

RESOLUTION #HSRA 18-14

Revision of the Delegation of Authority to the CEO to Authorize Certain Actions under the National Environmental Policy Act (NEPA) if the Authority Receives NEPA Assignment

Whereas, the State of California, through the California State Transportation Agency and the California High-Speed Rail Authority, submitted an application under federal law to the Federal Railroad Administration (FRA) on January 31, 2018, to receive assignment of FRA's responsibilities under the National Environmental Policy Act (NEPA) regarding the Authority's projects and certain connected projects;

Whereas, the formal steps prerequisite to FRA finally acting to grant NEPA assignment to the Authority, via FRA signature on a Memorandum of Understanding (MOU) that would effectuate assignment, are complete such that assignment could become effective at any time upon FRA's pending decision to execute the MOU;

Whereas, the Authority has various environmental documents under NEPA in process pursuant to a published schedule that calls for certain NEPA actions in the coming months; and,

Whereas, empowering the Chief Executive Officer (CEO) now to be prepared to take those actions immediately (as the schedule might require), if and when the FRA makes assignment effective, will allow the Authority to meet its schedule for environmental clearance.

Therefore, it is resolved:

The Board amends the Delegation of Authority to the CEO, Board Policy HSRA11-001, last amended January 14, 2014, to add a new Section H.2.5, as stated and contained in the staff-proposed revision to such Board Policy HSRA11-001 presented at the Board meeting August 16, 2018. This Delegation of Authority will only be in effect if and when FRA assigns responsibilities under the National Environmental Policy Act (NEPA) regarding the Authority's projects and certain connected projects.

Vote: 5 – 0

Yes: Camacho; Lowenthal; Miller; Richard; Schenk

No: N/A

Absent: Curtin; Richards; Rossi

Date: 08/16/2018

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