

NORTHERN CALIFORNIA
MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN

CALIFORNIA HIGH-SPEED RAIL AUTHORITY (CHSRA);
CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
CAPITOL CORRIDOR JOINT POWERS AUTHORITY (CCJPA)
SACRAMENTO REGIONAL TRANSIT (SacRT), and
SAN JOAQUIN REGIONAL RAIL COMMISSION (SJRRC)

COLLECTIVELY REFERRED TO HEREIN AS THE "PARTIES",
FOR THE STUDY, DESIGN, CONSTRUCTION AND INTEGRATION OF A
NORTHERN CALIFORNIA UNIFIED RAIL SERVICE NETWORK TO SUPPORT
THE EARLY UTILIZATION OF THE CALIFORNIA HIGH SPEED RAIL
INITIAL OPERATING SECTION FIRST CONSTRUCTION AND CONNECT TO
THE INITIAL HIGH SPEED RAIL OPERATING SECTION

RECITALS:

Whereas, the California High-speed Rail Authority (CHSRA) is responsible for planning, building and maintaining an 800-mile statewide high-speed rail system, and improving statewide mobility through the development of safe, clean, reliable rail technology; and

Whereas, the California Department of Transportation (Caltrans) plans, improves and administers the San Joaquin and Pacific Surfliner routes; and

Whereas, the Capitol Corridor Joint Powers Authority (CCJPA) contracts and provides funds for the operation and capital improvements of the Capitol Corridor intercity passenger trains between Auburn and San Jose on rights of way owned by the Union Pacific Railroad and the Caltrain/Peninsula Joint Powers Board; and

Whereas, Sacramento Regional Transit (SacRT) provides regional mobility within the Sacramento region and is a member of the CCJPA; and

Whereas, the San Joaquin Regional Rail Commission (SJRRC) plans, improves and administers the Altamont Commuter Express and participates in passenger rail service planning efforts which affect San Joaquin County; and

Whereas, in the development and operation of the high-speed train (HST) network, the CHSRA is charged with accepting grants, fees and allocations from the state, from

political subdivisions of the state, from the federal government, foreign governments, and private sources; and

Whereas, CHSRA, in partnership with the Federal Railroad Administration (FRA) has completed and certified a Program EIR/EIS for the HSR, linking major metropolitan areas of the State of California, and the system approved by the CHSRA includes corridors into and through Southern, Central, and Northern California; and

Whereas, the Revised CHSRA 2012 Business Plan proposes to incrementally develop the HSR network utilizing a phased and blended system approach that will coordinate the development and operations of HSR with existing passenger rail systems, which will improve, enhance and expand the integration of HSR with intercity, regional and local rail transport systems; and

Whereas, this phased and blended approach requires a series of incremental investments in regional and intercity rail corridors to prepare for integrated service and operations; and

Whereas, CHSRA recognizes the need for a collaborative effort with regional and state agencies to identify early investment projects along existing rail corridors, that increase speed, improve safety and efficiency, and create seamless, coordinated linkages between HSR, intercity, regional and local passenger rail service; and

Whereas, the Parties recognize the need for a collaborative effort with the freight railroads to provide for increased passenger service on these corridors with the understanding that such increases not impinge upon the Railroads' ability to provide quality, competitive freight service in and through the state; and

Whereas, the Revised 2012 Business Plan prioritizes the Initial Operating Section (IOS) in the Central Valley and the extension for an Initial Operating Section (IOS) south over the Tehachapi Mountains to close the passenger rail gap between Northern and Southern California; and

Whereas, the build-out of the IOS will create increased passenger demand to and from the northern terminus of the HST network where existing passenger rail services currently provide capacity; and

Whereas, CHSRA already has MOUs in place with Caltrans and SJRRC, that guide participation in the collaborative development of technical studies, sharing of technical information, and regional outreach coordination on passenger rail corridors between the Central Valley and Sacramento and the Bay Area; and

Whereas, all Parties are involved in the planning, funding, construction and/or operation of conventional passenger rail and light rail services between the IOS and the

major metropolitan areas of Northern California, and have been working with CHSRA on a Northern California Unified Rail Service Concept to support the HSR service; and

Whereas, the Parties are committed to identifying funding for project development efforts and improvements of rail station(s) that would support existing train service levels or such levels authorized by the Host Railroad(s); and

Whereas, SacRT is committed to identifying funding for improvements along the Union Pacific mainline between Sacramento and Stockton (Fresno Sub) that will support future increases in both passenger and freight rail services; and

Whereas, those agencies who are party to the UP MOU and Implementing Agreement (July 11, 2012) (CHSRA, CCJPA, SJRRC, Caltrans) will not pursue study of mainline improvements on the Fresno Sub at this time consistent with the UP MOU; and

Whereas, Caltrans is currently developing a California State Rail Plan which complies with state and federal law and serves as the basis for future federal funding for intercity and high speed rail; and

Whereas, Caltrans must include the study of various rail route alignments for additional rail service to Sacramento for the purposes of environmental study, ridership and capital project development to conform with state and federal planning and environmental requirements so as not to endanger the potential for future funding for intercity rail to Sacramento; and

Whereas, the Northern California Unified Rail Service Concept seeks to provide optimal one-seat ride options for the passenger from Northern to Southern California through collaboration by the Parties and sharing of equipment, interlining trains, joint (or "shared") track capacity, common ticketing and public information services, and leveraging funding resources; and

Whereas, transportation improvement projects, are required to be included in the California State Rail Plan and Regional Transportation Plans (RTP) and the Metropolitan Transportation Commission (MTC), the Sacramento Area Council of Governments (SACOG), the San Joaquin Council of Governments (SJCOG), the Stanislaus Council of Governments (StanCOG), and the Merced County Association of Governments (MCAG) are each charged with developing a RTP every four years for their respective regions to provide guidance for transportation investments within each region, and development of regional transportation strategies to address the regions' mobility needs; and

Whereas, the State and each of the Regional Transportation Planning Agencies listed above have adopted their respective plans that include many of the projects necessary for the Northern California Unified Rail Services Plan, and have a defined

process for adding projects that may be prioritized through the collaboration with CHSRA; and

Whereas, the Parties will communicate and coordinate with other rail agencies in Northern California, such as Caltrain and other operating contractors such as Amtrak and Herzog, in the development and implementation of rail improvements and enhancements; and

Whereas, the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Statutes of 2008) requires a plan to include Sustainable Communities Strategy (SCS), showing evidence of integrated planning, goals that establish and strengthen the crucial linkages between the economy, land use development and regional transportation system to improve access to jobs, education, healthcare, and regional amenities in ways that improve the overall quality of life in the region, and the Northern California Unified Rail Services concept is consistent with achieving SB 375 goals to reduce greenhouse gas emissions;

Now, THEREFORE, it is mutually understood and agreed to by the Parties as follows:

1. To jointly support and pursue the implementation of the California HSR system that utilizes a phased and blended approach as described in Chapter 2 of the Revised CHSRA 2012 Business Plan.
2. To jointly identify and pursue a defined set of early, integrated projects and operating plans for the Northern California Unified Rail Services Concept which would make the IOS segment available for passenger service as soon as practicable. These improvements may include, but are not limited to, public safety, high quality passenger rail services, equipment, facilities and amenities, system capacity, consistent service reliability (on-time performance), connectivity to local/regional public transport services, dedicated feeder bus services integrated operations, and improved train speeds, while preserving freight rail capacity to accommodate existing and future goods movement demand.
3. To undertake an analysis with the freight railroads to determine how to accommodate increased passenger service demand, while protecting the existing corridor capacity, whether used or unused, for future freight growth. The analysis will assume a projection of freight rail growth for a period up to 20-years.
4. To establish a framework for the recommendation of the candidate improvement projects for funding and implementation. The framework would include the application of criteria to prioritize candidate projects to meet projected future ridership demand for service on the IOS – First Construction, address capacity issues on the existing freight lines select projects for funding consideration and a process for the Parties to achieve

consensus on the projects to be recommended to CHSRA or other agencies for funding. A subsequent project level MOU (or other agreement(s)) may be developed to specify the details of approved projects that implement the goals of this MOU.

- 5.
6. The Parties have identified capital improvements to the Parties' rail systems that would contribute to an integrated passenger rail system for the benefit of Northern California rail passengers and support the 2018 Northern California HSR Blended Service Plan for the utilization and expanded success of the IOS. The Parties will work to identify and secure project funding from federal, state, regional and local resources, including eligible unallocated Prop 1A funds (as authorized by the CHSRA) to advance the illustrative list of candidate capital improvements in Attachment A.
7. To jointly support planning and early project development efforts of rail station improvements that would support existing train service levels or such levels authorized by the Host Railroad(s).
8. To pursue federal/state/regional/local funds to match any authorized CHSRA funds allocated to the Northern California rail projects. Real property or in-kind resources may be offered as a match where appropriate. The Parties agree to work together to identify and pursue appropriate amounts and types of federal/state/regional/local resources that may be used to support a specific project.
9. To collaboratively improve and increase community outreach in Northern California to better community understanding and support of the Revised CHSRA 2012 Business Plan and the proposed projects in Northern California.
10. To communicate and coordinate with the Southern California and MTC/Caltrain MOU stakeholders to ensure continuity for the traveling public when moving between the "Bookends", the California Unified Rail Service network, and the HST service.
- 11.
12. To notify each other in a timely manner in the event that funding for the HSR program is constrained by statute, rescission of existing law, change in funding requirements or eligibility, reduction in funding level or availability.
13. To permit any non-CHSRA Party to withdraw from this MOU at any time by giving written notice to the other Parties of such withdrawal at least thirty (30) calendar days before the effective date. The MOU between the remaining Parties shall remain in effect.

This Memorandum of Understanding (MOU) is entered into this ___day of May, 2013 by and among the Parties.

STATE OF CALIFORNIA DEPARTMENT
OF TRANSPORTATION

CALIFORNIA HIGH-SPEED RAIL
AUTHORITY

By: _____

William D. Bronte
Chief, Division of Rail

By: _____

Jeff Morales
Chief Executive Officer

Approved as to form:

Approved as to form:

By: _____

Name: _____

Title: _____

By: _____

Thomas Fellenz
Chief Counsel

CAPITOL CORRIDOR JOINT POWERS
AUTHORITY

SAN JOAQUIN REGIONAL RAIL
COMMISSION

By: _____

David B. Kutrosky
Managing Director

By: _____

Stacey L. Mortensen
Executive Director

Approved as to form:

Approved as to form:

By: _____

Name: _____

By: _____

Name: Thomas J. Shephard, Jr.

Title: _____

Title: Legal Counsel, SJRRC

SACRAMENTO REGIONAL TRANSIT
DISTRICT

By: _____

Michael R. Wiley
General Manager/CEO

Approved as to form:

By: _____

Name: _____

Title: _____

DRAFT