

CALIFORNIA HIGH-SPEED RAIL AUTHORITY

BOARD OF DIRECTORS MEETING

THURSDAY, APRIL 28, 2022  
11:00 AM

TRANSCRIPT OF PROCEEDINGS

CALIFORNIA DEPARTMENT OF HEALTHCARE SERVICES

THE AUDITORIUM

1500 CAPITOL AVENUE

SACRAMENTO, CALIFORNIA 95814

Reported by:  
E. Hicks

APPEARANCESBOARD MEMBERS

Tom Richards, Chair

Nancy Miller, Vice Chair

Lynn Schenk

Ernest Camacho

Henry R. Perea, Sr.

James C. Ghielmetti

Martha M. Escutia

Margaret Pena

Anthony Williams

EX OFFICIO BOARD MEMBERS

Assembly Member, Dr. Joaquin Arambula

Senator Lena A. Gonzalez (Absent.)

STAFF

Brian P. Kelly, Chief Executive Officer

Boris Lipkin, Northern California Regional Director

Serge Stanich, Director of Environmental Services

Gary Kennerley, Northern California Director of Projects

Alicia Fowler, Chief Counsel

Moe Ramadan, Acting Board Secretary

Minming Wu Morri, In-House Counsel

APPEARANCES (Cont.)

PRESENTERS:

Brian P. Kelly, Chief Executive Officer

Boris Lipkin, Northern California Regional Director

Serge Stanich, Director of Environmental Services

Alicia Fowler, Chief Counsel

Minming Wu Morri, In-House Counsel

Jessica Tucker Mohl, Supervising Deputy Attorney General

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1 We return today to provide some clarifications to the  
2 public comment yesterday, as well as questions from the  
3 Board.

4           Allow me to advance this slide. There we go.  
5 So, for an agenda today, the staff will provide a brief  
6 presentation on some of the comments received, questions  
7 from the Board, and then answer any questions or additional  
8 questions that may come up today.

9           Upon concluding our presentation, counsel will  
10 then walk the Board members through the approval documents.  
11 And those considerations include the certification of the  
12 Final EIR/EIS, as well as approval of the documents that  
13 include the Findings of Fact, Statement of Overriding  
14 Considerations, and the Mitigation, Monitoring and  
15 Enforcement Plan. And then, finally, a resolution to  
16 direct the CEO to sign the Record of Decision pursuant to  
17 the National Environmental Policy Act, and our assignment  
18 of responsibilities by the FRA.

19           So, issues that we identified for further  
20 clarification include some additional discussion with the  
21 Gardner community in San Jose, questions regarding the City  
22 of Morgan Hill and emergency vehicle response. The Vierra  
23 Ranch and questions regarding tenant farming and  
24 agricultural impacts. And then, a broader discussion on  
25 the Grasslands Ecological Area, particularly with respect

1 to our partnership agreements.

2           So, from this point I will pass it to Boris  
3 Lipkin.

4           MR. LIPKIN: Good morning, Board members.  
5 Yesterday, during the conversation, we had a number of  
6 questions about the Gardner community, and so I just wanted  
7 to touch on a few items in follow up to the conversation  
8 yesterday.

9           So, the first point just wanted to make, you  
10 know, we, over the years, have had extensive outreach in  
11 this community. That's been diverse means with trying to  
12 capture the sentiment of both kind of key parts of the  
13 community, as well as just members of the public who live  
14 there.

15           And so, we've done that with the neighborhood  
16 association, the parent group, and the administrators of  
17 the school that we were talking about yesterday. We've  
18 gone on community walks. That's a picture from one of  
19 them. We've canvassed and really had extensive engagement.  
20 And that's really been part of our key -- part of the  
21 process of getting inputs, especially on the environmental  
22 justice process. That's one of the key components for our  
23 we address environmental justice issues is by working with  
24 the local communities. And so, that's been a key part of  
25 our process throughout each step of the way.

1           You know, one of the questions that came up  
2 yesterday was around what are some of the key impacts that  
3 we really worked on minimizing in the community. And one  
4 of the things that's been of particular interest is  
5 residential displacements. This is a residential  
6 neighborhood.

7           And so, as we've been developing our design and  
8 alternatives, we've really focused on making sure that we  
9 can make the improvements that we need, but stay within the  
10 existing rail corridor. And so, we've been able to do that  
11 except for in the very end of Fuller Avenue we have to  
12 residential displacements at the very end of that street,  
13 as we're adding an extra track over SR-87 in that location.  
14 But everywhere else, we've been able to stay within the  
15 existing rail corridor and not impact any additional  
16 residences.

17           The other topics that we've covered, one was  
18 focused on the proposed mitigation and improvements at the  
19 Gardner Elementary School. And so, we have additional  
20 information related to all of our environmental justice  
21 community improvements in, it's Appendix 5-C. And this one  
22 is also in the Mitigation, Monitoring and Enforcement Plan  
23 as GWGOMM-1.

24           And so, the issue for the school, as you'll  
25 remember from the map yesterday it's located right next to

1 the freeway, SR -- oh, sorry, I-280. And so, the proposed  
2 mitigation that we have, and this was based on the school's  
3 input to us of the effects that they were feeling. It's  
4 not from high-speed rail noise, it's really from the  
5 freeway.

6 But what we've proposed is either a sound barrier  
7 just on the north side of the school, so I know our  
8 graphics sort of showed the entire property, but really the  
9 sound barrier is where the noise is coming from the freeway  
10 on the north side. Or, building window insulation and  
11 improvements to the buildings themselves. Again, focusing  
12 on that key impact that they're feeling from the freeway,  
13 and reduce the effects that they're seeing from historical  
14 transportation investment in the community that had  
15 unmitigated impacts, essentially.

16 The other one that we talked a little bit about  
17 was Fuller Park. And this is a picture from the park. As  
18 we talked about yesterday, this is a key feature in the  
19 community and something that's been of pride. They worked  
20 with the city to get that park built.

21 And so, the park improvement there was our  
22 highest rated project as we went through our evaluation for  
23 this community, and it had very strong community support.

24 And so, just to give a little bit more of a sense  
25 of what we're proposing is for the renovation it would

1 include children's play areas with equipment, picnic  
2 benches, fitness equipment, bicycle racks, and other  
3 similar amenities as part of the improvement that we would  
4 do that. And again, that had very positive reaction from  
5 the community.

6 And this one, if you want to dig into it more, in  
7 the Mitigation, Monitoring and Enforcement Plan is GWGOMM  
8 Number 3. So, this is the additional description of it  
9 there.

10 So, that's the Gardner piece. I'll switch  
11 briefly to talk about Morgan Hill as well, and then I'll  
12 turn it back to Gary and Serge.

13 Dr. Perea, I think you had asked sort of where --  
14 you know, since 2019 where have we gotten to with Morgan  
15 Hill. And you may recall, when we were out there, there  
16 was still a lot of conversation around, you know, the  
17 city's interest in us pursuing an alignment along the  
18 freeway versus downtown. So, I think we have made -- you  
19 know, we've engaged with them extensively, both before that  
20 visit and since then, and I think we have certainly made  
21 progress with the community and the town there.

22 They did write two letters to us. One was on the  
23 Business Plan and one was on the environmental document.  
24 You've received both of those previously. But where we're  
25 really seeing some alignment is, you know, in their

1 Business Plan letter they were very focused on asking us to  
2 prioritize the Union Pacific agreement and the  
3 electrification of the rail corridor between San Jose and  
4 Gilroy.

5 And then, the issues that they raised were  
6 concerning grade separations, and especially emergency  
7 vehicle response time.

8 And so, I just wanted to quickly cover kind of  
9 our mitigation measure focused on emergency vehicle  
10 response, how it works, and how it ties into our continued  
11 engagement with them around grade separations as one of the  
12 next steps after today, as well.

13 So, just to kind of ground us, the way that our  
14 environmental document is set up we first start with the  
15 impact analysis and assessment of where we have impacts.  
16 And so, this is based on analysis of the gate downtime.  
17 So, basically as trains are going by the gates would be  
18 closed, and that might mean that an emergency vehicle might  
19 not be able to get through.

20 And so, the analysis that we did was very  
21 conservative. It really, basically, assumed that because  
22 they wouldn't know when the gate might be up or down, that  
23 the emergency vehicles would essentially only be using the  
24 grade-separated routes in the community. So, there's one  
25 in the north and one in the south. Which is, of course, a

1 much more conservative assumption.

2           And so, where we have a delay of more than 30  
3 seconds that was found to be a significant impact. And so,  
4 from that we start to have a mitigation measure and this is  
5 SSMM Number 4 that deals with these potential effects.

6           And so, the first step, and there's sort of three  
7 components to this mitigation measure, the first part is  
8 really focused on the monitoring and data collection piece  
9 of this. Because, you know, one of the things that the  
10 City of Morgan Hill brought up was that they've seen  
11 recently some deterioration in their existing response  
12 times

13           And as we look to the future, you know, this is  
14 really an operations issues when we build the system. So,  
15 traffic patterns, emergency response times, and others can  
16 evolve over time. And so, we start with data collection  
17 before we start service, and then monitor it afterwards to  
18 really measure where our impact is and what the  
19 significance of it is. And similarly, as we would increase  
20 service we would do a similar process.

21           And so in Morgan Hill, we're really talking about  
22 the five at-grade crossings, and they're listed on the  
23 slide, that we will be doing that analysis. Of course,  
24 we'll be doing it in other communities up and down the  
25 corridor, as well.

1           The second step is preparing an emergency vehicle  
2 priority treatment plan. And so, what we've identified in  
3 the environmental document is a suite of measures that  
4 could be used to essentially reduce that emergency vehicle  
5 response delay or impact from the gate down time.

6           And so, it's everything from preemption equipment  
7 for traffic signals, or other signal priority treatments,  
8 up to the construction of, say, a fire station on the other  
9 side of the tracks if we have -- if crossing the corridor  
10 is the issue.

11           And so, the exact measures would be based on the  
12 analysis at the time when we're really getting into service  
13 and seeing the impact.

14           But because there's this, you know, continued  
15 interest in grade separations, what we've also included is  
16 an alternative to that process, where the Authority and  
17 local agency can enter into an agreement where we can  
18 basically create an in lieu payment towards a grade  
19 separation or other, similar project that would have  
20 equivalent mitigating effect for the emergency vehicle  
21 response delay that we might see. And that would be a  
22 capital contribution that we would have otherwise made to  
23 those other improvements.

24           And so, we've talked extensively with Morgan Hill  
25 about this. We've also incorporated this measure and this

1 conversation with our MOU with San Jose. And we really see  
2 this at least as a path forward to be a constructive  
3 partner where our interests and Morgan Hill's interest  
4 really can align.

5           And then finally, I'll just mention in the Board  
6 resolution we have included an item about continuing to  
7 work with communities as they want to plan grade  
8 separations, and being a good partner with them. And so,  
9 and then reaching agreements as necessary to move that  
10 forward.

11           So, we think we have a constructive path forward.  
12 You know, it doesn't mean that we're signing up for every  
13 grade sep that everybody wants to do, but it certainly is a  
14 way that we can be a good contributor to the city as  
15 they're moving forward with that process, and a good  
16 partner with them on it.

17           So, that's kind of where we're at with Morgan  
18 Hill. I guess that's the wrap-up from the status report of  
19 what we've resolved and where we're at.

20           CHAIR RICHARDS: Boris, if we can stop, we're  
21 going to go ahead and let members ask questions as you go  
22 through this. Go ahead, Director Ghielmetti.

23           BOARD MEMBER GHIELMETTI: Thank you, Mr.  
24 Chairman. Boris, out of curiosity how many Caltrains  
25 currently run on that line? And it's owned by UP --

1 MR. LIPKIN: Right.

2 BOARD MEMBER GHIELMETTI: -- and how many freight  
3 trains run on that line on a daily basis?

4 MR. LIPKIN: So, there's three Caltrain trains in  
5 each direction today, per day. They have plans to increase  
6 that.

7 BOARD MEMBER GHIELMETTI: So, that's six  
8 crossing.

9 MR. LIPKIN: Yes.

10 BOARD MEMBER GHIELMETTI: Okay, go ahead.

11 MR. LIPKIN: And then the freight trains, it's  
12 somewhere -- it's less than 10 a week, so it's not a lot of  
13 service in that area right now.

14 BOARD MEMBER GHIELMETTI: At full build out how  
15 many trains do we expect to go through there?

16 MR. LIPKIN: Why don't you go ahead.

17 MR. KENNERLEY: I can say. Yeah, so for the  
18 actual trains what's scheduled is there's the three  
19 Caltrain in each direction, and there is an additional  
20 three -- oh, sorry, two Amtrak, one in each direction, and  
21 two freight. So, that's a total of six movements in each  
22 direction per day, so a total of 12 train movements each  
23 day currently in that section.

24 BOARD MEMBER GHIELMETTI: And at full build out  
25 for us, how many trains will we have going through there?

1 MR. KENNERLEY: With the initial, it would add  
2 initial service to 47, including charging at the beginning  
3 of the day. And then, ultimately, full capacity is, I  
4 believe 176 is what we're designing for maximum capacity.

5 BOARD MEMBER GHIELMETTI: 107 crossings a day?

6 MR. KENNERLEY: And that covers both directions.

7 BOARD MEMBER GHIELMETTI: Wow. Okay.

8 MR. KENNERLEY: Because we are designing for up  
9 to 7 trains an hour. That's the system capacity, rather  
10 than the actual -- the number of trains will be determined  
11 by the service plan. I'm just talking about what our  
12 design capacity is in that section.

13 BOARD MEMBER GHIELMETTI: All right, thank you.

14 CHAIR RICHARDS: And Boris, just another question  
15 quickly.

16 MR. LIPKIN: Sure.

17 CHAIR RICHARDS: If you could maybe just explain  
18 with regard to the document, we talk about a number of  
19 things that we can do, how do we get from how we can do  
20 into what we will do? Based upon negotiations, I assume,  
21 or how does that change from can do or will do, with  
22 regards to the document?

23 MR. LIPKIN: Yeah, so I think the first -- I  
24 think you're talking about this slide that has the suite of  
25 measures that are included in the measure, in the

1 mitigation measure. And so, the first part is the analysis  
2 of what is the impact that we have? Where is it  
3 significant? So, more than a 30-second threshold. And  
4 this, again, gets to the monitoring piece of -- the first  
5 part is the monitoring, so what's the data, what is the  
6 impact. And then, it is very much working with the local  
7 jurisdiction. Because, you know, A, what's effective, but  
8 B, most of these things would be something that we would do  
9 in collaboration with the local partner because we're not  
10 the ones providing emergency response services, obviously.

11 And so, you know, that would be the -- our work  
12 with the local jurisdiction as we get through that process.

13 CHAIR RICHARDS: Okay, thank you. Go ahead.

14 MR. LIPKIN: That was actually it for me, and I  
15 was going to turn it over to -- back to Gary, to talk about  
16 the Vierra Ranch property that we talked about yesterday,  
17 briefly.

18 MR. KENNERLEY: Thank you, Boris.

19 So, yes, yesterday we did have some questions  
20 regarding the tenant farmworker housing. So, let me just  
21 move to the -- okay, so just for location purposes, in the  
22 bottom right is sort of the preferred alternative. The  
23 star is the location of the Vierra property, which on the  
24 bigger map is shown in the red, the red square there.

25 So, what this is, this is an excerpt from our

1 Appendix 3.1-A. It shows the project footprint as it  
2 crosses over the Vierra property. And in the inset you can  
3 see, although there are three buildings, houses on the  
4 property, we only have a direct displacement to one of the  
5 properties.

6 And as we presented yesterday, one of the  
7 benefits of the preferred alternative was really to look at  
8 the minimization of residential displacements throughout  
9 the corridor, and we continued this effort through the San  
10 Joaquin Valley.

11 We did look at alignments to the north of Vierra  
12 property. We identified there, there would actually be  
13 additional residential displacements if we moved the  
14 alignment to the north.

15 And we did look at moving to the south, but just  
16 to the west by I-5 there's a large solar farm which  
17 prevents us moving our alignment to the south.

18 So, as a result of our review, we determined that  
19 we need to stay with the preferred alternative as it was  
20 the least impactful option that we had.

21 So, once we have actually identified that there  
22 are displacements, the Authority follows established  
23 process as to property acquisition. And this was actually  
24 presented in greater detail to the Board as part of the  
25 Bakersfield to Palmdale project, back in August of '21.

1           But in summary, once we do identify a need to  
2 displace, a displacement, we reach out to the owner or the  
3 tenants in this case. We provide advisory services to help  
4 determine what are the appropriate payments. These can  
5 include, if you're an owner, including the purchase of the  
6 property, including any improvements on that property such  
7 as houses or other structures, incidental payments such as  
8 the moving costs. And, if applicable, we also do look at  
9 providing mortgage interest differential payment if your,  
10 you know, interest rate changes.

11           Here we're talking about tenant occupants. The  
12 really two options we have is we would either provide rent  
13 differential payments if --

14           Oh, sorry. Thank you. There was another slide  
15 here so you could see what I was talking about. This is  
16 why we have legal backing me up. Thank you.

17           And so, for tenant occupants there are two ways  
18 to look at this. Either if we find an appropriate  
19 property there would be rent differential payments. Or,  
20 we've found a lot of tenants have taken this opportunity to  
21 become homeowners, and then we would provide assistance  
22 with actual down payment, should they decide to do that.

23           One thing we did identify, particularly in Merced  
24 County, is often there isn't a surplus of available  
25 housing. So, we have added in our environmental document a

1 specific mitigation measure that where there is no suitable  
2 available properties, the Authority will actually support  
3 construction of suitable replacement facilities on the  
4 property. And this is described in our Mitigation Measure,  
5 the Socioeconomics MM Number 1.

6 One other item I'd just like to mention, and if  
7 you can maybe just go back to the previous slide, there are  
8 other properties in proximity to the alignment that aren't  
9 directly displaced. And these would also be considered by  
10 the Authority on a case-by-case basis as consequential  
11 displacement. And should the Authority, in conversations  
12 with the tenants and the owner determine that those would  
13 be consequential displacements, then those tenants or  
14 owners would be -- would have the same benefits as if it  
15 was a direct displacement. So, they would also be  
16 addressed as well.

17 And that is the end of the portion on the Vierra  
18 property. And any questions? Or, I'll pass it to Serge to  
19 discuss the Grasslands Ecological Area.

20 CHAIR RICHARDS: Director Williams.

21 BOARD MEMBER WILLIAMS: Yeah, I just did have a  
22 quick question. So, I just got the letter back up in front  
23 of me, so I will review it. But some -- this is different  
24 from just a residential displacement and just a business  
25 displacement, right, because they both live there and the

1 land is attached to their -- you know, their business, and  
2 their living.

3 MR. KENNERLEY: Yes.

4 BOARD MEMBER WILLIAMS: So, I guess the first  
5 question is that I'm assuming we're going to be acquiring  
6 the entire parcel there?

7 MR. KENNERLEY: It really depends on the choice  
8 of the owner.

9 BOARD MEMBER WILLIAMS: Okay.

10 MR. KENNERLEY: We're certainly, most likely,  
11 looking at the small, what I'll call sort of the remnant  
12 piece on the north side. As you say, in the letter they've  
13 identified that's most likely not going to be usable for  
14 their equipment.

15 But typically, it would be in discussion. It  
16 would be a choice. If the owner would want to, you know,  
17 have the entire property purchased, that was something the  
18 Authority would look at. If the owner would rather keep  
19 the majority and just sell this remnant portion, that's  
20 also what we -- but that would really be determined in  
21 those discussions with the owner and their preference.

22 BOARD MEMBER WILLIAMS: Got it. So, there is at  
23 least the possibility that you could relocate the residents  
24 and they could still farm whatever is accessible to farm on  
25 that land, right?

1 MR. KENNERLEY: Yes.

2 BOARD MEMBER WILLIAMS: Yes.

3 MR. KENNERLEY: And so, that's the idea of the  
4 Mitigation Measure.

5 BOARD MEMBER WILLIAMS: Right.

6 MR. KENNERLEY: Now, as you see in the valley  
7 here's there's quite a bit of -- quite a large property, so  
8 there's certainly adequate to reconstruct the property  
9 somewhere else within that limit.

10 BOARD MEMBER WILLIAMS: Got it. And just is  
11 there any -- is there anything more specific we can say  
12 about those mitigation measures that would help them to  
13 understand that those options are available, on the record.

14 MR. KENNERLEY: Uh --

15 BOARD MEMBER WILLIAMS: Because I think, you  
16 know, if we're generally saying yes, we will -- you know,  
17 there are mitigation measures available and we will pursue  
18 them, that's fine. But if there was any signaling or, you  
19 know, just a little bit more specificity that would help  
20 them understand what those options are, I think that might  
21 be helpful just in terms of what they express as their  
22 concerns. And, you know, what we have indicated to date?

23 MR. KENNERLEY: I would say, well, initially,  
24 yeah, we have ongoing discussions with Vierra, so we can  
25 certainly reach out to them and make sure they're aware of

1 all the available services to them.

2 But it looks like Minming might have something  
3 else to add.

4 MS. MORRI: Sure. And I would just add, you  
5 know, in response to comment to the Vierra Family, we did  
6 not specify that Socio MM Number 1 was available. So, in  
7 the letter that Gary mentioned, we can ensure that that's  
8 crystal clear.

9 BOARD MEMBER WILLIAMS: Yeah, that's great.  
10 Thank you.

11 CHAIR RICHARDS: All right. Any other questions  
12 at this point from members of the Board?

13 All right, thank you, Gary.

14 MR. KENNERLEY: Thank you.

15 MR. STANICH: So, I'll spend a few minutes  
16 discussing consideration of the Grasslands Ecological Area.  
17 We appreciate the Grasslands Water District's comments.  
18 And, quite frankly, we really appreciate their partnership  
19 throughout the years. They've been a very good stakeholder  
20 and have engaged the Authority with just an excellent  
21 partnerships to provide us recommendations and  
22 consideration of --

23 CHAIR RICHARDS: Serge, could you pull your mic a  
24 little bit closer to your mouth?

25 MR. STANICH: Certainly. Is this better. Okay.

1 CHAIR RICHARDS: Bend over a little bit.

2 (Laughter)

3 MR. STANICH: Will do. So, I want to assure the  
4 Board that the staff at the Authority, and our consultants,  
5 have taken this resource very, very seriously.

6 I'll give some evidence. I have personally  
7 surveyed the area, so I'm familiar with it. We have a  
8 couple of examples of the habitat and the resources that  
9 are present, that are considered both in the Biological  
10 Resources Section 3.7, and the Agricultural Section.

11 Grasslands Water District is an important  
12 stakeholder here that is providing water both for  
13 conservation groups and for the farming activities in the  
14 valley.

15 As we discussed briefly yesterday, the GEA is a  
16 complex mosaic of aquatic habitat, approximately 160,000  
17 acres that provide habitat for birds, particularly on the  
18 Pacific flyway.

19 And as part of that consideration we've  
20 incorporated a number of mitigation measures to lessen the  
21 effects. We've recommitted the commitment that was part of  
22 the program document to conserve 10,000 acres in and around  
23 the GEA. And this will help to reduce urban encroaching  
24 into the Grasslands area. As well as there will also be  
25 some restoration activities to upgrade some of the habitat

1 value for wildlife. This will also, ultimately, contribute  
2 to the Governor's 3030 goal as far as conservation of land.

3           Additionally, we included an additional exhibit  
4 here from what was presented yesterday. The Grasslands  
5 Ecological Area has a number of kind of overlapping  
6 boundaries and designations with the Audubon important bird  
7 area, as well as the Fish and Wildlife Service designation.

8           There's also a lot of conserved lands. These are  
9 lands that are already under protection.

10           And so, in the areas where we've established the  
11 protections are in this highest value area. So, the bird  
12 tube is on the eastern portion of the Grasslands Ecological  
13 Area where we have conserved lands and habitats on both  
14 sides.

15           And then to the west, near the Volta Wildlife  
16 Area, we have the sound wall. That will be about a mile  
17 and a half. About 8,000 feet, and 17 feet tall, noise  
18 barrier that will protect habitats for wildlife for  
19 hunting, and for recreational use.

20           We also have a number of dedicated  
21 undercrossings, as well as viaduct sections to ensure  
22 wildlife movement.

23           Some of the questions that were raised yesterday  
24 from the Directors include the Implementation Agreements.  
25 The Authority routinely enters into partnerships with the

1 various stakeholders. We've already started discussions  
2 with Grasslands Water District on a potential MOU, and  
3 we're prepared to do that. We think it really facilitates  
4 the partnership to ensure successful working relationships.

5 I also have to emphasize, the Grasslands Water  
6 District provides water just for -- not only for  
7 conservation, but for agricultural. So, it's in our  
8 interest to have a successful relationship.

9 There was a question raised by, or a comment  
10 raised by the District regarding the adequacy of the  
11 mitigation measures. I'd like to note in biological  
12 resources alone, there's over 89 individual measures that  
13 are specific to species and to habitats, and each one of  
14 them includes specific measures for who will be  
15 implementing, when it will be implementing, and how it will  
16 be monitored. And we'll recommit to the partnership to  
17 work with Grasslands so we can assure not just  
18 accountability, but trust and a working relationship.

19 There was also some comments to recreation. The  
20 sound wall and the noise enclosure will help reduce the  
21 effects of noise, as well as any sort of light and other  
22 disturbance to reduce and minimize any effects to hunting,  
23 to wildlife viewing, and to trail use.

24 And upon review of the comments that we received,  
25 we don't see any information that would change our

1 recommendation to the Board to approve the project.

2           One more. I have one more slide. Okay. And  
3 then --

4           CHAIR RICHARDS: Serge, are you moving beyond  
5 Grasslands now, then?

6           MR. STANICH: Well, this is the final slide from  
7 the presentation.

8           CHAIR RICHARDS: Okay, fine.

9           MR. STANICH: And this is part of the overall  
10 commitment to acknowledge the importance of protecting  
11 resources.

12           We have had a robust stakeholder outreach program  
13 with respect to biological resources and conserving  
14 habitats for wildlife movement. We've received several  
15 letters. We've put the logos for some of these  
16 organizations. But these are three separate comment  
17 letters that we received.

18           And I think it's important to state this in the  
19 record, the comments that we received from the USEPA, the  
20 Environmental Protection Agency, they commented: We  
21 commend the Authority for the extensive proactive  
22 coordination that has occurred with the local conservation  
23 organizations on project design changes and mitigation  
24 measures to ensure hydrological and ecological connectivity  
25 is maintained through the Coyote Valley, Soap Lake

1 Floodplain, Pacheco Pass, and the Grasslands Ecological  
2 Area.

3           From the Santa Clara Valley Habitat Agency, they  
4 said in a letter: In a win for the CEQA/NEPA public  
5 engagement process, appropriate mitigation for cumulative  
6 impacts to wildlife movement and landscape connectivity was  
7 identified, and consensus was reached for continued  
8 collaboration on this increasingly important issue.

9           And then, on a joint letter we received from the  
10 Peninsula Open Space Trust, and the Open Space Authority,  
11 as well as the Habitat Agency, and the Nature Conservancy  
12 they stated: We appreciate the effort that has gone into  
13 the FEIR/EIS to address the project's impacts to wildlife  
14 connectivity and biodiversity, and applaud the Authority's  
15 commitment to partner with our organizations to build a  
16 wildlife overcrossing in the Pacheco Pass segment of the  
17 project in advance of project impacts.

18           And I appreciate these agencies. They've been  
19 tremendous partners in working with us. This gives  
20 evidence to our efforts as far as working relationships and  
21 developing a strong project.

22           And with that, that concludes the presentation  
23 for the topics we heard yesterday. We're available to  
24 answer any questions.

25           CHAIR RICHARDS: Serge, I'd just say a quick

1 thing about the Grasslands Ecological Area. Not only is it  
2 and the Water District important to the Central Valley,  
3 it's really important to the entire State of California.

4 MR. STANICH: Agreed.

5 CHAIR RICHARDS: And the leadership is not only  
6 committed, but incredibly reasonable. And I'm going to  
7 tell you that from where we were two years ago, you and the  
8 entire team are really to be congratulated for the moves  
9 that have been made in a very positive way in the  
10 relationship between ourselves and Grasslands. And I, for  
11 one, could not be happier. It's really a job well done.

12 MR. STANICH: We sincerely thank you. They are a  
13 very good partner. Ellen Wehr and Rick Ortega have been  
14 excellent.

15 CHAIR RICHARDS: Okay. All right, thank you  
16 Serge. Any --

17 MR. STANICH: There may be a question.

18 CHAIR RICHARDS: Yes, Margaret.

19 BOARD MEMBER PENA: Thank you. Going back to the  
20 Gardner community, Gardner Elementary, you had mentioned  
21 yesterday about with the mitigation measures, the window  
22 insulation that would also include upgrading ventilation  
23 systems, but it's not mentioned here. Should I just assume  
24 a part of that or --

25 MR. LIPKIN: Sure, I can provide a little

1 clarification. I think when we were talking about that it  
2 was insofar as if we change the windows, it changes the  
3 ventilation inside.

4 BOARD MEMBER PENA: Correct.

5 MR. LIPKIN: And so, there would be essentially a  
6 knock on effect that would be part of the project.  
7 Otherwise, it was only related to the improvement that we  
8 were proposing for the noise insulation.

9 BOARD MEMBER PENA: Okay, it would be a part of  
10 the project if the windows were upgraded, correct?

11 MR. LIPKIN: If that's upgrade created a change.

12 BOARD MEMBER PENA: Okay, thank you.

13 CHAIR RICHARDS: Do you have anything else,  
14 Director Pena?

15 BOARD MEMBER PENA: No.

16 CHAIR RICHARDS: Okay, thank you.

17 All right, first of all, before we move on, CEO  
18 Kelly have you got anything you'd like to add?

19 MR. KELLY: No, I do not, other than  
20 congratulations to the team for a great presentation and  
21 excellent work on the issue. Thank you.

22 CHAIR RICHARDS: From my colleagues on the Board,  
23 in addition to the comments that have already -- or the  
24 questions that have already been raised or comments made,  
25 are there any other questions or comments from members of

1 the Board? All right, thank you. Seeing none.

2 Ladies and gentlemen, we're now going to move on  
3 to the three agenda items that involve Board decisions.  
4 The first two, Agenda Items 9 and 10, involve the Board and  
5 its role under the California Environmental Quality Act.  
6 And the third, Item 11, involves the Board in its role  
7 under the National Environmental Policy Act.

8 Since these are Board actions that have legal  
9 compliance elements to them, we have -- we'll have counsel  
10 assist us in walking through these one by one.

11 We'll start with Chief Counsel, Alicia Fowler.

12 MS. FOWLER: Thank you, Chairman Richards.

13 As the Board knows, the Authority has the benefit  
14 of working with attorneys who have great expertise in both  
15 California and federal environmental laws. We have both  
16 Supervising Deputy Attorney General Jessica Tucker Mohl  
17 with us, as well as our own in-house counsel, Minming Wu  
18 Morri, here to walk us through Agenda Items 9, 10, and 11.

19 You've received the materials for this agenda in  
20 your packet, as well as a staff memo on the steps we're  
21 about to take. These materials have been posted on the  
22 Board's website for anybody who wants to follow along. And  
23 they are behind the Tabs 9, 10, and 11 in terms of the  
24 resolution language, if you want to bring those up.

25 And with that, I'm going to ask for Jessica

1 Tucker Mohl to join us and walk through Items 9 and 10 with  
2 us.

3 MS. WU MORRI: Apologies. I think we're going to  
4 start with me and then we'll do an intro into both of them.

5 MS. FOWLER: Perfect.

6 MS. WU MORRI: Thank you. Good morning, Chairman  
7 Richards and members of the Board. My name is Minming Wu  
8 Morri. And we very much appreciate your consideration over  
9 the past two days of the environmental decision items.

10 And so, we ask that you bear with us just for a  
11 little bit more to go through some of the required  
12 discussion regarding the decisions before you.

13 So, the three items are the environmental  
14 decision items for the Board regarding the San Jose to  
15 Merced project section and its Environmental Impact  
16 Statement and Report.

17 The first two items are related to CEQA and the  
18 last item is related to NEPA compliance. All three  
19 decisions relate to whether staff have demonstrated that  
20 the Final EIR/EIS fulfills its role first as an information  
21 document on potential environmental impacts.

22 And second, all three also relate to whether to  
23 adopt the Final EIR/EIS's preferred alternative as the San  
24 Jose to Merced project. Again, that alternative is the  
25 alternative with the at-grade alignment between San Jose

1 and Gilroy.

2 Both CEQA and NEPA require that the Authority's  
3 decision makers, here the Board, adopt the written findings  
4 that state the decision and explain its basis, if the Board  
5 decides to adopt the project.

6 So, I've asked Ms. Tucker Mohl to walk us through  
7 the first item, as she serves as the outside counsel for us  
8 here, HSR, since the Program EIR of the project section  
9 brings important historic knowledge. And we are very  
10 appreciative of both her and the Attorney General's Office  
11 steadfast counsel through the years.

12 MS. TUCKER MOHL: Thank you, and good morning.  
13 My name is Jessica Tucker Mohl.

14 As Ms. Wu Morri has just stated, we are at Agenda  
15 Item 9 under CEQA. For this agenda item, the Board will  
16 certify -- excuse me, the Board will consider whether to  
17 take the first step, required by CEQA certification, that  
18 the Final EIR/EIS before you is adequate as an information  
19 document for CEQA purposes.

20 And as this Board was recently asked to take this  
21 step in connection with the Burbank to Los Angeles project  
22 section, just a few months in January, you may remember how  
23 this step proceeds.

24 You have before you Draft Resolution 22-10. It  
25 is a two and a half page resolution. It's Attachment D to

1 the Board memo in your packet.

2 This Draft Resolution, 22-10, proposes three  
3 important certifications that the Board would make if it  
4 adopts this resolution. There are a bunch of whereas  
5 clauses, and then it's labeled as A, B and C in your  
6 resolution.

7 Certification A, that the Final EIR/EIS has been  
8 completed in compliance with CEQA.

9 Certification B, that the Final EIR/EIS has been  
10 presented to the Board as the Authority's decision making  
11 body, for the San Jose to Merced project section decision.

12 CHAIR RICHARDS: Can you get the microphone a  
13 little bit closer to your mouth?

14 MS. TUCKER MOHL: Certainly. Apologies. Having  
15 a surge problem.

16 That the Board has reviewed it and considered it  
17 before taking action on the San Jose to Merced project  
18 section preferred alternative.

19 Certification C, that the Final EIR/EIS reflects  
20 the Board's independent judgment.

21 With respect to the first certification, the  
22 staff recommendation is that the EIR/EIS meets this CEQA  
23 standard, providing the Board information that allows you  
24 to evaluate the environmental consequences of the San Jose  
25 to Merced project section.

1           And the second certification, staff has provided  
2 the Board members, individually, with the entire 4 volume  
3 EIR/EIS, shortly after it was made available to the public  
4 in February of 2022, so that the Board could review it to  
5 prepare for this meeting.

6           And the third certification, regarding  
7 independent judgment, means that the Board embraces the  
8 Final EIR/EIS analysis as its own.

9           I will turn it back to the Chair for  
10 consideration of this item.

11           CHAIR RICHARDS: Okay. Thank you very much.

12           Do any Board members have questions with regards  
13 to Agenda Item Number 9?

14           BOARD MEMBER PEREA: I'd like to make a motion to  
15 approve.

16           CHAIR RICHARDS: Okay.

17           BOARD MEMBER CAMACHO: Second.

18           CHAIR RICHARDS: And we have a motion and a  
19 second.

20           Would the Secretary please call the roll.

21           MR. RAMADAN: Chair Richards?

22           CHAIR RICHARDS: Yes.

23           MR. RAMADAN: Director Camacho?

24           BOARD MEMBER CAMACHO: Yes.

25           MR. RAMADAN: Vice Chair Miller?

1 VICE CHAIR MILLER: Yes.

2 MR. RAMADAN: Director Perea?

3 BOARD MEMBER PEREA: Yes.

4 MR. RAMADAN: Director Ghielmetti?

5 BOARD MEMBER GHIELMETTI: Yes.

6 MR. RAMADAN: Director Williams?

7 BOARD MEMBER WILLIAMS: Aye.

8 MR. RAMADAN: Director Pena?

9 BOARD MEMBER PENA: Yes.

10 MR. RAMADAN: Mr. Chairman, the motion carries.

11 CHAIR RICHARDS: Thank you, Mr. Secretary.

12 We'll now move on to Item Number 10. Ms. Tucker  
13 Mohl, can you please briefly walk the Board through this  
14 item and the proposed resolution?

15 MS. TUCKER MOHL: Certainly. Thank you, Mr.  
16 Chair.

17 Turning to Agenda Item 10, now that the Board has  
18 adopted Resolution 22-10, certifying the Final EIR/EIS, the  
19 Board can now consider the second step, adoption of  
20 Resolution 22-11 to approve the preferred alternative for  
21 the San Jose to Merced project section, and adopt related  
22 documents as required by CEQA.

23 Resolution 22-11 is a 3-page -- it is Attachment  
24 E to the Board memo, it's a 3-page document. It has three  
25 attachments. Attachment A is a map of the preferred

1 alternative proposed for Board approval.

2 Attachment B is a large document, a draft of the  
3 CEQA Findings of Fact and Statement of Overriding  
4 Considerations.

5 And Attachment C, another large document, is a  
6 draft of the Mitigation, Monitoring and Enforcement Plan.

7 The Resolution, 22-11, has three sections. I  
8 will describe the first two before I pass the baton to Ms.  
9 Wu Morri to describe the third section.

10 Section 1 of Resolution 22-11 involves approval  
11 of the required CEQA documents, which I'll describe  
12 briefly.

13 Resolution 22-11 would approve what are called  
14 the CEQA Findings of Fact. Again, these Findings are  
15 attached as Attachment B, and are required by CEQ. The  
16 Findings essentially recount that the Authority has adopted  
17 all feasible mitigation measures for significant adverse  
18 impacts.

19 Resolution 22-11 would also approve what is  
20 called the Statement of Overriding Considerations. It's  
21 also part of Exhibit B. CEQA requires the Board to explain  
22 to the public why the benefits of this project outweigh  
23 those significant environmental impacts that remain, even  
24 with the implementation of feasible mitigation measures.

25 And Resolution 22-11 would adopt a Mitigation,

1 Monitoring and Enforcement Plan, which is required by CEQA.  
2 Again, this document is attached as Exhibit C. It lists  
3 out the mitigation measures the Board is adopting and  
4 identifies the implementation mechanism for each measure.

5 That's Section.

6 Section 2 of Resolution 22-11 would approve the  
7 San Jose to Merced project section preferred alternative,  
8 as described here in the resolution and depicted on the  
9 map, included as Exhibit A to the Resolution.

10 I'll turn it back to Ms. Wu Morri to discuss the  
11 third part of Resolution 22-11.

12 CHAIR RICHARDS: Thank you, Ms. Tucker Mohl.

13 Do any Board members have questions?

14 Oh, I'm sorry. I'm sorry.

15 MS. WU MORRI: No worries. I'm just going to  
16 describe the last section of the resolution. This is the  
17 same resolution that Ms. Tucker Mohl just went through.  
18 So, she went through Sections 1 and 2.

19 And then Section 3, in addition to the CEQA  
20 findings, this Resolution proposes a number of next step  
21 directives in Section 3. I will walk you through just a  
22 few key ones as I understand, you know, you've reviewed the  
23 Resolution.

24 So, Section 3-B is if the Board chooses to adopt  
25 the project, and the preferred alternative, Section 3-B is

1 your standard direction following environmental approval,  
2 allowing staff to advance design, acquire right of way,  
3 negotiate agreements upon the -- once funding is secured.

4 Section 3-C also directs staff to report annually  
5 to the Board, once funding is secured, on the progress of  
6 implementing mitigation measures related to environmental  
7 justice and community impacts.

8 This was something that staff recommend in part  
9 due to concerns and interest raised by Director Williams,  
10 Pena, and Miller.

11 Section 3-E also directs staff to support cities,  
12 such as Morgan Hill. And Director Perea mentioned his  
13 concerns there. So, their efforts to plan an advanced  
14 grade separation projects and to develop agreements to  
15 memorialize work between the Authority and cities.

16 Section 3-F directs staff to explore the  
17 feasibility of advanced mitigation, as well as joint  
18 planning and implementation agreements with stakeholders  
19 such as the Grasslands Water District.

20 And Chair Richards, thank you for, you know,  
21 mentioning the importance of the resources that the  
22 District is charged with.

23 And finally, the last section is Section 3-G,  
24 which requires that staff update the Board on all of the  
25 above within one year of receipt of funding, and the

1 progress of staff in advancing all of the above.

2           So, this concludes our counsel description of  
3 this Resolution 22-11. And we are available for further  
4 questions. And with that, I turn it over to Chair  
5 Richards.

6           CHAIR RICHARDS: And thank you for your comments,  
7 also, Ms. Wu Morri.

8           Do any Board members have questions of Ms. Tucker  
9 Mohl or Ms. Wu Morri on Item Number 10?

10           BOARD MEMBER CAMACHO: Mr. Chairman, move  
11 approval.

12           CHAIR RICHARDS: And a second, please.

13           BOARD MEMBER GHIELMETTI: Second.

14           CHAIR RICHARDS: We have a motion and a second.  
15 Would the Secretary please call the roll.

16           MR. RAMADAN: Chair Richards?

17           CHAIR RICHARDS: Yes.

18           MR. RAMADAN: Director Camacho?

19           BOARD MEMBER CAMACHO: Yes.

20           MR. RAMADAN: Vice Chair Miller?

21           VICE CHAIR MILLER: Yes.

22           MR. RAMADAN: Director Perea?

23           BOARD MEMBER PEREA: Yes.

24           MR. RAMADAN: Director Ghielmetti?

25           BOARD MEMBER GHIELMETTI: Yes.

1 MR. RAMADAN: Director Williams?

2 BOARD MEMBER WILLIAMS: Aye.

3 MR. RAMADAN: Director Pena?

4 BOARD MEMBER PENA: Yes.

5 MR. RAMADAN: Mr. Chairman, the motion carries.

6 CHAIR RICHARDS: Thank you, Mr. Secretary.

7 And we'll now move on to Agenda Item Number 11.

8 And this involves NEPA, the National Environmental Policy  
9 Act.

10 So, I'll ask that Ms. Wu Morri help us with this  
11 item, also.

12 MS. WU MORRI: Thank you, Chair Richards.

13 The final agenda item is with respect to the  
14 Board's role as the NEPA assignment lead agency decision-  
15 making body. This Agenda Item 11 is the proposed record of  
16 decision for NEPA and related Federal Environmental Laws.

17 Resolution Number 22-12 directs the Authority's  
18 CEO to sign the Draft Record of Decision. The Resolution  
19 would direct the CEO to sign the Draft ROD as generally  
20 presented in your Board attachments, and with the customary  
21 additions to the Draft ROD to reflect public comments that  
22 were made at this Board meeting today, as well as relevant  
23 staff and Board response to those comments.

24 So, as you deliberate on whether to approve the  
25 Resolution, note that under NEPA a Record of Decision, or

1 ROD, Section 40 cfr 1505.2 must state a certain number of  
2 findings.

3           And these findings, just a few unique ones I just  
4 want to mention because while NEPA and CEQA are very  
5 similar in some ways, NEPA distinguishes itself from CEQA  
6 in a few areas. So, the Record of Decision requires  
7 findings in some areas that are not found in the CEQA  
8 approvals or documents that you just approved.

9           A few of these areas include, first and foremost  
10 environmental justice. Unlike CEQA, NEPA requires  
11 consideration of environmental justice. And whether, after  
12 mitigation, environmental impacts that might  
13 disproportionately affect minority or low-income communities  
14 have been mitigated to the extent practicable.

15           Also 4-F, unlike CEQA, NEPA requires heightened  
16 Section 4-F review of project impacts on parks and  
17 recreational areas, including urban parks, as well on  
18 wildlife and water fowl refuges -- sorry, refuges.

19           Clean Air Act conformity, unlike CEQA, NEPA  
20 requires conformity with regional and State Clean Air Act  
21 implementation plans, which means that for air quality  
22 basins with lesser air quality we are, unlike NEPA,  
23 affirmatively required to offset emissions that exceed a de  
24 minimis threshold.

25           There's also compliance with the Federal

1 Executive Order on Flood Plain Management. And Mr.  
2 Kennerley mentioned, for example, some design refinements  
3 that we undertook in the Soap Lake Plains Floodplains in  
4 order to avoid and minimize risk for flood risk.

5 So, these are a few examples of where NEPA is  
6 distinct in addition to CEQA requirements. All of these  
7 findings are in your attachments and are in the NEPA Record  
8 of Decision, in Section 9 of the Record of Decision.

9 The Office of the Chief Counsel has reviewed the  
10 Draft Record of Decision, and advises that the Draft is  
11 legally sufficient with respect to the requirements under  
12 Section 1505.

13 So, with that introduction of this last and final  
14 San Jose to Merced Project Section Resolution, I -- we are  
15 available for any further questions and I defer to the  
16 Chair.

17 CHAIR RICHARDS: Thank you, Ms. Wu Morri.

18 And do any Board members have any questions for  
19 Ms. Wu Morri regarding Agenda Item Number 11?

20 BOARD MEMBER GHIELMETTI: Move approval.

21 BOARD MEMBER CAMACHO: Second.

22 CHAIR RICHARDS: Okay, motion and a second.

23 Call the roll, please, Mr. Secretary.

24 MR. RAMADAN: Chair Richards?

25 CHAIR RICHARDS: Yes.

1 MR. RAMADAN: Director Camacho?

2 BOARD MEMBER CAMACHO: Yes.

3 MR. RAMADAN: Vice Chair Miller?

4 VICE CHAIR MILLER: Yes.

5 MR. RAMADAN: Director Perea?

6 BOARD MEMBER PEREA: Yes.

7 MR. RAMADAN: Director Ghielmetti?

8 BOARD MEMBER GHIELMETTI: Yes.

9 MR. RAMADAN: Director Williams?

10 BOARD MEMBER WILLIAMS: Aye.

11 MR. RAMADAN: Director Pena?

12 Yes.

13 MR. RAMADAN: Mr. Chairman, the motion carries.

14 CHAIR RICHARDS: Thank you, Mr. Secretary.

15 And ladies and gentlemen this -- this concludes  
16 our three --

17 BOARD MEMBER WILLIAMS: Mr. Chair, before we wrap  
18 up can I just make a statement?

19 CHAIR RICHARDS: Sure.

20 BOARD MEMBER WILLIAMS: I just wanted to again  
21 commend you, and Mr. Kelly, for your extraordinary  
22 leadership in guiding us through this, and giving guidance  
23 and direction to staff who have worked so hard to make this  
24 happen. And I think a reflection of that work is in how  
25 these deliberations have gone over the last two days, and

1 how fluid and dare I say easy, which is not a  
2 representation of all the hard work that has gone -- and is  
3 a representation of the hard work that has gone into this.

4 So, I want to again thank you all for all that  
5 you've done, all the hours that you've put in that we don't  
6 know about.

7 But also, just want to give a big nod of  
8 gratitude and thanks to our federal partners, our local  
9 government partners who also weighed in and made this  
10 possible.

11 And then, because this is always where my heart  
12 is, it's the members of the public, the people who are  
13 impacted both positively and brought that to us, and those  
14 who are impacted negatively who, you know, took the time  
15 and effort to express that to us, so that we can make sure  
16 that we did this in the most just way possible.

17 So, I think it's a reflection of the previous  
18 work and the future work ahead of us, and would encourage  
19 that to continue from all of those important stakeholders.

20 So, thank you, Mr. Chairman.

21 CHAIR RICHARDS: Thank you, Director Williams.

22 BOARD MEMBER PEREA: Mr. Chairman, I do have a  
23 quick comment, too.

24 CHAIR RICHARDS: Yes.

25 BOARD MEMBER PEREA: Other than to again, also,

1 echoing that and thanking all the staff for all your hard  
2 work. In yesterday's discussion we were talking about the  
3 station planning, we talked about -- a couple of us talked  
4 about possibly having an agenda item, Mr. Chairman, for the  
5 next meeting, either an item or a workshop to talk about  
6 how we manage expectations of the cities as we move forward  
7 with building stations, as well as talking about  
8 proactively the opportunities that we may have as an  
9 Authority to create revenue streams within those  
10 structures.

11 And in speaking to Ms. Cederoth this morning, she  
12 advised that there is a Board subcommittee to deal with  
13 that. So, maybe at the next meeting we could talk about  
14 appointing a couple of Board members to work with that  
15 committee to work with staff to do some visioning.

16 CHAIR RICHARDS: Thank you, Director Perea.

17 All right, that concludes our three action items  
18 on the San Jose to Merced project section.

19 I want to thank you to the public for providing  
20 your comments. Thank you to the staff for all of your  
21 work.

22 And as all of us on the dias know very clearly  
23 and certainly, that since our CEO came onboard in 2018 he  
24 made a prime initiative out of the completion of the  
25 environmental processes in Phase 1. And this is clearly a

1 strong representation of that commitment, as it was in  
2 February, I think it was, when we approved Burbank to LA  
3 Union Station.

4 So, with that I'm going to ask our CEO Kelly if  
5 you have any comments or reflections?

6 MR. KELLY: No, just again, Mr. Chairman, just  
7 gratitude to the staff. The work that goes into each of  
8 these environmental documents, I mean the Board heard it  
9 yesterday, in some cases 10 years, 11 years, 12 years, 13  
10 years. It's astonishing how much work is put into this,  
11 the level of analyses. And then, to prepare to bring these  
12 to the Board and work with the public.

13 I'm humbled by the amount of work our staff does  
14 and the professionalism with which they do it. So, all the  
15 credit goes to that team. And I'm just pleased to work  
16 with them. So, thank you.

17 CHAIR RICHARDS: I'm not going to kiss you on the  
18 cheek right now.

19 (Laughter)

20 MR. KELLY: Thank you, Mr. Chairman.

21 CHAIR RICHARDS: Anyway, without overdoing all  
22 this, I think you can also get an appreciation of the  
23 amount of work that goes into trying to get up to speed on  
24 taking the actions that we've taken today. And I mean that  
25 by the Board members, who clearly should not be spending

1 full time on this project, it was never intended. But the  
2 only way to get through what we've done today was at least  
3 for the -- since we've had these documents to become as  
4 thoroughly familiar as we could with them, before we passed  
5 out late into the evenings.

6 So, I thank each and every one of you for your  
7 participation, your support, and your commitment to this  
8 project. And as I've said before, it's a real honor to be  
9 upon this dais with each of you.

10 So, with that ladies and gentlemen, we are out of  
11 here. The meeting is adjourned. Thank you all very much.

12 (The California High-Speed Rail Authority  
13 was adjourned at 11:58 a.m.)

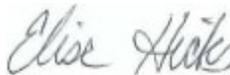
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## CERTIFICATE OF REPORTER

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 6th day of May, 2022.



ELISE HICKS, IAPRT CERT\*\*2176

**TRANSCRIBER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber.

And 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 6th day of May, 2022.



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Barbara Little  
Certified Transcriber  
AAERT No. CET\*\*D-520