



California High-Speed Rail **BRIEFING: October 15, 2020 Board Meeting Agenda Item #4**

TO: Chairman Richards and Board Members
FROM: Margaret Cederoth, Director of Planning and Sustainability
DATE: October 15, 2020
RE: Land Use Master Plan

Summary

The Authority has been actively acquiring right-of-way (ROW) for the system since 2015. In late 2019, staff initiated a strategic review of the parcels in the current ROW inventory identified as non-operational. The purpose of this review was to identify parcels with value to the system and identify parcels for future disposal. The outcome of the review is a 2020 Land Use Master Plan (LaMP).

Background

Strategic management of the Authority's land portfolio involves regular review of non-operational parcels within the Authority's ROW inventory, referred to as the parcel review process. The outcome of the parcel review process is the LaMP. The LaMP captures parcel use recommendations.

Prior Board Action

No prior board action.

Discussion

Authority Parcel Inventory

The Authority acquires parcels for the high-speed rail system based on the environmentally cleared alignment for the system and the requirements of final designs determined by the design-build contractors. The Authority may purchase more property than identified by the design-builders for several reasons, including negotiations with property owners. The portion of the acquired parcel that is used for operational purposes is defined and labeled as operational and the remaining land is split from the original parcel and is labeled non-operational.

There are also instances where, as a result of a reconfiguration in the system's alignment or changes in the footprint, a parcel may no longer be needed for the system and is labeled as non-operational. In most cases, non-operational parcels are created as remnants of bigger parcels that were acquired for the high-speed rail system (system).

Out of the total inventory of parcels acquired for the system as of February 2020, 779 are currently considered non-operational. The non-operational parcels are identified using GeoAmps data. GeoAmps is the system of

record for Real Property used to track and report Land Acquisition, Land Conveyance, and Property Management activities.

Parcel Review Process

The parcel review process provides a consistent methodology and defined criteria to determine use for the non-operational parcels. Broadly, the process identifies if these parcels have any potential or suitability for Authority operational purposes or utility for broader State of California and other public purposes, such as those identified in Executive Orders. If no uses are identified, the parcels were tagged for potential disposal. Although Operational parcels are also identified in the Land Use Master Plan, and are a critical reference, they are excluded from the parcel review process because they have already been identified for Operational use.

The parcel review process is a cross-disciplinary consultation with staff from the Environmental, Rail and Operation Delivery, and Real Property branches, as well as with subject matter experts in renewable energy and commercial development.

The inventory of 779 non-operational parcels was reviewed with a defined set of criteria to determine if the parcels were:

- Suitable for renewable energy development;
- Suitable for commercial development;
- Suitable for environmental development, and/or
- Required for system operations.

The specifics of each criteria are listed in the table in Attachments.

The outcome of the initial parcel review process and identified uses were programmed into the LaMP per the table below.

Table 1: Results of Parcel Review

Evaluation Criteria	Description	Land Use Assigned	Parcels	Acreage
Station Site	Within a 1/4-mile radius of a high-speed rail station or stop.	Operational - Station Site	58	20
Station Adjacent	Within a 1-mile radius of a high-speed rail station.	Operational - Station Adjacent	61	39
Noise Attenuation	Required to build noise barriers and/or use as setback.	Operational - Environmental Mitigation	35	18
Refugia Dens	Required to build San Joaquin Kit Fox refugia dens.	Operational - Environmental Mitigation	7	190
Wildlife Crossing	Required to build wildlife crossings.	Operational - Environmental Mitigation	7	4.5

Suitable for Solar Photovoltaic/Storage to support high-speed rail operations.	Parcels that are both within a 6-mile radius of a traction power substation site and are at least 8-acres in size (for stand-alone parcels). After these criteria are met, then the parcel is analysed for configuration, location, soil type, slope, vegetation, seismic risk and flood risk.	Suitable for Development	25	890
System Operations	Identified as high-speed rail system footprint for operations.	Operational ROW	3,975	3664

Implementation, Next Steps, and Refinement

The LaMP has been incorporated as a set of layers in the Authority’s Real Property View system to be consulted as Authority staff review parcels for on-going property management activities, land swaps, and other ROW tasks, including eventual disposal. The Real Property View tool is a geographic information systems platform and is accessible to and already in daily use by Authority staff. The LaMP layers include the assigned land use per parcel and additional parcel characteristics that informed the analysis.

Next steps for the LaMP include presentation to and adoption by the Business Oversight Committee (BOC) to confirm the plan as part of the configured system and baseline. In addition, the Authority ROW team is developing a disposal process for the cohort of parcels identified for disposal. The Authority Right-of-Way team is responsible for property disposal and final disposition. The Authority Planning team is finalizing a procedure document (PROC -1027) describing the parcel review process and LaMP.

Finally, while the initial parcel review identified station site, environmental mitigation and solar sites with operational use for the system, staff are subjecting them to additional study to refine the parcel set and reduce the Authority’s parcel inventory:

- Authority planning staff are carrying out the Station Site and Adjacent Development Plan process for Fresno, Bakersfield and Kings Tulare stations. This process is drawing on the parcels identified as station site and station adjacent.
- Authority sustainability staff are continuing to review the parcels identified as suitable for development of renewable energy to further refine the parcel set to those with the best opportunity for renewable energy generation.
- Authority environmental staff are completing wildlife crossing, noise barrier, and refugia den analyses to confirm which sites are necessary for construction of these environmental mitigation requirements.
- The track and systems bidders will provide the list of parcels necessary for construction access and other construction activity.

Moving forward, the Authority will review non-operational parcels semi-annually to periodically update the LaMP and provide this update to the BOC.

Legal Approval

The Authority’s statutory authority has been considered and complied with when creating the Land Use Master Plan.

Budget and Fiscal Impact

This is an informational item on the Authority’s Land Use Master Plan, and by itself, does not have a budget or fiscal impact.

When the Authority sells parcels in the future, the revenue will be deposited in the Rail Property Fund. The Rail Property Fund was established by the Office of the State Treasurer for the purpose of depositing revenue received from the sale, lease, or grant of any interest in or use of real property owned or managed by the Authority. Per PUC, Section 185045 (added by AB 481, statutes of 2013), the revenues in the Rail Property Fund can only be used for the development, improvement and maintenance of the high-speed rail system. Commencing with the Budget Act of 2017, each annual budget act has appropriated \$750,000 from the Rail Property Fund to the Authority for the purposes of PUC 185045. Annual revenue received by the fund has exceeded the annual appropriation and expenditures, and as of August 31, 2020, the cash balance of the fund was \$9.4 million. This status of this fund is reported monthly to the Finance and Audit Committee with the Chief Financial Officer's monthly financial update.

REVIEWER INFORMATION	SIGNATURE
Reviewer Name and Title: Brian Annis Chief Financial Officer	Signature verifying budget analysis: Original signed October 7, 2020
Reviewer Name and Title: Alicia Fowler Chief Legal Counsel	Signature verifying legal analysis: Original signed October 7, 2020



Recommendations

This item is informational.

Attachments

Criteria Evaluating the Non-Operational Parcels' Suitability for Use

Criteria	Assessment Criteria	Description
 Solar	Proximity to TPSS Sites	Parcels within a 6-mile radius of a traction power substation (TPSS) site were selected as a starting point.
	Size	Parcels should be at least 8-acres in size (for stand-alone parcels). Parcels smaller than 8-acres may be selected if they were immediately adjacent to a larger parcel.
	<p><i>If parcels meet the proximity to TPSS site and Size criteria, then the parcel is evaluated further against the additional solar criteria described below. If the parcel meets the criteria, including cases that may require additional studies to confirm suitability, it will be identified as suitable for solar development which includes photovoltaic system and battery storage.</i></p>	
	Configuration	Parcels should be fairly regular in shape (i.e. long, narrow parcels are not conducive for solar development).
	Location	Identify parcels that are located relative to the TPSS site (north or south) and on which side of the train tracks (east or west). Where a group of parcels needs to be assembled to accommodate solar development, they would ideally be located either north or south of the TPSS and be located on either the west or east side of the tracks.
	Soil type	Avoid clay soils as they are not ideal due to liquefaction risk and related structural issues.
	Slope	Avoid steep slopes as they are not conducive for solar structure development.
	Vegetation	Avoid trees or significant vegetation could shade solar structures.
	Seismic risk	Concerns regarding stability of solar structures and interconnection points in the event of an earthquake.
	Flood risk	Flooding could cause damage to solar structures.
 Commercial	Proximity to planned stations	All parcels located within ¼ mile of a planned station were identified as suitable for commercial development.
	Surrounding uses	Parcels that were surrounded by other commercial and/or residential uses were identified as suitable for commercial development.
	Population density	Parcels in the area with relatively higher population density tend to have concentrations/clusters of development and were therefore identified as suitable for commercial development.

	Average household income	Parcels in areas with relatively higher average household income levels were identified as suitable for commercial development, as these areas also tend to be developed with commercial and/or residential uses. Parcels with higher relative household incomes, but not within proximity to existing development were not deemed suitable for commercial development.
	Zoning	Parcels zoned as agriculture in undeveloped areas were identified as not suitable for commercial development.
 Environmental	Considered for noise attenuation	Parcels useful for noise attenuation may be considered for operational use to build noise barriers and/or use as setback. Note that only a section of the parcel may be required for operational use and keep the rest classified as non-operational. The sound walls may be needed depending if the Authority uses Slab Tracks over Ballast railway tracks.
	Agricultural use	Identify Important Farmland. It does not exclude suitability for development, it may require additional processes.
	Protected species – crossings	Identify parcels overlapping dedicated wildlife crossing. Should be avoided. The Authority will convert into operational the section where the crossing is built and may consider disposal of the remaining parcel unless it is suitable for solar or commercial development.
	Protected species – refugia dens	Identify parcels overlapping or close to refugia or escape dens (for example, San Joaquin Kit Fox dens). The Authority will convert into operational the section where the refugia den is built and may consider disposal of the remaining parcel unless it suitable for solar or commercial development.
	Protected species – habitats	Identify parcels where protected species are found (for example, Antelope Squirrel, Kangaroo Rat, Swainson’s Hawk, Buena Vista Lake Ornate Shrew and California Tiger Salamander). The Authority may consider disposal of the parcel unless it is suitable for solar or commercial development.
 System Operations	Operating parcels	Parcels identified as operational (required for HSR System purposes) are excluded from the non-operational parcel review process.