

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

CITY OF BAKERSFIELD

COUNCIL CHAMBERS

1501 TRUXTUN AVENUE

BAKERSFIELD, CA 93301

TUESDAY, OCTOBER 16, 2018

10:00 A.M.

Reported by:
Martha Nelson

APPEARANCESBOARD MEMBERS

Dan Richard, Chairman

Tom Richards, Vice Chair (Joined the meeting after roll call)

Lynn Schenk (Absent)

Michael Rossi (Absent)

Daniel Curtin

Nancy Miller

Bonnie Lowenthal (Absent)

Ernest Camacho

EX OFFICIO BOARD MEMBERS

Assemblymember, Dr. Joaquin Arambula (Absent)

Senator, Jim Beall (Absent)

STAFF

Joseph Hedges, Chief Operating Officer

Douglas Drozd, Chief of Board Management

Tom Fellenz, Chief Counsel

PRESENTERS:

Diana Gomez, Central Valley Regional Director

Andrew Bayne, Environmental Task Manager

Mark McLoughlin, Director of Environmental Services

APPEARANCES (Cont.)

PRESENTERS: (Cont.)

Michelle Boehm, Southern California Regional Director

Juan Carlos Velasquez, Project Manager Bakersfield to Palmdale Section

Jim Andrew, Assistant Chief Counsel

PUBLIC COMMENT:

Alan Tandy, Senior Manager, City Of Bakersfield

Jim Ledford, Mayor of Palmdale

Steve Roberts, Rail Passenger Association of California

Troy Hightower, TDH Associates International

Swanee Edwards, Self

Alan Scott, Citizens for California High-Speed Rail
Accountability

Tina McIntyre, CalPortland

Jerry Vancuren, Self

Carol Bender, Self

Todd Turley, Farmland Reserve, Inc.

Terry Maxwell, Self

Tony Amarante, Self

Lee Ann Eager, Fresno EDC

Marvin Dean, Kern Minority Contractors Association

<u>INDEX</u>		<u>PAGE</u>
	Roll Call	5
1.	Staff Presentation on the Fresno to Bakersfield Section Locally Generated Alternative (LGA) for the Bakersfield area, and the associated Final Supplemental Environmental Impact Report (EIR)	7
2.	Staff Presentation on the Recommended State Preferred Alternative for the Bakersfield to Palmdale Project Section	25
	Public Comment	42
3.	Consider: (a) Certifying the Fresno to Bakersfield Section Final Supplemental EIR for the LGA under the California Environmental Quality Act (CEQA); and, (b) Approving the LGA from approximately Poplar Avenue near Shafter to and including the Station at F Street in Bakersfield, and Related Decisions Making CEQA Findings and Approving Mitigation Program	68
4.	Consider Concurring with the Staff Recommended State Preferred Alternative for the Bakersfield to Palmdale Project Section	77
5.	Consider Approving the Board Meeting Minutes from the September 13, 2018 Board Meeting	67
6.	Closed Session Pertaining to Litigation	80
	Adjourned	80

P R O C E E D I N G S

10:11 a.m.

PROCEEDINGS BEGIN AT 10:11 A.M.

BAKERSFIELD, CALIFORNIA, TUESDAY, OCTOBER 16, 2018

CHAIRMAN RICHARD: Good morning and this meeting of the California High-Speed Rail Authority Board of Directors will come to order.

Let me just first apologize. I was a little late this morning when we got here. I apologize for any inconvenience to people. My colleague, Tom Richards, who drove me down -- and it's my fault, not his -- is parking. But since we're going to start with a staff briefing I know that members of the public will want to have a full Board here for their comments. But we are going to start with a staff briefing this morning, so I thought while he's doing that we'd go ahead and commence the meeting.

So let me begin by asking the Secretary to please call the roll.

MR. DROZD: Director Schenk?

BOARD MEMBER SCHENK: (Absent).

MR. DROZD: Vice Chair Richards?

VICE CHAIR RICHARDS: (Absent).

MR. DROZD: Director Rossi?

BOARD MEMBER ROSSI: (Absent).

MR. DROZD: Director Curtin?

1 BOARD MEMBER CURTIN: Here.

2 MR. DROZD: Director Lowenthal?

3 BOARD MEMBER LOWENTHAL: (Absent).

4 MR. DROZD: Director Camacho?

5 BOARD MEMBER CAMACHO: Here.

6 MR. DROZD: Director Miller?

7 BOARD MEMBER MILLER: Here.

8 MR. DROZD: Senator Beall?

9 EX OFFICIO BOARD MEMBER BEALL: (Absent).

10 MR. DROZD: Assemblymember Arambula?

11 EX OFFICIO BOARD MEMBER ARAMBULA: (Absent).

12 MR. DROZD: Chair Richard?

13 CHAIRMAN RICHARD: I'm here.

14 Director Miller, will you lead us in the Pledge
15 of Allegiance?

16 BOARD MEMBER MILLER: Yes. Stand and remove your
17 hats.

18 (The Pledge of Allegiance is made.)

19 CHAIRMAN RICHARD: Thank you. As I said, we're
20 going to do things slightly differently this morning.
21 Normally, we take public comment first, but we're here
22 today to take action on an alignment decision affecting
23 this community. And many of the people from the community
24 have come here to comment on that.

25 What we've done in these kinds of situations is

1 first to have the staff do the briefing to the Board about
2 the relevant issues, because we believe that that helps the
3 public inform their comments to the Board.

4 So with that, our CEO Brian Kelly is not with us
5 today. He's on medical leave. And so our Chief Operating
6 Officer Joseph Hedges is assuming that role today.

7 So Mr. Hedges would you like to proceed to
8 introduce the staff?

9 MR. HEDGES: Yes, I'll say --

10 COURT REPORTER: Microphone, please?

11 MR. HEDGES: Well there we go, sorry.

12 First of all I'd like to thank the Board for the
13 privilege of sitting in for Brian, huge shoes to fill.
14 Brian will soon be back, so I'm excited to have him back.
15 It will allow me to go back to being just the Chief
16 Operating Officer.

17 So it's with great pleasure that I'm going to
18 allow the staff to introduce this to you. To be able to go
19 through a series of slides and in doing so they're going to
20 roll out basically the concept, the environmental
21 implications and the community implications to you.

22 So with that Diana and crew, please?

23 CHAIRMAN RICHARD: Okay. Ms. Gomez, good
24 morning.

25 MS. GOMEZ: Good morning. Good morning, Chairman

1 and Board Members. So today, we're going to be requesting
2 for the Board to certify the Fresno to Bakersfield Section.

3 Today, we're going to be asking the Board to
4 certify the Fresno to Bakersfield Section Final
5 Supplemental Environmental Impact Report for the Locally
6 Generated Alternative. We're going to approve the Locally
7 Generated Alternative from approximately Poplar Avenue near
8 Shafter and including a station at F Street in the City of
9 Bakersfield. We'll also discuss the CEQA findings and then
10 ask you to approve the Mitigation Program.

11 There'll be three of us presenting this morning:
12 myself along with Andrew Bayne, our Environmental Task
13 Lead, and then our Director of Environmental Services, Mark
14 McLoughlin, will also present.

15 So in terms of the background, in 2014 the
16 Authority certified the Final EIR/EIS for the Fresno to
17 Bakersfield Section and approved the Preferred Alternative
18 to 7th Standard Road reserving the decision on the
19 alignment and station location south of 7th Standard Road
20 to a future proceeding.

21 In June of 2014, the City of Bakersfield filed a
22 state court lawsuit challenging the Authority's ERI and
23 approvals under the CEQA Act. By December, in December of
24 2014 the City and the Authority reached a settlement and
25 where we both agreed to work together to develop, and for

1 us to study, a Fresno to Bakersfield Locally Generated
2 Alternative to address concerns and meet our design
3 requirements.

4 What we did is what you see on the map is what we
5 reached an agreement to study what we call the Locally
6 Generated Alignment Preferred Agreement, the LGA. It's a
7 23-mile corridor with the station at F Street and Golden
8 State Avenue State Route 204 that parallels the BNSF and
9 the UPRR Railroad corridors.

10 The Draft Supplemental was published in December
11 of 2017. It evaluated the environmental impacts associated
12 with the alignment and compared those impacts to the
13 Preferred Alternative that was in the May 2014
14 environmental document.

15 Since then we have had numerous meetings,
16 approximately we had open houses, approximately over 300
17 community members attended, the first one in August of 2015
18 in Bakersfield. We had over 200 community members attend
19 in November, open houses also in Bakersfield. And then we
20 had two other meetings in Shafter where we had over 100
21 members, and then a second one where we had 60 interested
22 community members.

23 So we've had approximately over 25 monthly agency
24 coordination meetings, 125 stakeholder meetings, 5 open
25 houses. And then in December of 2017, we had a public

1 hearing on the environmental document, where we had over
2 130 members participate. That was held here at the
3 Bakersfield Marriott.

4 Some of the results from our stakeholder
5 engagement resulted, as what you see here is in Shafter, a
6 retained fill option. That was another significant change
7 from what we had approved of back in the early document, so
8 Shafter retained fill option has both us and the BNSF on a
9 retained fill section. And at grade crossing of the BNSF,
10 through downtown in Shafter would also be eliminated.
11 We've been coordinating with the City of Shafter to refine
12 the alignment through Shafter.

13 The other thing is the --

14 UNIDENTIFIED SPEAKER: Could you guys turn down
15 the lights that brighten the screen? We can't see this, or
16 I can't. Thank you. That's perfect.

17 CHAIRMAN RICHARD: Thank you, ma'am. And by the
18 way we have a screen here, so I don't want you to think
19 that we're somehow off and uninterested. We're --

20 UNIDENTIFIED SPEAKER: Well, I think it's
21 important that we have a screen.

22 CHAIRMAN RICHARD: I agree with that. I just
23 wanted you to know that we're watching also, but thank you,
24 ma'am.

25 Okay. Ms. Gomez, please proceed.

1 MS. GOMEZ: So this, the LGA has the station at F
2 Street. In our 2018 Business Plan, it identified ridership
3 revenue forecasts that show an initial line from San
4 Francisco to Bakersfield would product revenues that could
5 help fund construction from the Central Valley, southward,
6 into the Los Angeles Basin.

7 The F Street Station would likely be phased into
8 as service ramps up. So the Authority developed several
9 options that would show how we would ramp up the F Street
10 Station. We will continue to coordinate with the city as
11 far as their vision plan and also the station design, as we
12 proceed in getting to an initial operating segment.

13 We evaluated, in terms of the F Street Station,
14 so it would be a phased -in approach. We evaluated four
15 concepts at F Street and documented those findings in a
16 technical appendix of the Final Supplemental EIR.
17 Evaluation proved feasibility of a concept and that
18 recirculation of that environmental document, the
19 supplemental, would not be required.

20 As you can see, this is one of the concepts that
21 shows proposers' alternate station platforms, which would
22 be an aerial stretch and would require vertical access
23 either through escalators and elevators.

24 Opening year service at F Street site could be as
25 early as 2026, as outlined in our baseline. The phased-in

1 station may be in operation for up to several years while
2 service southeast of the station is initiated.

3 Once service southeast of the station is
4 operable, the ultimate F Street location would encompass 46
5 acres and would be located between the UPRR, State Route
6 204 and the Carrier Canal and Chester Avenue. Vehicular
7 access to the station would occur from the F Street
8 underpass, the 34th Street overpass and the right-hand
9 right out driveway from Chester Avenue. Pedestrians and
10 bicycles could also access -- access would also occur from
11 connection to the Kern River Parkway, shown just in the
12 green just south of the Carrier Canal.

13 So the Board also identified the LGA as the
14 Preliminary Preferred Alternative in May 10th, 2016 here in
15 Bakersfield, where we held the Board Meeting. Based on the
16 benefits mentioned previously, the Board identified as the
17 LGA as the Preliminary Preferred Alternative to be
18 evaluated in the draft document.

19 As documented in the Draft Supplemental, the
20 Preliminary Preferred is the Fresno to Bakersfield Local
21 Generated Alignment that's shown in violet. The LGA
22 extends from the southern terminus of Construction Package
23 4, near Poplar Avenue in the City of Shafter and continues
24 to the south and including, again a Bakersfield station at
25 F Street.

1 The station associated with the Preferred
2 Alternative, as I mentioned would be located at the
3 intersection of F and State Route 204. It also shows
4 maintenance of infrastructure facility, which would be
5 located in Shafter, as indicated by the green square. The
6 maintenance of infrastructure is not the heavy maintenance
7 facility.

8 The Final Supplemental EIR evaluates impacts and
9 proposed mitigation as necessary for our alignment all the
10 way to Oswell to disclose impacts of the track as they
11 might extend to the south beyond F Street. However,
12 because the track southeast of F Street Station would not
13 be required until the Bakersfield to Palmdale section is
14 operable the Authority Board approval today would only be
15 for construction and operation of the F Street Station and
16 the alignment from that station towards Fresno, as shown in
17 the map.

18 Any alignment to the southeast of the station
19 would be approved following environmental evaluation of
20 Bakersfield to Palmdale section currently programmed via
21 another document, which you will hear of in our second
22 presentation.

23 Also, mitigation measures for impacts related to
24 the alignment southeast of the F Street Station would be
25 imposed as part of the approval of the Bakersfield to

1 Palmdale section.

2 At this time, I'm going to have our Environmental
3 Lead, Andrew Bayne, go through the details of the document.

4 MR. BAYNE: Thank you, Diana. Thank you Chairman
5 Richard. Thank you, Board.

6 CHAIRMAN RICHARD: Good morning.

7 MR. BAYNE: Good morning.

8 I get to talk about the nuts and the bolts. The
9 environmental document that was prepared, the Draft
10 Supplemental EIR/EIS covered the comparable alternative to
11 the May 2014 Project. That is it was an apples-to-apples
12 comparison. The project footprint was established using
13 the same methodology that was used in the May 2014 Project.
14 And they were compared. So we have the same methodology
15 used for both projects.

16 We circulated the draft document in November
17 2017, asking for comments from the public and from public
18 agencies. We had a 60-day review period, during which we
19 received 286 submissions and over 1,000 individual
20 comments.

21 At the close of the comment period we responded
22 to the comments. I'd like to first talk about the kinds of
23 comments that we received, why I think that they were the
24 types of comments that we received, and then how we
25 responded to those comments.

1 I'd like you to understand that we included in
2 your Board meeting materials our standard responses to
3 comments, our methodology for responding to comments from
4 the public and from public agencies, was to classify the
5 comments. And if they were recurring comments, we would
6 provide a standard response to those. I'd like you know
7 that they're in your packet, so that when you're hearing
8 public testimony today, you can kind of see how we went
9 about responding to those comments.

10 Frequently submitted comments resulted in
11 standard responses, particularly for the proximity of the F
12 Street Station to the downtown and Amtrak station. A
13 recurring theme was that there is a difference in the
14 station location. Some see it preferred in the Truxtun
15 location and other see it preferred at F Street. And
16 there's a difference of opinion there.

17 Why that is perhaps, is that we decided to
18 identify a preferred location in the draft, allowing the
19 public and public agencies to respond to that. A criticism
20 that we received on the initial Fresno to Bakersfield
21 EIR/EIS was that we did not indicate where our preference
22 was. And so we received a barrage of comments that were
23 saying that we didn't give them any indication of where we
24 were going. So with this document, we gave the public an
25 indication of where we were going. And the comments that

1 we received were indicative of that indication.

2 Again, we have a number of comments that were
3 what we would classify as opinion only. We like it, we
4 don't like it. We want it here, we don't want it there.
5 These are not substantive to the environmental analysis
6 that's contained in the document. Again, we studied the
7 Locally Generated Alternative impacts, identified
8 mitigation measures for those impacts, compared the impacts
9 with mitigation and then compared those with the May 2014
10 Project.

11 We also received comments about the study area.
12 This graphic right here shows the City of Bakersfield
13 Station Area Vision Plan. One of the things that we were
14 able to conclude in the Final was that the Locally
15 Generated Alternative station location at F Street is
16 consistent with Bakersfield's vision for high-speed rail in
17 downtown Bakersfield. Again, apples-to-apples comparison,
18 side-by-side, this is how we came to our conclusions.

19 Now folks that had a support or opposition to the
20 project may have cited they like it, because they perceive
21 socioeconomic benefits for one station location, downside
22 on the other. Again, transportation, noise, aesthetics,
23 they were all factors that were supporting the commenter's
24 position that one was better than the other.

25 A recurring theme that you may hear is that the

1 local area jurisdiction does not represent the feelings of
2 all people or they don't represent the feelings of the
3 people. We understand that. That is the nature of
4 politics and government and we received feedback on that.
5 We didn't feel we needed to respond to questions or
6 comments regarding the legitimacy of the City of
7 Bakersfield and their position on the Vision Plan and what
8 they would like to see from a high-speed rail station.
9 What we are concerned about is what's best for us as a
10 transportation agency. And our focus here today is our
11 recommendation for approval of what's best for the high-
12 speed rail.

13 One of the issues that was raised early on was
14 that we had displayed a graphic that incorrectly showed the
15 heavy maintenance facility in our analysis. That was
16 removed in the draft and we have an exact apples-to-apples
17 comparison. What this map is showing you here is that the
18 project footprint is defined in red for the Locally
19 Generated Alternative and in blue for the May 2014 Project.
20 It is defined.

21 CEQA requires us to consider alternatives
22 proposed by commenters that would avoid a potentially
23 significant impact. We received three alternatives, three
24 alternative station locations as potentially reducing
25 significant impacts. We did two things. Number one, we

1 reviewed the engineering feasibility of the three
2 alternative sites and two, we looked at environmental
3 constraints. Our methodology was if there was a
4 significant change or increase in environmental impacts
5 between the May 2014 Project and the LGA, it would push us
6 back to the 2014 project, especially when it comes to
7 federal law, Section 4(f) of the Transportation Act.

8 Okay. The first alternative station site was Old
9 Town Kern, along Sumner Street, between Baker Street and
10 Beale Avenue. This had challenges, because there were two
11 historic properties located on this smaller station area,
12 which would basically require us to go to the 2014 project,
13 because it would be Section 4(f) impact that we hadn't
14 previously had.

15 Old Town Kern along Sumner Street between Beale
16 Avenue and Miller Street, this impacts a San Joaquin Valley
17 Railroad spur. So there were engineering challenges with
18 that. Overcomable, but there are two historic properties
19 also located on this, two different ones, but one of them
20 was previously studied in the Fresno to Bakersfield EIR/EIS
21 as a culturally-sensitive property.

22 Saco Ranch is north of the Kern River, located
23 across State Route 99 from the Bakersfield Airport. This
24 is a giant agricultural field, which would require the
25 conversion of agricultural property. This was proposed as

1 an alternative to the F Street Station, while it also
2 contradicts our prevailing requirement to have inter-
3 modality, connectivity. This just didn't make sense from a
4 planning perspective.

5 All right, so we received comments that required
6 us to make text changes to the document before you. We
7 have 88 comments that resulted in text revisions. How we
8 handled those were we would make a change to the document,
9 highlight the change in gray shading and we don't see a lot
10 of gray-shaded text in this final. In fact, there was so
11 little gray-shaded text that we felt it was appropriate to
12 provide a brief chapter to the Final Supplemental EIR,
13 demonstrating that with the changes to the draft, we could
14 advance a final. This created tremendous efficiencies for
15 us and saved us quite a bit on production.

16 Also in your packet you have the Mitigation
17 Monitoring and Reporting Program. What this is actually is
18 taking the existing Mitigation Monitoring and Reporting
19 Program from Fresno Station to Seven Standard Road, which
20 you approved in May 2014, and updates it. It updates it to
21 include the impacts and mitigation measures required
22 between Poplar Avenue, the end of CP4 and F Street Station.
23 So it identifies those measures that are required to
24 minimize or reduce the significance of impacts in that
25 area. And then it also carries forward those mitigation

1 measures that are required for the construction packages
2 and eliminates those that may have been required for the
3 May 2014 Project between 7th Standard Road and Poplar
4 Avenue.

5 So I guess the note to you guys is that with
6 approval of the Updated MMRP we're not going to see any
7 problems with the construction packages and the design-
8 build contractors having to revise their scopes of work.
9 Nothing changes for them. We are not meddling with the
10 existing projects that are under construction.

11 The Mitigation Monitoring and Reporting Program
12 identifies the parties responsible for implementation. Is
13 that the DD contractor? Yes.

14 (Off mic colloquy from unidentified speaker.)

15 MR. BAYNE: Sure. Is that the design-build
16 contractor that's responsible for implementing or is it the
17 High-Speed Rail Authority? It tells us when the mitigation
18 is required for implementation. This is important for the
19 Authority to plan their budgeting, so that we know when the
20 funding needs to be there. Is it -- do we need to have it
21 for acquiring offsite mitigation, so Mark can go get a
22 contract for habit mitigation services? Or is it the
23 design-build contractor, meaning we're going to see that
24 cost show up in the bid. It also has the implementing
25 mechanism, which is basically what is it? What is the

1 action? Are we building something, replacing something,
2 putting a sign on something, putting a fence, etcetera?

3 Okay. This is a busy, busy slide. So I'll just
4 summarize. We've made it through all of the regulatory
5 agency coordination hoops, so to speak. We have
6 determined, and that the Locally Generated Alternative is
7 the least environmentally damaging practicable alternative
8 for the Clean Water Act. We've received concurrence from
9 the Corps and EPA on that. We had a consultation with the
10 U.S. Fish and Wild Life Service about a new species, so new
11 information and the potential occurrence within the Locally
12 Generated Alternative, completed that, we have their
13 biological opinion.

14 We worked with the City of Bakersfield to request
15 that they concur that our impacts on Wheel Park and the
16 Kern River Parkway are de minimis, as defined in Section
17 4(f) of the U.S. Transportation Act. They concurred. It's
18 important for us to understand that concurrence with the
19 LGA as de minimis is different than the outcome with the
20 May 2014 Project. The City of Bakersfield did not agree
21 with our finding that the May 2014 Project would be de
22 minimis under Section 4(f). So that's a key difference.

23 Now, I get to pass it off to Mark McLoughlin, who
24 will talk about some of the pros and the cons and the
25 comparisons. So thank you for your time. I appreciate it.

1 CHAIRMAN RICHARD: Thank you.

2 Mr. McLoughlin, good morning.

3 MR. MCLOUGHLIN: Good morning. Mark McLoughlin,
4 the Director of Environmental Services for the Authority.
5 Good morning Chair and Board Members. As Andrew indicated,
6 I'm going to talk about some of the benefits of the LGA.

7 So one of the things that Andrew, he had
8 mentioned before, so The Draft Supplemental EIR/EIS
9 compared to the LGA and the Preferred Alternative presented
10 in 2014, we compared both of those alternatives. For the
11 FB, the Fresno to Bakersfield LGA, it would 23.12 miles
12 while the May 2014 previously approved project would be
13 24.16 miles, so it decreased distance in travel time. It
14 also increased economic benefit around the F Street
15 Station.

16 The other benefits that we would have from the
17 Locally Generated Alternative, the LGA would result in
18 displacement of 86 residences as compared to 384
19 residential displacements associated with the May project
20 in 2014. The LGA would also result in the displacement of
21 377 businesses compared to the 392 businesses associated
22 with the previous May 2014 Project.

23 In addition to that the LGA would displace seven
24 community facilities while the May 2014 Project displaced
25 roughly 11 community facilities.

1 One thing important to note too that -- I think I
2 went backwards here. One thing to note, and very
3 important, that the LGA would cost approximately \$200
4 million less to construct than the May 2014 Project, which
5 is a very interesting comparison there. The comparison is
6 the blue is the previous project; the yellow of course is
7 the LGA.

8 As Andrew had mentioned before on 4(f) previously
9 he had mentioned on the 4(f) portion of that, that the city
10 did not concur in May 2014 with the de minimis finding that
11 we had. Therefore, the 2014 project would result in two
12 permanent 4(f) uses while the FB LGA resulted in de minimis
13 4(f) findings. This is very important as it relates to the
14 City of Bakersfield.

15 Let's go back here. The other very important
16 thing as it relates, Andrew mentioned before, are our
17 integration process with the Corps and the EPA of our
18 404(b) (1) Analysis. It's very important. The LGA would
19 have roughly three fewer acres of impacts when compared to
20 the previous project. So this is important in the future
21 permitting of the project to allow that to go forward for
22 construction.

23 The other indication, also very important to this
24 area and especially in the Valley, is that the LGA would
25 impact 372 acres of important farmlands compared to 485

1 acres under the previous May 2014 Project.

2 So to almost end with this, or to almost summary
3 with this, I want to bring up another slide here, there's
4 numerous benefits to the portion of the Preferred
5 Alternative. In addition numerous benefits, which is very
6 important to the HSR system as a whole, in which Fresno to
7 Bakersfield is an integral part as the center of the
8 system. These benefits were both individually and
9 collectively reviewed and outweighed the significant
10 unavoidable adverse effects of implementing this portion of
11 the Preferred Alternative. The benefits are in the areas
12 of transportation, the environment, land use planning,
13 economics and social considerations.

14 So when we look at that collectively, all of
15 these different benefits we've looked at and weighed
16 collectively to get to where we are today that's before you
17 for the LGA.

18 So that ends the presentation for the LGA. We'll
19 listen to, as the Chair had mentioned, public comments.
20 We'll be asking to have us directed to address those public
21 comments as required and then requesting the Board action
22 on the Fresno to Bakersfield LGA. With that, I conclude
23 the presentation.

24 CHAIRMAN RICHARD: Okay. Thank you very much
25 staff for that. Before we move on to the Bakersfield to

1 Palmdale Section, I did get a notice from one citizen that
2 are we having some problems with the webcast on this, are
3 we? Mr. Drozd, are you aware of that?

4 MR. DROZD: We're looking into it currently. We
5 apologize for any inconvenience.

6 CHAIRMAN RICHARD: Okay. What's the impact?
7 We're just not able to --

8 MR. DROZD: We're recording. We're trouble
9 shooting an application.

10 (Off mic colloquy.)

11 CHAIRMAN RICHARD: Okay. But it is being
12 recorded, so while there may be some disruption to the real
13 time review then the public will be able to access that.
14 Okay.

15 All right, thank you very much.

16 MR. MCLOUGHLIN: Thank you.

17 CHAIRMAN RICHARD: And I appreciate the staff
18 efficiently moving through that presentation. And before
19 we have public comments, because we have a second
20 environmental document that we're dealing with today, we're
21 going to have the staff presentation on that.

22 MR. HEDGES: Michelle? Thank you.

23 MS. BOEHM: Thank you Chairman, Board, Chief
24 Operating Officer. We're pleased to be here to present
25 information on the Bakersfield to Palmdale Project Section.

1 And we will go through this rather expeditiously. I --

2 CHAIRMAN RICHARD: And for the record you are
3 Michelle Boehm, who is our Regional Director for Southern
4 California, which includes Bakersfield today, so.

5 MS. BOEHM: Correct. Yes, I'm Michelle Boehm.
6 I'm the Southern California Director. This is as far north
7 as the Southern California Section goes, so we're really
8 pleased to be up here. I do bring a team with me. Juan
9 Carlos Velasquez, the Project Manager for the Bakersfield
10 to Palmdale Section as well as Mark McLoughlin, our
11 Environmental Manager for the entire project.

12 We are here today to present to you the staff
13 recommended Preferred Alternative for the Bakersfield to
14 Palmdale Section. You heard from the previous team the
15 importance of identifying and signaling the Preferred
16 Alternative in order for the public to be able to better
17 weigh in and comment on the Preferred Alternative and the
18 future Draft Environmental Document. So we will present
19 that to you today and we are hopeful to receive your
20 concurrence. I want to stress this does not constitute the
21 adoption or approval of a Preferred Alternative for this
22 project section.

23 So as you heard with the last section we have
24 been actively studying how we cross the Tehachapi Mountains
25 in order to complete the 500-mile Phase 1 High-Speed Rail

1 Project. In 2005 there was a programmatic EIR/EIS that set
2 the parameters for the route. Since then we have been
3 studying and developing preliminary alternative analyses
4 documents, as well as supplemental alternative analyses
5 documents, in order to make this crossing.

6 For your reference there is a railroad track
7 across the Tehachapis right now that carries freight. That
8 was built in 1874 to 1876. So we're really excited today
9 to be able to build a modern, passenger railroad crossing
10 across the Tehachapis.

11 You can see here, on this slide the evolution
12 over time as we study the project, as we get feedback from
13 the public, as we learn more about the environmental
14 resources, we have been able to sharpen our pencils and
15 refine the route. So you can see 2010, 2012, 2016, the
16 route has successively gotten shorter. The grades have
17 successively gotten lower and the impacts have successively
18 been reduced. That does not mean that everything has been
19 addressed yet, but we have made great strides in
20 identifying a preliminary Preferred Alternative.

21 Our route here is about 80 miles long. We have a
22 station at both ends and we have been studying four
23 different routes here for the last several years,
24 Alternatives 1, 2, 3 and 5. And again, this is really
25 significant, because it closes a passenger rail gap across

1 the Tehachapi Mountains. We cannot take a train, if you're
2 a passenger, across these mountains right now. You take an
3 Amtrak bus. And it of course connects Central and Southern
4 California.

5 So we, like all of the projects in the section,
6 have done quite a bit of outreach. We hold one-on-one
7 meetings. We hold stakeholder working group meetings. We
8 hold broad public outreach meetings to solicit feedback on
9 our plans in order for us to continue to refine, to develop
10 the best project to recommend for this section. This
11 summarizes those. And again those circles that you see are
12 what we are striving to do, which is take the project's
13 objectives, the environmental resources, and the community
14 and bring those things together to identify the best
15 possible route that balances those three considerations.

16 Here is a not-an-exhaustive, but a good list some
17 of the things that we have heard the public say about this
18 project over time. Certainly the concern about the wild
19 lands and the agriculture, the downtown areas both as we
20 leave Bakersfield through Tehachapi and Rosemond and
21 Lancaster etcetera. Very important national resource, the
22 Caesar Chavez National Monument is along this route, so we
23 have spoken with them at great lengths. We have some
24 really exciting things going on in the Antelope Valley with
25 the green energy generation, the space business. And then

1 we have concerns certainly about typical things like
2 seismic safety, air quality dust, Valley fever, etcetera.
3 So these are all the kinds of comments that we are getting
4 and that we are addressing as we move through the process.

5 So we recently did a suite of meetings in Edison,
6 in Tehachapi, in Lancaster, to tell people the recommended
7 states' Preferred Alternative, which is Alternative No. 2,
8 referring to this map on the slide. Where it's purple,
9 that's where this alternative is in tunnel. Where it's
10 green, it's traveling at grade. And where it's blue it is
11 on a bridge structure.

12 So over time as we've studied, this has really
13 been the route that when we refine and we try to avoid
14 things, minimize things and address our key operating
15 issues like safety this is the route that has risen to the
16 top. And with that, I will introduce Project Manager Juan
17 Carlos Velasquez, and he will take you through a few of the
18 details on the route.

19 CHAIRMAN RICHARD: Thank you. Good morning, Mr.
20 Velasquez.

21 MR. VELASQUEZ: Good morning. Thank you Mr.
22 Chair, Members of the Board. I'm just going to go through
23 some of the details of the routes and the various
24 alternatives and will walk through some maps to go north-
25 to-south.

1 First, initially this is just a table summarizing
2 some of the stats on the lengths, how many miles are in
3 bridges and tunnels. Between the various alternatives you
4 can see a little bit of a range there between those. And
5 also, at the bottom there, you see the table, which shows
6 the cost. Again, all around between 13 1/2, 14 billion,
7 within about a 5 percent range, so there's not a big
8 variation in that.

9 So again, walking north to south just some
10 details about the route and the recommended alternative.
11 Here in the Bakersfield and Edison area we joined of course
12 the Fresno to Bakersfield Project that leaves the City of
13 Bakersfield on the viaduct.

14 From there we got through the town of Edison. In
15 that, with the recommended alternative we move farther away
16 from the town of Edison, which has a school there and a
17 residential community. With the recommended alternative we
18 move farther away. There is some tradeoffs there. As we
19 move farther away, we cross over on the viaduct, so you can
20 see the photo there. So there is a little bit more visual
21 impact, but it is farther away in terms of noise and other
22 potential impacts.

23 From there we climb up in the Tehachapis. One of
24 the main considerations of climbing the Tehachapis was the
25 vertical grade and how to get through them. And you can

1 see on the picture on the lower right, the Union Pacific is
2 the dark black line and the SR-58 is the solid white line.
3 And they essentially use the same pass. There's one pass
4 really to get through the mountains and that's where we've
5 focused our studies for our alternatives. And as we go
6 through we pass ranching lands and other areas.

7 Just south of this area as Michelle mentioned we
8 pass through the community of Keene. And there at that
9 location is the Caesar Chaves National Monument. Through
10 our development of our project, and the finding of effects,
11 we did find that there were potential visual and noise
12 impacts with an alternative that we were looking at there,
13 which does not go through the monument, but is about 400 or
14 so feet away.

15 So we have been working through the, what's
16 called the Section 106 Consultation Process where we work
17 with the agencies that have jurisdiction, the Caesar Chaves
18 Foundation is part of that, about how to minimize those
19 effects. And so we'll continue to do that. But through
20 process we've introduced a design option that you see here,
21 which doubles the distance away and will minimize those
22 visual and noise impacts.

23 Then, at the top of the Tehachapi Mountains we
24 cross the City of Tehachapi. The recommended alternative
25 here essentially goes -- skirts the city avoiding

1 development areas and their downtown.

2 At the south end you see a couple of lines there.
3 Again, there's some tradeoffs here about how we interact
4 with the mining areas and the green energy generation
5 areas. You see there the Alternative 2 is the one on the
6 right. It does have a shorter tunnel. And then it also
7 reduces the impacts to those facilities.

8 Here in the community of Rosemond, you can see
9 it's at grade, but slightly elevated. It does avoid the
10 downtown areas of Rosemond, which are farther to the east,
11 where you see the dark black line, which is the Union
12 Pacific. We are slightly elevated to allow for street and
13 wild life crossings through this rural area.

14 In the City of Lancaster we join the Union
15 Pacific and Metrolink Corridor. We'll be in a consolidated
16 corridor there. We have a couple of schemes in this area.
17 The recommended alternative that we're looking at here
18 avoids impacts to a couple of recreational and historic
19 resources. And we also minimize residential and commercial
20 properties.

21 And then finally at Palmdale, this project
22 section would end at the Palmdale Station where we would
23 have multi-modal connections. We do pass by the planned
24 42, the U.S. military facility and the Palmdale Airport
25 that dictates a little bit of how our alignment crosses

1 this section. But then we arrive at the station and we
2 also will have -- made accommodations for future potential
3 trains to Las Vegas.

4 With that, I will introduce Mark McLoughlin,
5 Director of Environmental Services to go through the
6 environmental details.

7 CHAIRMAN RICHARD: Thank you, Juan Gomez. Thank
8 you.

9 MR. MCLOUGHLIN: Good morning, again Mark
10 McLoughlin, Director of Environmental Services. So I'm
11 going to go through some basics and some more details of
12 identifying the Preferred Alternative here before you.

13 So we've developed these alternatives with the
14 following three principles in mind. First, we are looking
15 to avoid potential impacts to the resources through
16 planning and thoughtful design. Second, if we can avoid
17 and minimize to the extent the impacts through design and
18 best management practices we take that into consideration
19 also. And then lastly, if we still do have significant
20 impacts we develop measures and strategies that try to
21 avoid and minimize, reduce and eliminate or compensate to
22 address those impacts.

23 The staff has made our recommendations by
24 weighing the following factors before you: cost,
25 environmental, community factors, input received from

1 public stakeholders, regulatory agencies including our
2 federal partner, the Federal Railroad Association, the FRA.
3 Of note also Alternatives 1, 2, 3, 4 and 5 share a common
4 alignment. Our analysis is similar in some areas, but
5 there are also three areas of meaningful design variation
6 between these alternatives, and the variances lead to key
7 differences in the environmental analysis.

8 I'm going to highlight some key resource areas
9 next here, including socioeconomics and communities,
10 environmental justice, agricultural lands, biological and
11 aquatic resources in Section 4(f).

12 On Section 4(f), as we previously discussed we
13 analyzed the potential effects here on 4(f) for all of the
14 alignments. One key advantage of 2, Alternative 2 that it
15 shares with 1 and 3, is that it would avoid impacts to 4(f)
16 resources, which include Whit Carter Park and also a
17 Denny's restaurant. It's now called the Village Grove and
18 it's an historic property in Downtown Lancaster.

19 For socioeconomics and environmental justice,
20 Alternative 2 would be farther away from community
21 resources in Edison, would have fewer noise and vibration
22 impacts to the businesses and residents including these
23 environmental justice populations, as well as the Edison
24 Middle School. The one downside, Alternative 2 is farther
25 away from these resources, that it would be a viaduct for a

1 longer, longer run thus resulting in more severe visual
2 impact in this area.

3 And also to note along with Alternative 2,
4 Alternatives 1 and 3 would not require the relocation of
5 Sierra Highway, which would result in fewer impacts to the
6 businesses, residents and environmental justice facilities
7 in this area. Alternative 2 would have fewer impacts to
8 affordable housing, motels and in Downtown Lancaster.

9 The next area is agricultural land, which again
10 is another important topic for the program, is that this
11 design in the Edison area would generally have fewer
12 impacts to agricultural resources in this area.

13 Alternative 2 would require the least, fewest partial
14 agricultural parcel acquisitions and require the second
15 fewest full agricultural parcel acquisitions and the least
16 amount of net parcel acquisition acreage.

17 It's important to note, which is very important
18 to farming operations, it would avoid impacts to access
19 roads used by agricultural packing houses in the area,
20 which is a major economic driver in this region.

21 Next is noise and vibration. Alternative 2 would
22 have fewest severe impacts to these sensitive residential
23 receptors when compared to other of the three alternatives.
24 This is largely due to the fact that it is farther away
25 from these residential communities of Edison.

1 Next, as Michelle previously mentioned, the
2 biological and aquatic resources are important in this
3 region as Alternative 2 would have the least overall plant
4 and wildlife impacts. And of note, there are no -- of the
5 four alternatives we do not have jurisdiction from the
6 Corps of Engineers. We have an approved jurisdictional
7 determination from the Corps of Engineers for that fact,
8 which results in -- we have aquatic resources to state
9 waters under jurisdiction of the State Water Resources
10 Control Board. This is unique section as these waters do
11 not flow to any other full waters of body that are
12 contained inland.

13 So Alternative 2 with the Caesar Chavez
14 Alternative Design, based on the environmental analysis to
15 date for the draft when compared to Alternatives 1, 3 and
16 5, Alternative 2 is preferable as it will have fewer
17 relocations and displacements, and minimize effects on
18 environmental justice populations. It would have fewer
19 impacts to protected Section 4(f) resources again,
20 including Whit Carter Park and the historic Denny's
21 Restaurant in Lancaster. It would minimize land
22 acquisitions and avoid impacts to agricultural packing
23 house access roads. It would have fewer impacts to future
24 CalPortland mining operations just north of Rosemond. It
25 would reduce and optimize tunnel length in the area north

1 of the Rosemond community, which in turn reduces
2 construction durations and construction related effects in
3 that area. And also incorporate the Caesar Chavez design
4 option, which would minimize noise and visual impacts to
5 the national monument.

6 So for identification of the Preferred we
7 recognize that there are tradeoffs among the four
8 alternatives. And the recommendation we're making today is
9 based on the data and the analysis that we have completed
10 to date for the EIR/EIS.

11 If alternative is identified -- Alternative 2 as
12 our State's Preferred Alternative, our staff will continue
13 to analyze these alternatives equally to the level of
14 detail in the draft documents.

15 Going forward we will consider carefully the
16 comments we receive today at this meeting, in addition to
17 the comments received to date in public and stakeholder
18 meetings. And we will also continue to coordinate with our
19 resource agencies and stakeholders on the key issues as it
20 relates to their jurisdictions.

21 The comments today in this other process may lead
22 to modifications between now and when the Final is adopted,
23 which is scheduled to take place in the mid-2020. Also,
24 that I want to make sure that identifying today's State's
25 Preferred Alternative does not constitute the adoption of

1 approval or of a Preferred Alternative.

2 So next steps, these are the rough dates here of
3 release of the Draft EIR/EIS in the summer of next year, of
4 2019, roughly the same timeframe for the final adoption a
5 year later.

6 CHAIRMAN RICHARD: Before you leave -- well, go
7 ahead and finish this slide.

8 MR. MCLOUGHLIN: Okay.

9 So today we have before you to concur with our
10 staff recommendation to identify alternative to the Caesar
11 Chavez National Monument Design Option as our State's
12 Preferred Alternative in the Bakersfield to Palmdale
13 Project Section Draft EIR/EIS. Thank you.

14 CHAIRMAN RICHARD: Before you leave, I want to
15 make sure, because I think this is going to be confusing to
16 the public. They're hearing us talk about the adoption of
17 a State's Preferred Alternative, but saying, "But that's
18 not a Preferred Alternative." So I understand these are
19 legal terms but perhaps you, or if you need some help from
20 Counsel, could just quickly explain what that means.

21 MR. MCLOUGHLIN: Sure.

22 CHAIRMAN RICHARD: And I presume it's because of
23 our federal partners?

24 MR. MCLOUGHLIN: Correct.

25 CHAIRMAN RICHARD: Okay. I just want to make

1 sure the public is not confused by this, because on its
2 face it's kind of confusing.

3 MR. MCLOUGHLIN: Agreed.

4 MR. ANDREWS: Good morning, Chair Richard, Board
5 Members. I'm Jim Andrew, the Assistant Chief Counsel at
6 the High-Speed Rail Authority. So what you are being asked
7 to do today is simply to concur in a staff recommendation
8 of identification of a Preferred Alternative for
9 identification in the Draft Environmental Document. It is
10 not approval or adoption of anything.

11 The state environmental laws, under CEQA,
12 generally require that the Draft Environmental Document
13 identify the agency's proposed project. And federal
14 environmental laws, a similar equivalent, they just call it
15 the Preferred Alternative. It is just so that the Draft
16 Environmental Document, when the public gets a chance to
17 look at it, has an indication of where the agency's initial
18 inclinations are at that point, so the public can focus on
19 that alternative knowing that that's where the agency is
20 headed. And so that's all you're being asked to do today.
21 And it's just under the state laws.

22 We could have called it the State's Proposed
23 Project, because those are the terms of art under CEQA.
24 We're calling it the State's Preferred Alternative/Proposed
25 Project. It is not approval or adoption of anything. It

1 is just an indication to the public at this early stage,
2 with lots of environmental analysis, public input to go,
3 where the agency is potentially headed.

4 And I think the Draft Environmental Document for
5 public comment is due next year. And then there'll be a
6 public round of comments, responses by the staff to those
7 comments, more public meetings and then back to the Board
8 in 2020 for consideration of adoption of this Preferred
9 Alternative, or some other alignment depending on the
10 process over the next couple of years.

11 CHAIRMAN RICHARD: Okay. I'm only going to spend
12 30 more seconds on this. So just again to help the public
13 understand, that is it correct for me to point out that as
14 we build this project we're required to comply with both
15 the California Environmental Quality Act and the Federal
16 National Environmental Policy Act and that these are terms
17 of art that are used in those environmental processes? So
18 what we're signaling to the public today is this is where
19 draft environmental document the staff's indication is.
20 They're asking the Board to concur with that; that this
21 could emerge as the option that is favored. It may be that
22 there's no other step taken to declare a Preferred
23 Alternative before we do the Final; is that correct?

24 MR. ANDREWS: That is correct. And part of the
25 process we're involved in today is that the Board's

1 delegation of authority to the CEO has from since its
2 inception, reserved to the Board this step of
3 identification of the Preferred Alternative at any stage in
4 the process whereas many other projects would not have the
5 Board take this step. I think in part to make sure that
6 the Board was able to listen to public comment and be
7 involved in this step of the process. Reserved to itself
8 this step, which is why we're here today.

9 CHAIRMAN RICHARD: Okay. Yeah, all I wanted to
10 do was to take something that on its face didn't look like
11 it made much sense and try to explain to people that it
12 only makes sense if you're a lawyer. (Laughter). So, with
13 that --

14 MR. HEDGES: You did a good job on that, Jim.

15 CHAIRMAN RICHARD: -- we'll go.

16 MR. ANDREWS: Thank you.

17 CHAIRMAN RICHARD: Yeah, Vice Chair Richards?

18 VICE CHAIR RICHARDS: Yeah. Jim, can I just -- I
19 want to just clarify one other thing for the public. Does
20 it mean then that between now and the final selection
21 certification by this Board that the other alternatives
22 will continue to be studied between now and then?

23 MR. ANDREWS: Absolutely. And part of the
24 presentation that Mark gave is that those differences
25 between those alternatives will be fully fleshed out with

1 comment through that process.

2 VICE CHAIR RICHARDS: Okay. Thank you.

3 CHAIRMAN RICHARD: Okay. Thank you very much.

4 I appreciate both of those staff presentations.
5 And I know a lot of work went into those. At this point,
6 we're going to take public comment on both of the items
7 that have been prepared here today, the adoption of the
8 final environmental reports on the Locally Generated
9 Alternative here in Bakersfield, as well as this request
10 that the Board concur in the staff's designation of a State
11 Preferred Alternative for the Bakersfield to Palmdale
12 section.

13 I'm going to go through the comments in the order
14 that I've received them with the exception that we always
15 afford our public officials the first opportunity. So I
16 have as far as I can see two comments from public
17 officials.

18 First, I'd like to welcome Mr. Alan Tandy, the
19 City Manager of the City of Bakersfield. And as you're
20 coming to the microphone, I want to also express our
21 appreciation to you for making the City's facilities
22 available to us today. Thank you, sir.

23 MR. TANDY: Good morning, Mr. Chairman and Board
24 Members and staff members. And welcome to California's
25 ninth largest city and the point of delivery for your

1 initial operating segment.

2 Bakersfield is a success story for you and the
3 High-Speed Rail Authority. In 2014, under previous Board
4 and previous staff and administration, local input was not
5 regarded reasonably by the Authority who has been in place.
6 About five agencies, including the City filed litigation.

7 But that has evolved and has become a positive
8 working relationship, a friendly and cooperative
9 relationship. We have worked through dozens of meetings
10 with impacted parties that were impacted by the
11 Supplemental EIR. We have worked through dozens and dozens
12 of problems with the respect to issues pertaining to
13 design, compatibility. We have worked compatibly with your
14 staff now on a long-term vision plan for Downtown
15 Bakersfield at the F Street location. And we now have a
16 good relationship and a positive relationship.

17 We all read newspaper stories that somebody
18 doesn't greet you warmly at an initial segment. That
19 happens, but we have here a story of turning a failure into
20 a complete success. The City of Bakersfield supports the
21 adoption of the Supplemental Alignment. We appreciate the
22 close working relationship we've established with the
23 Authority over the four years since the initial litigation
24 was filed. And we're looking forward to working with your
25 staff on the delivery point and the inner station and

1 getting you your operating segment going.

2 So thank you very much and we appreciate your
3 efforts.

4 CHAIRMAN RICHARD: Thank you, Mr. Tandy. And
5 without jumping ahead of the vote that my colleagues and I
6 will take, let me just say that we very much appreciate the
7 working relationship that we've had with the City of
8 Bakersfield and we appreciate your leadership on this.
9 Thank you.

10 MR. TANDY: Thank you.

11 CHAIRMAN RICHARD: Next is the Mayor of the City
12 of Palmdale, the Honorable Jim Ledford. Mr. Mayor, good to
13 see you again.

14 MAYOR LEDFORD: Good morning Authority Members,
15 Mr. Chairman. We appreciate the opportunity to speak. I
16 can't tell you how excited we are about high-speed rail
17 coming to the City of Palmdale. And I go back to 1993 and
18 our first meeting of the High-Speed Rail Commission in
19 Downtown L.A. It's been a long road. But it's been a
20 great road and we've been able to work through lots of
21 issues.

22 I can tell you the latest announcement by
23 Brightline, I think brings an exciting component to the
24 system. It really brings Palmdale as a convergent point of
25 two high-speed rail systems that are coming together in our

1 city. And we're very, very excited about that. And when
2 we look at things like a Palmdale to Burbank Segment, we
3 think that this may be a good P3 candidate and possible the
4 Brightline might help move that process along as well. So
5 I think that's something to look forward to.

6 Our station planning work is underway. We
7 appreciate the Authority's engagement in that area. And
8 certainly, Michelle, we work her and run her hard, but she
9 is keeping up. We appreciate that. Our airport's got some
10 very exciting new news coming. I think our airport is
11 going to be sooner than later. And we think certainly
12 these systems are going to nothing but promote that better
13 inter-modalism. So I think for us, we just want to show
14 our appreciation.

15 The dialogue, we've had to deal with some tough
16 issues. We've worked through a lot of those issues and we
17 look forward to continuing that dialogue and working
18 relationship. Because like you say it's all coming to
19 Palmdale and we're just excited to be part of the process.
20 So thank you for allowing us to be here today and speaking
21 on behalf of our collective effort. Good work.

22 CHAIRMAN RICHARD: Thank you, Mayor. Appreciate
23 it.

24 Okay. Members of the general public, I'm going
25 to ask that you limit your comments to three minutes. We

1 do have a number of citizens who wish to speak and we'd
2 like to be able to hear from all of you. So with that,
3 we'll start with Steve Roberts. And he'll be followed by
4 Troy Hightower and Swanee Edwards.

5 MR. ROBERTS: Good morning Chairman and Board.
6 My name is Steve Roberts and I'm representing the Rail
7 Passenger's Association of California, an all-volunteer
8 organization focused on improved rail passenger service.

9 First of all, I want to compliment the staff for
10 all of their hard work in developing these two
11 alternatives. They show some real creativity and in moving
12 through some of the challenges involved in them.

13 Members of our group, we've reviewed the
14 documents and we recommend that the Board approve both the
15 Bakersfield Locally Generated Alternative as well as the
16 Bakersfield to Palmdale Alternative too. Thank you.

17 CHAIRMAN RICHARD: Thank you, sir.

18 Troy Hightower then Swanee Edwards than Alan
19 Scott.

20 MR. HIGHTOWER: Good morning Mr. Chair, Members
21 of the Board and staff. My name is Troy Hightower. I'm an
22 independent transportation consultant here locally.

23 Before I got started, I was asked to relay a
24 comment from Kern Transportation Foundation. Their Chair,
25 Mr. Ron Brummett, wanted to come and make comments, but he

1 wasn't able to make it. They're very brief. He just
2 wanted to mention that the members of KTF have supported
3 high-speed rail since the mid-1980s. And he was on the
4 original High-Speed Rail Commission. And then also that
5 KTF will continue to work with high-speed rail in the
6 future and continue to evaluate the development of the
7 system.

8 Switching hats, I have three key comments I'd
9 like to make. One is asking the Board, as I mentioned in
10 your August meeting in Sacramento, to consider an interim
11 station downtown at the Amtrak station. The second key
12 point is the response to comments. I did supply a written
13 comment and I did receive responses and then finally, a
14 discussion about the comparison of the Fresno Bakersfield
15 to the LGA.

16 The reason that I'm recommending the downtown
17 station, there's a number. Some of the key ones are it was
18 originally designed with over-capacity for high-speed rail.
19 I think that's a key factor. Its location is downtown. By
20 electrifying the existing track, it could be done in a
21 cost-effective way and very timely. This is a list of what
22 I call readiness for high-speed rail. And there's a number
23 of reasons on here. Some of them are that it's a direct
24 connection to Amtrak's throughway bus service that goes to
25 all of Southern California, the Coast, Vegas, and could

1 even connect to Palmdale through the proposed Vegas high-
2 speed rail. And it's also supported by the ten-year plan
3 in the City of Bakersfield Station Area Plan.

4 It's also been evaluated in the Fresno
5 Bakersfield EIR for interim service of just what I've
6 mentioned, which could be not only electrifying the
7 existing track, but could consider diesel or clean diesel
8 high-speed rail service.

9 Here I have a letter, a copy of a letter, from
10 the City of Bakersfield dated in April of 2016. The letter
11 really focuses on opposing an interim station at Poplar.
12 But it does mention, and I'm quoting now, "As an additional
13 option to consider is to electrify the adjacent BNSF Amtrak
14 rail line in order to allow high-speed trains to continue
15 to the existing Bakersfield Amtrak Station on an interim
16 basis."

17 CHAIRMAN RICHARD: Mr. Hightower, I know you're
18 used to my situation in Sacramento where I basically don't
19 run a clock, but today we do have to do that. So --

20 MR. HIGHTOWER: I'll try and wrap up real quick.
21 Thank you Mr. Chairman.

22 CHAIRMAN RICHARD: -- can you do this in about 15
23 seconds please?

24 MR. HIGHTOWER: Certainly.

25 CHAIRMAN RICHARD: I want to be fair to

1 everybody.

2 MR. HIGHTOWER: Chapter 16 that was mentioned
3 before, the changes to the document. It states in here
4 that a majority of the comments made, 1,068, generally
5 support a station at Truxtun Avenue. And I would take
6 certain exception to the comments made earlier by Mr. --
7 the environmentalist, that comments made by the public were
8 considered just opinions and not substantive. I think
9 that's a bad signal to send to the public. I think it's
10 important that the public participate in these processes
11 and I disagree with that statement.

12 CHAIRMAN RICHARD: Understood. Thank you, sir.

13 MR. HIGHTOWER: Thank you.

14 CHAIRMAN RICHARD: Next is Swanee Edwards. I
15 hope I got that right and then --

16 MS. EDWARDS: You did. Thank you. My name is
17 Swanee Edwards. I'm a community activist and political
18 operative in Santa Clara County. I'm not here to talk
19 about this particular alignment. I was invited to come
20 down for this meeting and tour the existing construction
21 sites. And I get a good idea of what's involved to take
22 back to Morgan Hill where I actually live.

23 I'm a grandmother of seven. And I'm concerned
24 about my grandchildren's future. I think that from what
25 I've seen, this project -- the Phase 1 isn't near ready to

1 considerably start generating revenue for at least another
2 four or five years.

3 And the other thing that kind of blew my mind is
4 that these little pieces of construction are just kind of
5 sitting out there. I've watched so many videos at
6 community group meetings. And I've tried to get so much
7 information about what's really going on here, because my
8 opinions opposed to this High-Speed Rail Project are strong
9 and deep. And the videos are well done. You see all these
10 men out there just working away and everything. But what I
11 saw yesterday was maybe a dozen workers on a bridge, but
12 the rest of the segments were absolutely deserted.

13 The other thing that concerned me, especially for
14 Morgan Hill where the Valley is only three miles wide, in
15 South Santa Clara County, is the actual footprint of the
16 construction site itself. It's horrific. It will destroy
17 our quality of life, our two cities, our small valley. And
18 my mind is pretty blown about the information I'm going to
19 take back.

20 Thank you very much for your time.

21 CHAIRMAN RICHARD: Thank you Ms. Edwards.

22 Alan Scott followed by Tina McIntyre and then
23 Jerry Vancuren, it looks like.

24 MR. SCOTT: Good morning Mr. Chair and the Board.

25 CHAIRMAN RICHARD: Mr. Scott, good morning.

1 MR. SCOTT: I have two things to say.

2 Yesterday, I woke up to two articles from the
3 *Sacramento Bee* that had no favorability to what's going on
4 today with the high-speed rail. I don't know how many
5 items I have, but I could probably stack them about this
6 high in the last six months of where the negativity is not
7 working well for you folks at all.

8 I'm just going to say that you're over 3.0
9 billion in debt. You said it was 2.8 a little while back,
10 but I'm sure it's more than that right now. Where the
11 funding's going to come from, wherever it's going to come,
12 I don't think it's going to come from anyone other than our
13 taxpayers. And we can't afford it. We just cannot afford
14 it. I don't know what you people are seeing, but when I go
15 and look online and find out how much the funded and
16 unfunded debt is for the State of California, it's not good

17 The second thing is you guys have been at it for
18 ten years. And nothing's connected to nothing. And that's
19 shameful. And with that, I'll say thank you very much and
20 good luck.

21 CHAIRMAN RICHARD: Thank you, Mr. Scott.

22 Tina McIntyre followed by Jerry Vancuren and then
23 Carol Bender.

24 MS. MCINTYRE: Good morning.

25 CHAIRMAN RICHARD: Good morning.

1 MS. MCINTYRE: My name is Tina McIntyre, General
2 Manager of Marketing and Government Affairs. And on behalf
3 of CalPortland Company I'm here to convey our strong
4 opposition to selection of Alternative 2 as the State
5 Preferred Alternative Route.

6 We have submitted an official letter to Chairman
7 Richard and the members of the Board outlining our official
8 position on this matter. Alternative 2 crosses through the
9 middle of Kern and future mining operations on
10 CalPortland's land. Our detailed reviews of Alternative 2
11 determine that it will result in severe financial, safety
12 and environmental issues.

13 CalPortland is one of the largest businesses in
14 the local community. The Mojave Cement Plant and quarries
15 have been operating since 1955. We have the equivalent of
16 200 full-time employees and contractors. Under the
17 Alternative 2 Alignment and necessary safety buffers,
18 CalPortland would suffer approximately 25 years of lost
19 mine and plant life and a gross revenue loss of \$5 billion.

20 The effects of this revenue loss would not only
21 affect CalPortland, but also the workers at the plant and
22 quarries, the Mojave community, downstream customers such
23 as ready mix concrete producers, building product
24 manufacturers, oil field service companies that are
25 familiar to this area, but also Caltrans paving projects

1 and any other consumers of cement, who could be forced to
2 pay higher prices in a less competitive cement market.

3 The route is not feasible from an engineering,
4 environmental and safety perspective. CalPortland Mojave
5 quarries are surface mines with active pits running
6 approximately 1,000 feet below the surface. Alternative 2
7 calls for the construction of portions of the route
8 adjacent to existing pits, and within the safety buffer
9 zone. The blasting exclusion zone shown in the proposed
10 tunnel design for Alternative 2, are only 220 feet to
11 either side of the train. This is simply inadequate to
12 protect the train. CalPortland recommends a
13 2,000-foot buffer zone between the rail line and quarries,
14 as fly rock from mining blast areas can strike the rail
15 tracks or trains, resulting in potential derailment and
16 other significant hazards including fatalities.

17 We are aware of one recent fatality to a mine
18 pickup truck driver from fly rock that came through the
19 truck's roof while the driver was parked only 1,200 feet
20 from the blast zone. CalPortland simply has not seen any
21 documentation indicating that Alternative 2 was developed
22 in a manner that would avoid this hazard.

23 We look forward to working with the High-Speed
24 Rail Authority to assist in avoiding the significant issues
25 that Alternative 2 proposes. Thank you.

1 CHAIRMAN RICHARD: Thank you for those comments.
2 I assure you we will take them quite seriously.

3 Jerry Vancuren followed by Carol Bender and then
4 Michael Turnipseed.

5 MR. VANCUREN: Good morning. My name is Jerry
6 Vancuren. Pardon me; I'm a little nervous here. I own a
7 building. It's a 15,000 square office building at 2623 F
8 Street. And I'm concerned that the traffic exiting and
9 entering this new facility is going to be harmful to us.
10 I'm not against the project. What I against is I think one
11 of the thoughts is creating another lane going south on F
12 Street by eliminating the left turn lanes. And that would
13 be really disastrous for the property owners in there and
14 also the businesses along there. Thank you.

15 CHAIRMAN RICHARD: Thank you, sir.

16 Carol Bender followed by Michael Turnipseed and
17 then Todd Turley.

18 MS. BENDER: Good morning.

19 CHAIRMAN RICHARD: Good morning.

20 MS. BENDER: My name is Carol Bender. I am a
21 citizen of Bakersfield. I'm not affiliated with any group.

22 I've been involved in this public process
23 studying the proposals and submitting comments for over ten
24 years. And originally the High-Speed Rail Authority only
25 fully studied three alternatives that were just a few

1 hundred feet apart from each other. And I would have
2 preferred a few more studies, but here we are with two to
3 compare in a situation of which alignment is the better of
4 two imperfect choices. And when assessing the impacts I
5 won't go over what Mr. McLoughlin talked about, because
6 he's pretty clear. But when assessing those one can't
7 overlook the fact that with regard to residential
8 displacements there's 78 percent fewer on the LGA and with
9 regard to important farmlands, nearly 25 percent fewer.
10 That is significant.

11 And given the climate of California's economic
12 and political situation there's no guarantee that this
13 alignment will ultimately even reach the Bakersfield
14 Station. Perhaps at best the F Street location may be the
15 southern terminus of the high-speed rail. Given that, the
16 LGA Alignment is the one that makes the most sense and
17 creates the fewest impacts to our community. And it allows
18 for us to expand our downtown area and to have plenty of
19 time for future planning.

20 Having 70-plus feet viaducts going through the
21 middle of our town, on the original 2014 Proposed
22 Alignment, on the BNSF, and having those viaducts
23 potentially be in place for decades, perhaps forever until
24 the money is found, if ever, to attach to the Palmdale
25 Section is just unacceptable. It makes absolutely no

1 sense.

2 What I would say in conclusion, in talking about
3 the carryover into the next segment, I would hope that the
4 Board would look very closely at the Homeless Center.
5 Right now they're scrambling and would like to expand. We
6 know we have an extreme situation with the homeless in
7 California. Since they will be in the path, regardless of
8 what is chosen on the Palmdale Section, if that property
9 could be purchased, so that they can move and expand would
10 further our community greatly. Thank you very much.

11 CHAIRMAN RICHARD: Thank you, Ms. Bender. And
12 stay tuned on the Homeless Shelter. I think you'll be
13 hearing something on that soon.

14 Michael Turnipseed followed by Todd Turley and
15 then, I'm hoping I'm reading it, is it Terry Maxwell, Terry
16 McFall? I'm not quite sure. But anyway, Mr. Turnipseed?

17 UNIDENTIFIED SPEAKER: He had to leave.

18 CHAIRMAN RICHARD: He did? Okay.

19 Todd Turley? Good morning, sir.

20 MR. TURLEY: Good morning. Thank you for the
21 opportunity to provide comments on the Supplemental EIR.
22 My name is Todd Turley. I represent Farmland Reserve, Inc.
23 which owns approximately 1,300 acres of pistachio trees
24 that will be bifurcated by the Fresno to Bakersfield
25 Locally Generated Alternative Alignment or F Street Route.

1 We believe the originally selected Preferred
2 Route, the BNSF Alignment best balances all impacts and
3 provides the best route. We strongly recommend the High-
4 Speed Rail Authority to stick with the BNSF alignment for
5 this segment of the line.

6 If however, the F Street Route is ultimately
7 selected, it would split up pistachio operations leaving
8 hundreds of acres of mature and producing trees on opposite
9 sides of the rail line. This would disrupt our state-of-
10 the-art irrigation and place a significant and costly
11 burden on our farming operation.

12 Most importantly, it would create a significant
13 public safety hazard. Any time we need to work on the
14 other side of our farm, workers, trucks and other various
15 farm equipment, would have to be transported via Burbank
16 Street after accessing the only currently planned underpass
17 in the area. Burbank Street is ultimately planned to
18 become the north beltway, a major six-lane highway which
19 would not provide safe transport of our employees and
20 equipment nor the traveling public.

21 We attempted to resolve this matter with staff,
22 but were deferred to the appraisal process. However, we
23 strongly recommend that the matter be addressed now. And
24 that (1) conduits be placed along the rail line sufficient
25 to maintain all services to the bifurcated sections or our

1 farm and (2) agricultural underpasses be constructed and
2 included in the design of the rail line as shown on this
3 map. And we have provided a copy of the map to staff.

4 These underpasses, away from busy highways will
5 significantly reduce the impact to our farming operation,
6 maintain wildlife migration corridors, and most importantly
7 protect the safety of our workers and the public at large.

8 Thank you. And I would like to submit a copy of
9 the comments and map for the record.

10 CHAIRMAN RICHARD: Absolutely, if you could give
11 it to the gentleman here. Thank you, Mr. Turley.

12 MR. TURLEY: Thank you.

13 CHAIRMAN RICHARD: I apologize, because I didn't
14 bring my reading glasses. So it's the person who lives on
15 Pine Street. Sir, I'm so sorry.

16 MR. MAXWELL: Oh, it's my fault for not writing
17 it very plainly.

18 CHAIRMAN RICHARD: I wasn't going to say that,
19 but I'll just take the blame. (Laughter).

20 MR. MAXWELL: I can be self-effacing.

21 CHAIRMAN RICHARD: Could you introduce yourself
22 for the record, since I've done such a poor job of doing
23 that.

24 MR. MAXWELL: Chairman Richard, it's good to see
25 you again. My name is Terry Maxwell. And I am a former

1 City Councilman here at the City of Bakersfield. As a
2 matter of fact, I was part of the group the sued the --
3 that voted to sue your Authority. If I knew then what I
4 know today, I would not have agreed to sue you.

5 In 2014, you got it right. You absolutely got it
6 right. We got it wrong. If this is going to be about
7 cost, if this is going to be about impact then I've got a
8 better alternative for you. Bypass Bakersfield completely,
9 because that wouldn't cost you hardly anything. But if
10 this is really about putting a station in the Bakersfield
11 area that you want to be successful, that you want to put
12 in a place that is going to generate ridership, economic
13 impact and benefit the City of Bakersfield, there's only
14 one place to put it and that's on Truxtun Avenue.

15 Right now, Truxtun Avenue has got 50 percent of
16 the things that you want. It's already got other modes of
17 transportation that it can hook up to. It already has
18 hotels. It has a convention center. It has everything you
19 need within walking distance of where you're going to put
20 that station. Over 50 percent of what you want already
21 exists.

22 The F Street location? Zero. Nothing of what
23 you need exists at F Street. Not a thing. Go there and
24 look at it, transportation-wise you can't get there. You
25 just can't get to the F Street location. It's not an easy

1 place to get to even after they do some of this
2 construction. If it's on Truxtun Avenue it's right down
3 the street from where we're at right now. You could walk
4 there from here. You could have come by your high-speed
5 rail to get to this meeting. If you took the F Street you
6 would have a tough time getting from F Street to here.

7 So pretend you're not on this Board right now and
8 you're just a resident or business owner in the downtown
9 area of Bakersfield. And you have submitted 1,000 comments
10 saying, "We don't want it on F Street. It's a poor
11 location." I was born and raised here in 1954. I've seen
12 Bakersfield grow. F Street is a horrible location for
13 this. You've got a relatively small number of people and a
14 relatively single-focused City Manager and City Council
15 that is trying to convince you F Street's a good location.
16 It's not. Put it on Truxtun. Thank you.

17 CHAIRMAN RICHARD: Thank you, Mr. Maxwell. Tony
18 Amarante followed by Lee Ann Eager and then Marvin Dean.

19 MR. AMARANTE: Good morning. My name is Tony
20 Amarante. Thank you for this opportunity to speak to you.
21 I'd like to support putting the train station where it's
22 supposed to go, down on Truxtun Avenue where the Amtrak is
23 now.

24 You know, I hear the City say that if they have
25 to put the train station down on Truxtun Avenue then

1 they're going to have to move the Corporation Yard. And I
2 also hear the City saying that they want to develop
3 downtown and revitalize it and make it more attractive to
4 people. Well, they already have a train station on
5 Truxtun. Can't you just use the vacant lot up there F
6 Street and 30th? Can't you just put the garbage trucks and
7 the street sweepers up there on that vacant lot? And then
8 you know, you'd have people come into downtown to work and
9 you'd have the train station and -- sorry to be so nervous
10 there, but I'm just a private citizen.

11 And I think it's important to Bakersfield and all
12 of California that we connect Bakersfield to the economic
13 orbit of Los Angeles, so that people who live here could
14 work an hour away. And you can get a house in Bakersfield
15 for a reasonable price compared to what you get in Southern
16 California. It's a big lot, lots of -- it's better. And I
17 just think the best place to put the train station would be
18 down on Truxtun Avenue. Put the Corporation Yard over on F
19 Street.

20 And I'm not even from Bakersfield. I was born in
21 Brooklyn, New York. I think it's a good idea. Thanks.

22 CHAIRMAN RICHARD: Thank you.

23 Lee Ann Eager and then Marvin Dean.

24 MS. EAGER: Good morning. I'm Lee Ann Eager.

25 I'm President and CEO of Fresno County Economic Development

1 Corporation and I'm always pleased to come to support my
2 friends here in Bakersfield, my friends in Palmdale. I'm
3 excited that the clock is starting now for the Preferred
4 Alternative out to Palmdale. But I also want to give you a
5 quick little summary of a trip that we took, that we just
6 got back a couple of weeks ago. And that was to Germany.

7 The Fresno Works group, with our training and
8 education team, went to go look at training facility in
9 Germany. We also were accompanied by the folks in Palmdale
10 who are honorary members of the Fresno Works. We looked at
11 a training facility in Frankfurt. And I was so excited
12 about the work that they were doing there in getting young
13 people excited about high-speed rail, getting young people
14 excited about the work that they were going to be doing.
15 And we want to make sure that we bring that to the Valley.

16 The woman that spoke about no one working on the
17 system, obviously she hasn't been in Fresno, because there
18 are people up and down that alignment every single day. I
19 have to drive around them all the time, I know. But we
20 want to make sure that our local people are getting hired.
21 So we did go to the training facility there. We went to
22 numerous cities to look at stations. Palmdale and Fresno
23 wanted to make sure we're going to do this right, so we
24 looked at stations. We looked at station area planning.
25 What does that mean?

1 We had two really great highlights, at least two
2 for me. One, I was able to drive a train. The new Siemens
3 ICE 4 that no one had ever touched before, I was the first
4 person to drive that train and no one was killed. So
5 that's a good thing.

6 The other thing is we went to this small town,
7 called Kinding and we talked to the Mayor there. And the
8 Mayor in Kinding fought and fought and fought for years to
9 have a high-speed rail station. And it's a tiny little
10 town and people said, "What are you, crazy?" And the
11 reason was not because she wanted industry to come there.
12 It wasn't because she wanted to build around the station.
13 It was for the young people of her city. They were leaving
14 and they weren't coming back. And she needed to give them
15 a way to be able to stay in her city and so they built a
16 station. And now they have a new generation of people that
17 are staying in their community. And certainly that's one
18 of the things that we look at here, right? As our folks
19 graduate from whether it's Bakersfield or Fresno State we
20 want to keep them here.

21 But I have to tell you real quick, the most
22 exciting thing and this is where my high-speed rail nerd
23 comes in, is that the City of Kinding was where the video
24 is where they did the test for the fastest high-speed train
25 in the entire world. And we saw the video and all the

1 people were waving and cheering when they -- I was standing
2 on that platform, in Germany, the exact same one where the
3 train came in. So, and I know the folks in Palmdale said,
4 "You are the biggest high-speed rail nerd in the entire
5 planet" (Laughter.) Because I'm the one that knew about
6 that, so thank you for attending though. That was great.
7 Thank you.

8 (Off mic colloquy.)

9 CHAIRMAN RICHARD: Okay. Thank you, Ms. Eager.
10 Marvin Dean?

11 MR. DEAN: Good morning. My name is Marvin Dean.
12 I'm the President of the Kern Minority Contractors
13 Association. And I'm your BAC, Business Advisory Council
14 Member here in Bakersfield. And I want to welcome the
15 Board members and thank you for holding this meeting in
16 Bakersfield.

17 But let me dissect for a minute before I get into
18 the rest of my presentation. And this is to the leadership
19 of Bakersfield, City and County. We really need to follow
20 the leadership of what Lee Ann Eager is doing in Fresno
21 championing jobs, local jobs in contracting, and doing
22 amazing things in terms of bringing money into their city
23 with high-speed rail. So I'm asking those of us, those
24 that live here in the leadership, economic development,
25 please check on what she's doing and adopt some of that

1 here in Bakersfield. We need that kind of spirit here.

2 I'm here to, first of all, say at this point I'm
3 okay with either location. Just so we get this doggone
4 thing built. And then I would have preferred downtown for
5 a lot of reasons, but I can live with the F Street Station.

6 And then my only thing would be to say at this
7 point is once the final decision has been made on the route
8 let's do early acquisition of the property of the people
9 that's going to be affected for the right-of-way. Not only
10 the Homeless Center, but I know a lot of other people that
11 are affected. They've got plans for development of their
12 projects. And they just need some stability as to, if the
13 project is going to come there, they need to move on with
14 their lives so that they can plan their development and not
15 have their property tied up. Because they're not going to
16 make any more investments in those properties until the
17 decision is made.

18 And then what it also will do for us as you all
19 know, I ain't got to tell you guys, one of the reasons why
20 you're hop-skipping around from Fresno coming this way is
21 you haven't acquired all the right-of-way. And it's been a
22 really challenge for you to do the right-of-way, so we
23 don't want to make that -- and when you do, that cost runs
24 up.

25 So if you get into an early acquisition of the

1 property, once you finalize those routes you will find some
2 people willing to sell, because they want to move on with
3 their lives. So we need a land bank and start preparing,
4 so that the next time we get to put in a phase of
5 construction we won't have to wait on acquiring the land
6 and also having the contractors that skip around and try to
7 do development in a kind of a patch past way. That's why
8 the lady talked about, probably when they came and rode the
9 route, you only see different parts of construction going
10 on instead of a straight line where you've got full
11 sections built out because of the challenges you have by
12 not acquiring all that property.

13 So let's learn from our mistakes early on. And
14 I'm a big champion and supporter of high-speed rail, been
15 doing this for years. And again, I want to say that I know
16 that you guys got a lot of challenges, but keep up the good
17 work and carry on and just push right ahead.

18 And then I want to say to Kelly Brian, I know
19 that he took a leave of absence because of some sickness or
20 something. So I wish him and pray his early recovery,
21 because he's one of the best CEOs we're going to have. So
22 I wish him well. Thank you.

23 CHAIRMAN RICHARD: Thank you, Mr. Dean.

24 Okay. That concludes the public comment period.
25 I want to thank everybody for coming and sharing your

1 comments with us. As part of this process the staff would
2 be responding to public comments. They've asked for a few
3 minutes to get their responses together. They asked for
4 15, I'm giving them 10. And while they're doing that, I'm
5 going to skip down to the Board minutes from the last
6 meeting and ask if I can get a motion to adopt those.

7 BOARD MEMBER CAMACHO: Move.

8 BOARD MEMBER MILLER: Second.

9 CHAIRMAN RICHARD: It was moved by Director
10 Camacho, seconded by Director Miller. Will the Secretary
11 please call the roll?

12 MR. DROZD: Vice Chair Richards?

13 VICE CHAIR RICHARDS: Yes.

14 MR. DROZD: Director Curtin?

15 BOARD MEMBER CURTIN: Yes.

16 MR. DROZD: Director Camacho?

17 BOARD MEMBER CAMACHO: Yes.

18 MR. DROZD: Director Miller?

19 BOARD MEMBER MILLER: Yes.

20 MR. DROZD: Chair Richard?

21 CHAIRMAN RICHARD: Yes.

22 Okay. Those are adopted. We'll stand in recess
23 for about 12 minutes. Right at high noon, we're going to
24 reconvene, and the Board will then act. Thank you.

25 (Off the record at 11:48 a.m.)

1 (On the record at 12:02 p.m.)

2 CHAIRMAN RICHARD: Could I ask people to take
3 their seats please? Okay, we'll be back in session.

4 At this point, I'm going to ask Diana Gomez, our
5 Regional Director for the Central Valley, to briefly offer
6 staff's response to comments from this morning.

7 MS. GOMEZ: So we felt that we needed to respond
8 to three of the comments. The first one was the
9 electrification of the Amtrak BNSF Interim. We wouldn't be
10 able to do that. The danger with the electrical currents
11 that are very close to the refineries, so that alignment is
12 very close to refineries. The other would be a substantial
13 throughway cost. And then it would most definitely
14 increase our travel time.

15 The other comment was the issue with bifurcating
16 the pistachio farms? They did submit a comment letter. We
17 did respond. And we will continue to work with them
18 during the implementation to minimize those impacts.

19 The other thing this morning, the City of Shafter
20 wrote a letter and in their letter, they claim we did
21 inadequate analysis about the potential locations of a
22 protected species, the shrew. In our environmental
23 document we appropriately identified the locations and
24 which then it was concurred by the U.S. Fish and Wildlife
25 Services.

1 Those are the three that we thought that we
2 should respond to. And now Jim Andrews is going to walk
3 through the resolutions.

4 MR. ANDREW: Board Members, again Jim Andrews,
5 the Assistant Chief Counsel. I'm going to walk you through
6 the two resolutions that staff has asked me to adopt today
7 regarding the LGA.

8 So there's two distinct steps, it's been four
9 years since the Board did this before and some of the Board
10 Members are new. So there's two distinct steps here this
11 morning, the first one is to certify the environmental
12 document as compliant with CEQA, that's your first step.
13 And that's in Draft Resolution 18-16, which the Board has
14 been -- you have a copy of. And then there'll be a second
15 distinct step of actually approving for implementation the
16 Alignment, the LJ Alignment.

17 So let's walk through briefly Resolution 18-16.
18 In this resolution there's three items that the Board is
19 certifying. First, is that the Final Supplemental
20 Environmental Impact Report has been completed in
21 compliance with CEQA. The second is that the Final
22 Supplemental EIR has been presented to the Board and that
23 the Board has reviewed and considered the information in
24 it, prior to taking any action on the project. And the
25 third, that the Final Supplemental EIR reflects the

1 Authority's independent judgment.

2 So on the first one, that the EIR has been
3 completed in compliance with CEQA, it's the opinion of
4 staff that the EIR functions as a sufficient informational
5 document for decision makers and the public to disclose the
6 environmental impacts of the project, proposes reasonable
7 and feasible mitigation measures, and is it comprises a
8 reasonable range of alternatives.

9 All the Final Supplemental EIR documents have
10 been presented to the Board. It consists of the Draft
11 Environmental Document, sorry a multi-volume document,
12 three volumes circulated in November of 2017 and then the
13 four-volume Supplemental EIR. And then these documents
14 supplement the six-volume 2014 Final Fresno to Bakersfield
15 document.

16 And just to be clear, because this is a Final
17 Supplemental EIR, you're not being asked to do anything
18 with respect to the 2014 document. It's just you're not
19 recertifying it just with respect to the modifications to
20 it that are reflected in the Final Supplemental EIR.

21 Okay. So at this point, if there's any Board
22 questions, deliberation this first item, now is the time to
23 talk.

24 CHAIRMAN RICHARD: I think it makes sense to do
25 each one separately, right? so you'll walk us through?

1 MR. ANDREW: Yes. And then we'll walk through
2 the second, so we're now focused on Resolution 18-16, which
3 is the Certification of the EIR, that you have been
4 presented with it and that it reflects the Authority's
5 independent judgment.

6 And on that last item, just briefly, you're not
7 being asked to simply rubber stamp a consultant-drafted
8 document. Mr. McLoughlin, Ms. Gomez, Authority Legal, has
9 been heavily involved in the development of that document
10 and it does reflect the independent judgment of the
11 Authority. And we believe it's a satisfactory document.

12 CHAIRMAN RICHARD: Okay, before I seek a motion
13 on this, I want to just turn to my colleagues and ask each
14 of them in turn, if they have questions for staff or
15 comments that they wish to make at this point, looking down
16 to my left and to my right?

17 (No audible response.)

18 CHAIRMAN RICHARD: Okay. I'm going to make one
19 just very quick comment, which is that I just wanted to say
20 having sat on this Board in 2014, I'm sympathetic to a lot
21 of the arguments that people made about the Truxtun
22 Station. If you look at high-speed rail stations around
23 the world there are some that are located in downtown
24 areas, there are some that are located at the edge of
25 downtown. And I understand theoretically that there could

1 be advantages from a development standpoint at Truxtun.
2 But also I'm aware that there some very strong, very
3 innovative transit-oriented development proposals around
4 the F Street Station.

5 So it's not an easy decision, but I do think that
6 the environmental documents and the associated comments
7 have laid out good reasons for the F Street Station. And I
8 also think that the support of the elected and appointed
9 leadership of the City and the work with the staff on that
10 has been very vital.

11 So Bakersfield is one of the fastest growing
12 parts of the state. It's going to continue grow in many
13 ways. And to a certain extent, my
14 hope is that if we do adopt this F Street Station that we
15 can help Bakersfield channel that growth in some very
16 positive and productive ways. So that's the comment I
17 wanted to make.

18 I'll entertain a motion now on Resolution 16-18
19 [sic: 18-16]. Director Miller?

20 BOARD MEMBER MILLER: Yes. I'd like to move
21 approval of Resolution 18-16, which is the Certification of
22 the Final Supplemental Environmental Document for the
23 Fresno to Bakersfield section, including our Locally
24 Generated Preferred Alternative. And I understand that the
25 document, my independent judgment is that we've all looked

1 at this document and listening to numerous comments. And
2 I've even gone back through prior meetings, because I am
3 the newest member on the Board. I've reviewed those and I
4 believe that the document is prepared in accordance with
5 law, as discussed a reasonable range of alternatives,
6 reasonable mitigation measures, and therefore I move it.

7 CHAIRMAN RICHARD: Thank you.

8 Is there a second?

9 BOARD MEMBER CAMACHO: Second.

10 CHAIRMAN RICHARD: Okay. It's been moved by
11 Board Member Miller and seconded by Board Member Camacho.
12 Without other comments, will the Secretary please call the
13 roll?

14 MR. DROZD: Vice Chair Richards?

15 VICE CHAIR RICHARDS: Yes.

16 MR. DROZD: Director Curtin?

17 BOARD MEMBER CURTIN: Yes.

18 MR. DROZD: Director Camacho?

19 BOARD MEMBER CAMACHO: Yes.

20 MR. DROZD: Director Miller?

21 BOARD MEMBER MILLER: Yes.

22 MR. DROZD: Chair Richard?

23 CHAIRMAN RICHARD: Yes. Okay. So that's
24 adopted.

25 Mr. Andrew?

1 MR. ANDREW: Yes. Moving on to the second step,
2 which is actually approval of the LGA Alignment for
3 implementation as stated in Draft Resolution 18-17. And
4 there are three sections of that resolution. I'll go over
5 them briefly with you.

6 The first section, in Section 1 of the Resolution
7 the Board will be approved what are called CEQA Findings of
8 Fact. These are required under the law to be stated and
9 the Board has received a copy of those. It articulates
10 each of the significant environmental impacts of the LGA
11 Alignment and lays out mitigation, feasible mitigation for
12 those impacts.

13 It also includes in it what's called the
14 Statement of Overriding Considerations. And that's
15 required under the law when significant impacts of a
16 project that you are about to adopt would remain despite
17 application of mitigation. And the Statement of Overriding
18 Considerations effectively say that the benefits of
19 implementing the project are worth enduring the significant
20 environmental impacts that will remain after mitigation.
21 It's called the Statement of Overriding Considerations as
22 the name implies.

23 And then Section 3, sorry, the last part of
24 Section 1 is where the Board would adopt a Mitigation
25 Monitoring and Reporting Program that staff has mentioned

1 before. It is a listing of the same mitigation and Chair
2 Richard is holding that document up that you received
3 already on CD and by reference to the website and there's a
4 copy of it there. It contains the same mitigation that are
5 listed in the Findings of Fact, which is much more detailed
6 about the implementation and timing and the like, as Mr.
7 Bayne articulated earlier.

8 In the second section of the Resolution is the
9 part where you would actually be approving the alignment,
10 the F Street Alignment, and -- sorry, the LGA Alignment and
11 the station. There's a map included with your documents
12 that actually shows in detail the approximate footprint of
13 what -- the footprint of what you're approving, including
14 the F Street Station, but stopping at the F Street Station.

15 CHAIRMAN RICHARD: All right.

16 MR. ANDREW: And then one other thing, the
17 Resolution also points out that the -- so the project that
18 the Board approved in 2014 actually included the alignment,
19 the old alignment, through the City of Shafter. This LGA
20 Alignment actually revises the alignment, only vertically
21 not horizontally, within the City of Shafter. So this
22 Resolution would approve the LGA, but would also rescind
23 the 2014 approval just for that small portion of the
24 alignment between Poplar Avenue and 7th Standard Road, so I
25 wanted to be clear that that's what you would be doing

1 And then finally the resolution notes next steps
2 that we would file what's called a Notice of Determination,
3 which it formalizes notice to the public of the action if
4 you take it here in the next step.

5 CHAIRMAN RICHARD: Okay.

6 Director Miller?

7 BOARD MEMBER MILLER: Yes, I'd like to move
8 Resolution 18-17 for adoption. We understand that includes
9 the CEQA Findings of Fact, the Statement of Override, the
10 Mitigation Monitoring and Reporting Program, as well as
11 approving the LGA Alignment and this additional City of
12 Shafter minor change.

13 So with that, thank you staff and thank you all
14 that came and talked to us today about this project.

15 CHAIRMAN RICHARD: Okay. It's been moved.

16 BOARD MEMBER CAMACHO: Second.

17 CHAIRMAN RICHARD: It's been moved by Board
18 Member Miller, seconded by Board Member Camacho. And I
19 just want to say I'm going to ask the staff to make sure
20 that they take a closer look at the farming impacts that
21 were described today.

22 UNIDENTIFIED SPEAKER: Yes, sir.

23 CHAIRMAN RICHARD: Thank you. Will the Secretary
24 please call the roll?

25 MR. DROZD: Vice Chair Richards?

1 VICE CHAIR RICHARDS: Yes.

2 MR. DROZD: Director Curtin?

3 BOARD MEMBER CURTIN: Yes.

4 MR. DROZD: Director Camacho?

5 BOARD MEMBER CAMACHO: Yes.

6 MR. DROZD: Director Miller?

7 BOARD MEMBER MILLER: Yes.

8 MR. DROZD: Chair Richard?

9 CHAIRMAN RICHARD: Yes. Okay. So that completes
10 the items on the Bakersfield LGA. We've adopted -- we've
11 both certified the CEQA analysis and adopted the Locally
12 Generated Alternative, so we have an alignment here through
13 Bakersfield. I want to thank everybody who's been involved
14 in this process for that. Thank you.

15 Okay. Our final item then relates to the staff
16 recommended, staff preferred, but not completely Preferred
17 Alternative (Laughter) from Bakersfield to the center of
18 the universe at Palmdale.

19 BOARD MEMBER MILLER: I think you want a motion
20 here; is that correct?

21 MS. BOEHM: Yes, correct. We're seeking
22 concurrence and we had all of those slides about the fact
23 that this is neither an approval, but this is just a step
24 along the way. So we are here, basically we've presented
25 you the staff recommendation. We are able -- obviously you

1 are able to make some comments to us if there's anything
2 else we should consider as we move forward. But we believe
3 that the Alternative 2 is the appropriate recommendation to
4 move forward with.

5 BOARD MEMBER MILLER: I'd like to move forward
6 the concurrence with the staff recommendation for the
7 preliminary alternative from Bakersfield to Palmdale.

8 BOARD MEMBER CAMACHO: Second.

9 CHAIRMAN RICHARD: Okay. It's been moved by
10 Director Miller, seconded by Director Camacho.

11 And again, I just want to ask the staff to
12 redouble efforts to work with CalPortland to look at
13 minimization of impacts on that significant business
14 facility.

15 MS. BOEHM: Duly noted.

16 CHAIRMAN RICHARD: Thank you.

17 Secretary, please call the roll.

18 MR. DROZD: Vice Chair Richards?

19 VICE CHAIR RICHARDS: Yes.

20 MR. DROZD: Director Curtin?

21 BOARD MEMBER CURTIN: Yes.

22 MR. DROZD: Director Camacho?

23 BOARD MEMBER CAMACHO: Yes.

24 MR. DROZD: Director Miller?

25 BOARD MEMBER MILLER: Yes.

1 MR. DROZD: Chair Richard?

2 CHAIRMAN RICHARD: Yes.

3 Thank you, staff.

4 Okay, with that we've completed the agenda today.
5 Before we go into closed session I do want to recognize
6 that we also had the participation today from the Mayor of
7 Wasco, Gilberto Reyna, as well as City Manager Daniel
8 Ortiz-Hernandez, so thank you for coming here today. And
9 we appreciate the good work of the City of Wasco.

10 I want to thank everybody today. I want to thank
11 the staff. I noticed a lot of work to get to this point.
12 It's a significant milestone for the high-speed rail
13 system, because our 2018 Business Plan identifies the first
14 real phase of the high-speed rail system is extending from
15 here in Bakersfield, the Central Valley to the Silicon
16 Valley and up to San Francisco. So with that we've
17 completed yet another piece of the environmental work that
18 has to be done. There's still some segments that have to
19 be cleared, but this is a very important step for us.

20 And I also want to say that contrary to what you
21 may read in the press this is a community that in the end
22 has worked with us, welcomed us as has been the case in
23 Wasco, Fresno and other communities. So we're moving
24 forward with this program.

25 With that, the Board of the High-Speed Rail

1 Authority will enter into closed session, in some facility
2 nearby. Where are we going, right back there? So we'll
3 recess this meeting. I'll report back afterwards if there
4 are any actions in the closed session. Thank you all for
5 coming here.

6 (Off the record at 12:18 p.m.)

7 (On the record at 12:36 p.m.)

8 CHAIRMAN RICHARD: Okay. We're back in session.
9 The closed session of the High-Speed Rail Authority Board
10 has been completed. We have no items to report, so with
11 that this meeting is adjourned. Thank you.

12 (Chairman Dan Richards adjourned the Board Meeting
13 at 1:37 p.m.)

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CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of October, 2018.



MARTHA L. NELSON, CERT**367

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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 31st day of October, 2018.



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