Brisbane in particular to
9 these alternatives and we'll make sure that we're engaged
10 in that conversation. And we'll take very seriously all
11 the comments that were made here and submitted into the
12 record.

13 So with that there is no need for an Executive
14 Session, so we will declare, unless there's any other
15 items, we will declare the meeting adjourned. Thank you.

16 (The California High-Speed Rail Authority Board
17 Meeting was adjourned at approximately 4:49 p.m.)

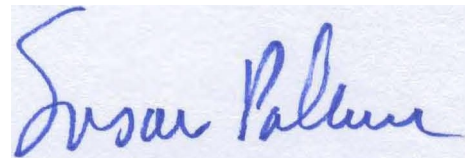
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REPORTER'S CERTIFICATE

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 30TH DAY OF OCTOBER, 2019.



SUSAN PALMER
CERTIFIED
REPORTER
CERT 00124

TRANSCRIBER'S CERTIFICATE

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 2019.



Myra Severtson
Certified Transcriber
AAERT No. CET**D-852