

Federal Railroad Administration

Office of Passenger and Freight Programs

California High-Speed Train Program

FR-HSR-0009

Grant Update & Status Briefing

January 2016



FRA - Office of Communications & Legislative Affairs



U.S. Department
of Transportation
**Federal Railroad
Administration**

Program Overview

Federal Funding

- ARRA Grant: \$2,552,556,231
- FY10 Grant: \$ 928,620,000

Scope of Work

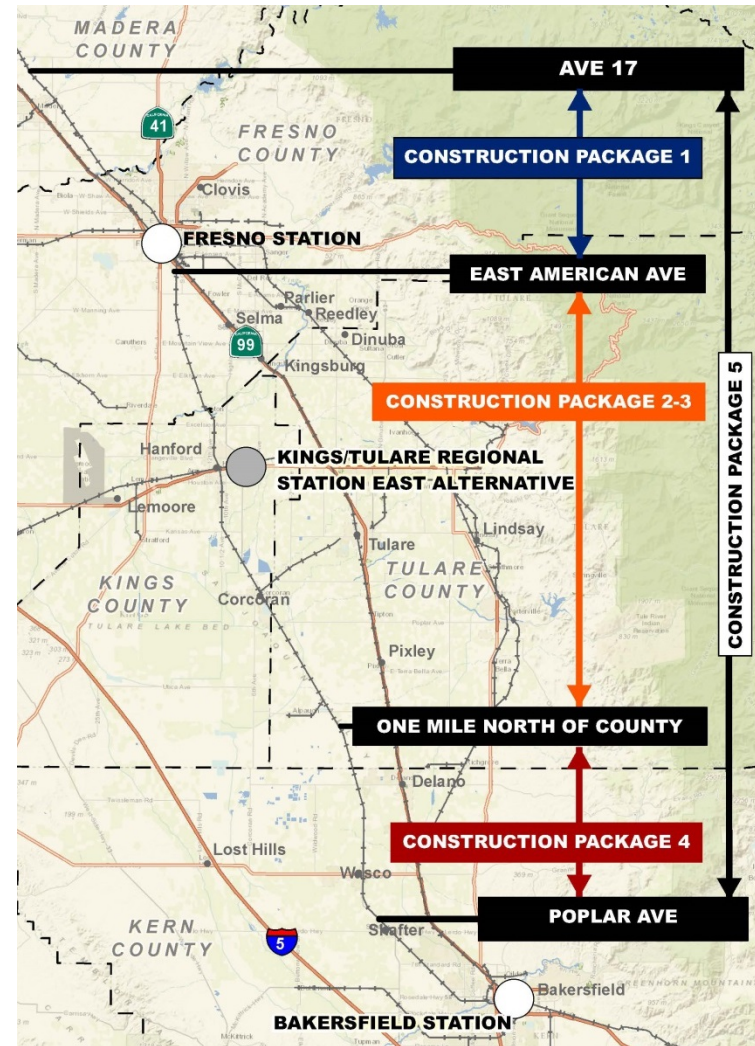
Phase 1 of the HST program (520 miles)

- Preliminary engineering
- Environmental reviews

First Construction Section (FCS) (122 miles)

- Environmental reviews
- Preliminary engineering
- Right-of-way acquisition
- Permitting
- Utility relocations
- Stakeholder agreements
- Final design
- Construction

First Construction Segment (FCS)



Program Funding

Federal Funding: \$3.48B

- | | | |
|---------------------|-----------------|---------------------------|
| • ARRA Grant | \$2,552,556,231 | Grant End Date 9/30/2017 |
| • FY10 Grant | \$ 928,620,000 | Grant End Date 12/31/2018 |

Other Funding Sources: \$10.15B+

The \$2.87B Federal match requirement is budgeted to be met through a combination of these funding sources

- **Prop 1A**
\$4.3B appropriated + \$4.7B available
 - \$2.6B in Construction/ROW appropriated plus \$4.7B in additional bond availability
 - \$378M in Planning appropriated
 - \$1.1B in Phase 1 Blended appropriated
 - \$225M in Support appropriated
- **Cap & Trade**
 - FY14-15: \$250M
 - FY15-16 and beyond: \$400M one-time appropriation, plus continuous appropriation of 25% of Greenhouse Gas Reduction Fund (GHGRF) Auction Proceeds (est. \$500M annually)

Source: CHSRA BOD Finance and Audit Committee Presentation - Cash Management Report - Funding Sources 5/12/15 ; CHSRA Legal Dept 10/29/15



Business Plan

2016 Business Plan

- **February 2016:** Draft Business Plan issued for public comment (projected)
- **May 1, 2016:** Final Business Plan issued (projected*)

2014 Business Plan

- **February 7, 2014:** Draft issued for public comment.
- **February 2014 through April 2014:** Public comment period.
- **April 2014:** Adopted by CHSRA Board. Finalized and issued to State Legislature on April 30, 2014.
- Posted on CHSRA website:
http://www.hsr.ca.gov/About/Business_Plans/

* Per California Public Utilities Code Sections 185000-185038; Section 185033



Environmental Status – January 2016

Within FCS Limits:

• Merced – Fresno EIS	Notice of Determination (NOD): May 2012 Record of Decision (ROD): September 2012
• Fresno – Bakersfield EIS	NOD: May 2014 ROD: June 27, 2014 STB Approval: August 12, 2014

Beyond FCS Limits:

• San Francisco – San Jose EIS	Anticipated ROD: December 2017
• San Jose – Merced EIS	Anticipated ROD: December 2017
• M-F/Central Valley Wye Supp. EIS	Anticipated ROD: February 2017
• Bakersfield Supplemental EIS	Anticipated ROD: February 2017
• Bakersfield – Palmdale EIS	Anticipated ROD: January 2018
• Palmdale – Burbank EIS	Anticipated ROD: December 2017
• Burbank – Los Angeles EIS	Anticipated ROD: November 2017
• Los Angeles – Anaheim EIS	Anticipated ROD: November 2017

Source: CHSRA Environmental Schedule 11/1/15



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Real Estate Status – January 2016

Right-of-Way Acquisition Status:

Section	# of Parcels	Delivered to DB	Remaining Balance
CP1AB	546 parcels	321 parcels	225 parcels
CP1C	178 parcels	87 parcels	91 parcels
CP2-3	543 parcels	140 parcels	403 parcels
CP4A	191 parcels	0 parcels	191 parcels
CP4B	35 parcels	0 parcels	35 parcels
TOTAL	1493 parcels	548 parcels	945 parcels

Source: ROW Status Executive Summary 12/24/15

Utility Agreement Status – January 2016

Utility Agreements: Utility design and relocations are underway.

Entity	Master/Cooperative Agreement Status
AT&T	• Executed 10/6/15
City of Fresno	• Executed 11/7/14
Comcast	• Executed 3/26/14
CVIN	• Executed 1/28/15
Fresno Irrigation District	• Executed 7/10/13
Kinder Morgan	• Executed 3/11/14
Level 3	• Executed 5/15/13
FMFCD	• Executed 2/14/13
Madera Irrigation District	• Executed 3/1/13
PG&E	• Executed 8/31/15
Qwest	• Executed 8/8/14
Sebastian (Kerman)	• Executed 2/8/15
Sprint	• Executed 9/8/15
TW Telecom	• Executed 5/15/13
Verizon/MCI	• Executed 8/28/15

Source: CHSRA CP1 Status Report 9/15/15; CHSRA PCM Coordination Meeting 9/30/15, 11/9/15; TPZP 3rd Party Weekly Status Update 11/5/15



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Third Party Agreement Status – January 2016

Railroad Agreements:

Entity	Agreement Status
UPRR	<ul style="list-style-type: none"> • 5 executed, 1 pending
BNSF	<ul style="list-style-type: none"> • 1 executed, 4 pending
SJVRR	<ul style="list-style-type: none"> • 1 executed, 3 pending

Other Third Party Agreements:

Entity	Agreement Status
City of Fresno	<ul style="list-style-type: none"> • 2 executed (Facility Relocation Agreement, ROW 9/1/15); • 2 pending (Grade Separation, O&M)
Fresno County	<ul style="list-style-type: none"> • 2 executed (Cooperative Agreement, ROW 10/2015) • 1 pending (Grade Separation)
Madera County	<ul style="list-style-type: none"> • 3 executed (Master Agreement, Cooperative Agmt, ROW 9/2015); • 1 pending (Grade Separation Agreement)
Caltrans	<ul style="list-style-type: none"> • Master/Cooperative Agreements executed; • Joint Use Maintenance Agreement (JUMA) pending

Source: CHSRA CP1 Status Report 11/15/15, CHSRA PCM Coordination Meeting 10/28/15, TPZP 3rd Party Weekly Status Update 12/10/15



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FCS Status – January 2016

CP 1: Avenue 17 – East American Avenue

Contract Award: August 2013

Design-Build Contractor:
Tutor Perini/Zachry/Parsons (TPZP)

Contract Amount: \$969,988,000

Statement of Work: Preparation of high-speed rail track roadbed and structures within project limits.

Current Activities: Right-of way acquisition; geotechnical explorations; building demolition; utility design and relocation; design of Fresno and Madera county bridges and roadway packages; Fresno River Bridge construction.

Upcoming Construction Activities: Ongoing hazardous materials abatement and building demolition; geotechnical explorations, foundation construction, and utility work.



FCS Status – January 2016

CP 1 Focus Areas for Major Construction

Structure	Anticipated Start
Fresno River Viaduct	In Progress
Avenue 12	January 2016
Tuolumne Street Overhead	January 2016
Downtown Fresno Viaduct	January 2016
SR 180	February 2016
Fresno Trench	February 2016
San Joaquin River Viaduct	March 2016

Source: CHSRA-TPZP Construction Strategy Weekly Meeting 12/14/15, 12/21/15; TPZP 4-week Look Ahead Schedule 12/17/15

FCS Status – January 2016: CP1 Field Activity Photos



Attaching rebar for column flare at FRV Bent #11.



Workers installing column formwork at FRV Bent #4.



Lifting and installing column formwork at FRV Bent #4.



Main canal corrugated metal pipe culvert on east end of crossing (backfilled and riprap).

Source: 11/19/15 TranSystems Site Visit

FCS Status – January 2016

CP 2-3: East American Avenue – One Mile North of Tulare-Kern County Line

Contract Award: June 2015 (NTP July 2015)

Design-Build Contractor:

Dragados/Flatiron Joint Venture

Contract Amount: \$1,365,335,890

Statement of Work:

Preparation of high-speed rail track roadbed and structures within project limits.

Current Activities:

- Right-of-way acquisition underway
- Environmental re-examinations underway
- Preliminary construction submittals underway



FCS Status – January 2016

CP 4: One Mile North of Kings County Line – Poplar Avenue

Estimate: \$400M-\$500M

Current Activities:

- Request for Proposals (RFP) Issued: May 27, 2015
- Bids Due: November 25, 2015

DB Contract Award:

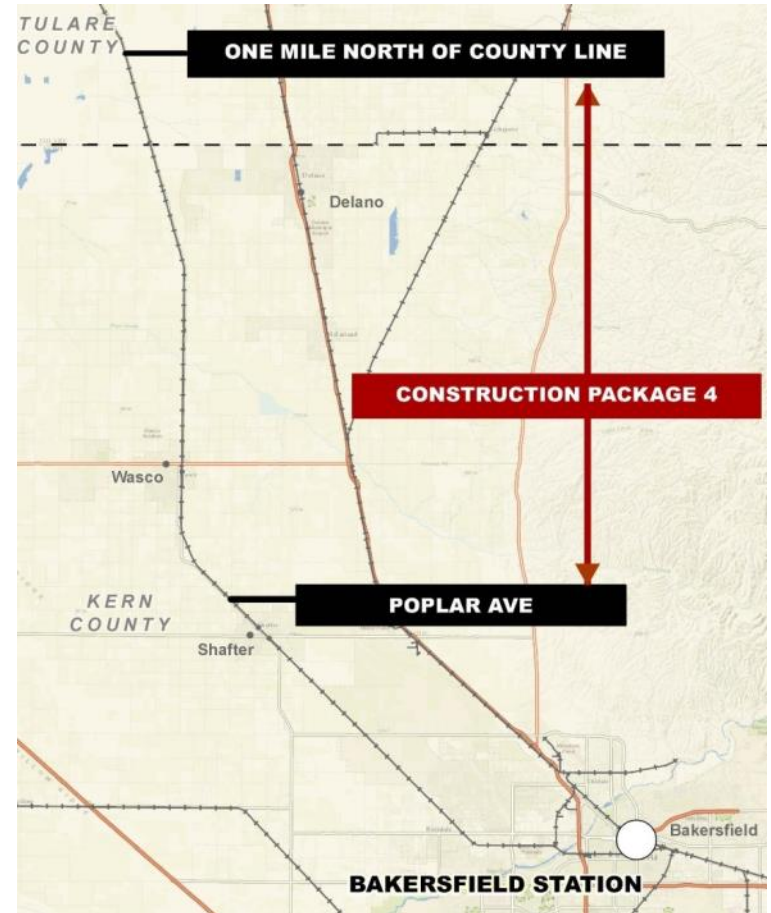
January 2016 (projected Board Approval)

DB Contract Execution:

January 2016 (projected)

Statement of Work:

Preparation of high-speed rail track roadbed and structures within the project limits.



FCS Status – January 2016

CP 5: Track Work for Full FCS

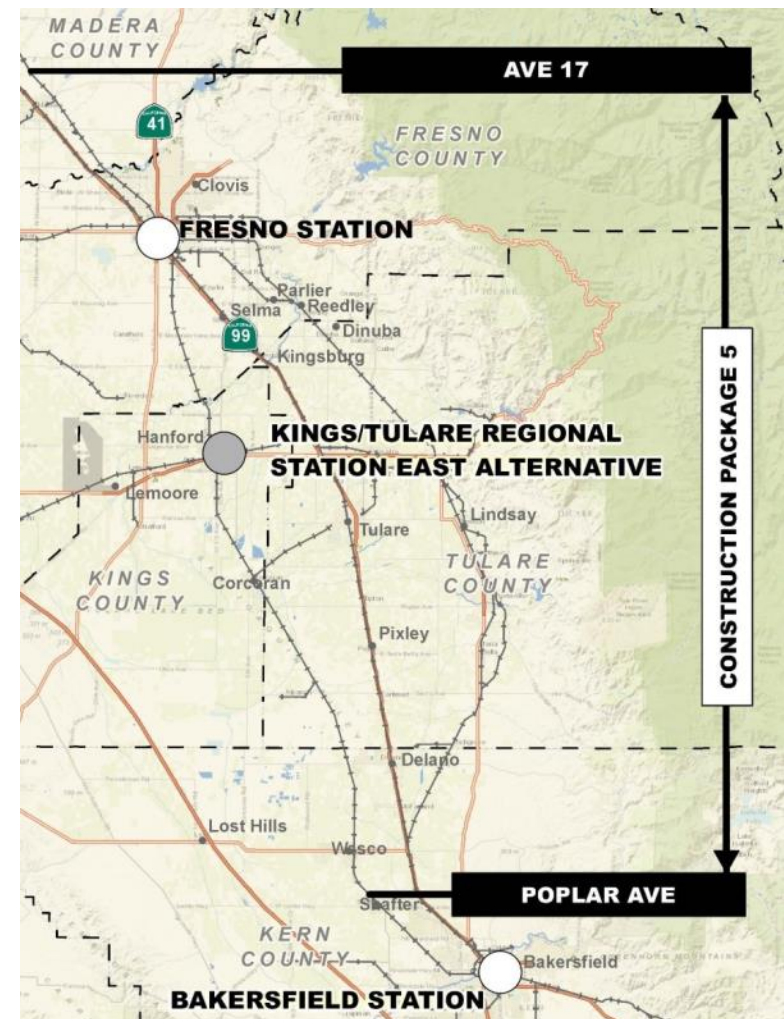
Estimate: \$650M

Current Activities:

Procurement strategy and timing to be developed by early 2016.

Statement of Work:

High-speed rail track within the project limits.



CHSRA High-Speed Trainset Procurement

Trainset Procurement – Completed Activities

Event	Date
Issue Request for Expression of Interest (RFEI)	October 1, 2014
Issue Draft Request for Proposal (RFP) for Industry Review	January 30, 2015
One-on-One Meetings with Interested Parties	March 2-9, 2015

Trainset Procurement – Upcoming Activities

- Procurement strategy and timing to be developed by early 2016.

CHSRA Initial Operating Segment Options

Alternative Delivery Approach

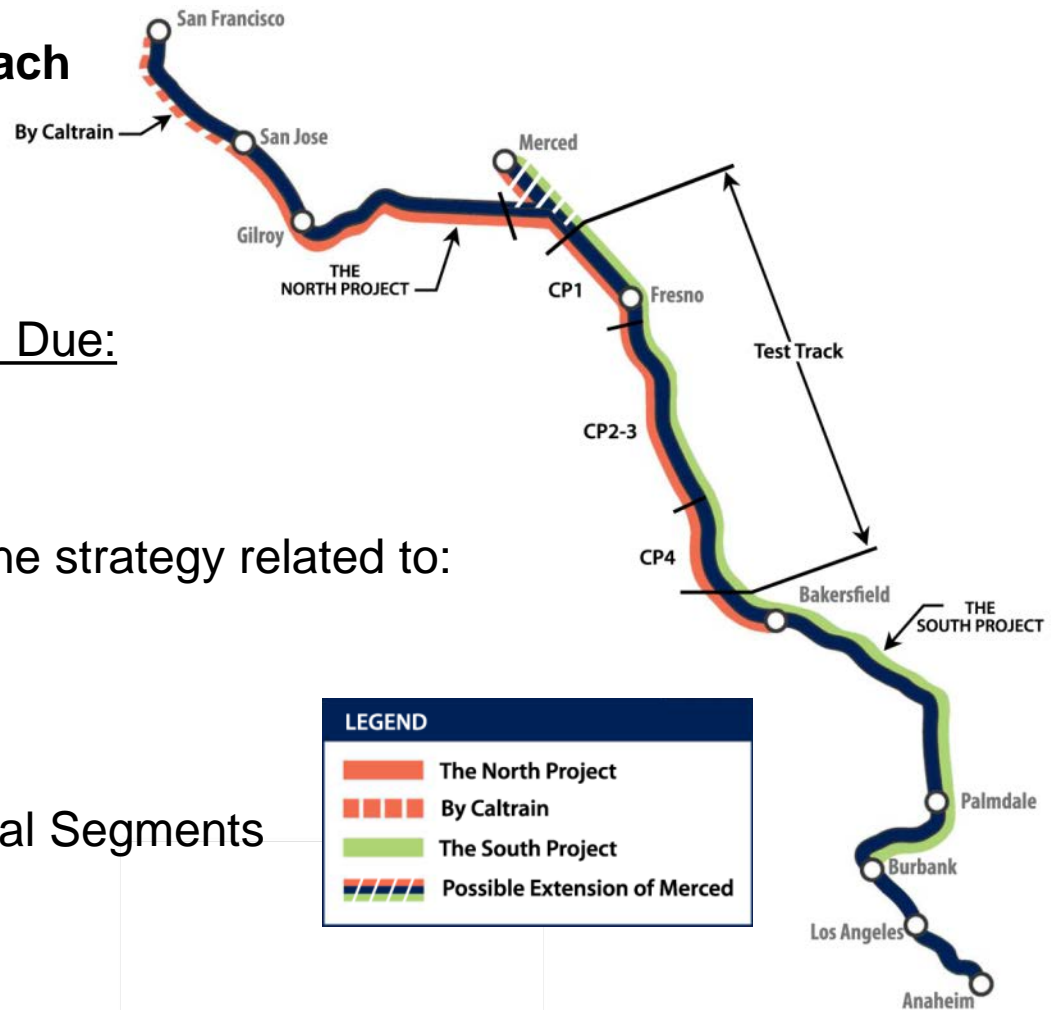
Request for Expressions of Interest (RFEI) Issued:
June 22, 2015

Expressions of Interest (EOI) Due:
September 28, 2015

➤ 36 responses received

EOI's will be reviewed to refine strategy related to:

- Equipment
- CP5
- Financing
- Operations and Operational Segments
- Maintenance
- Additional Items

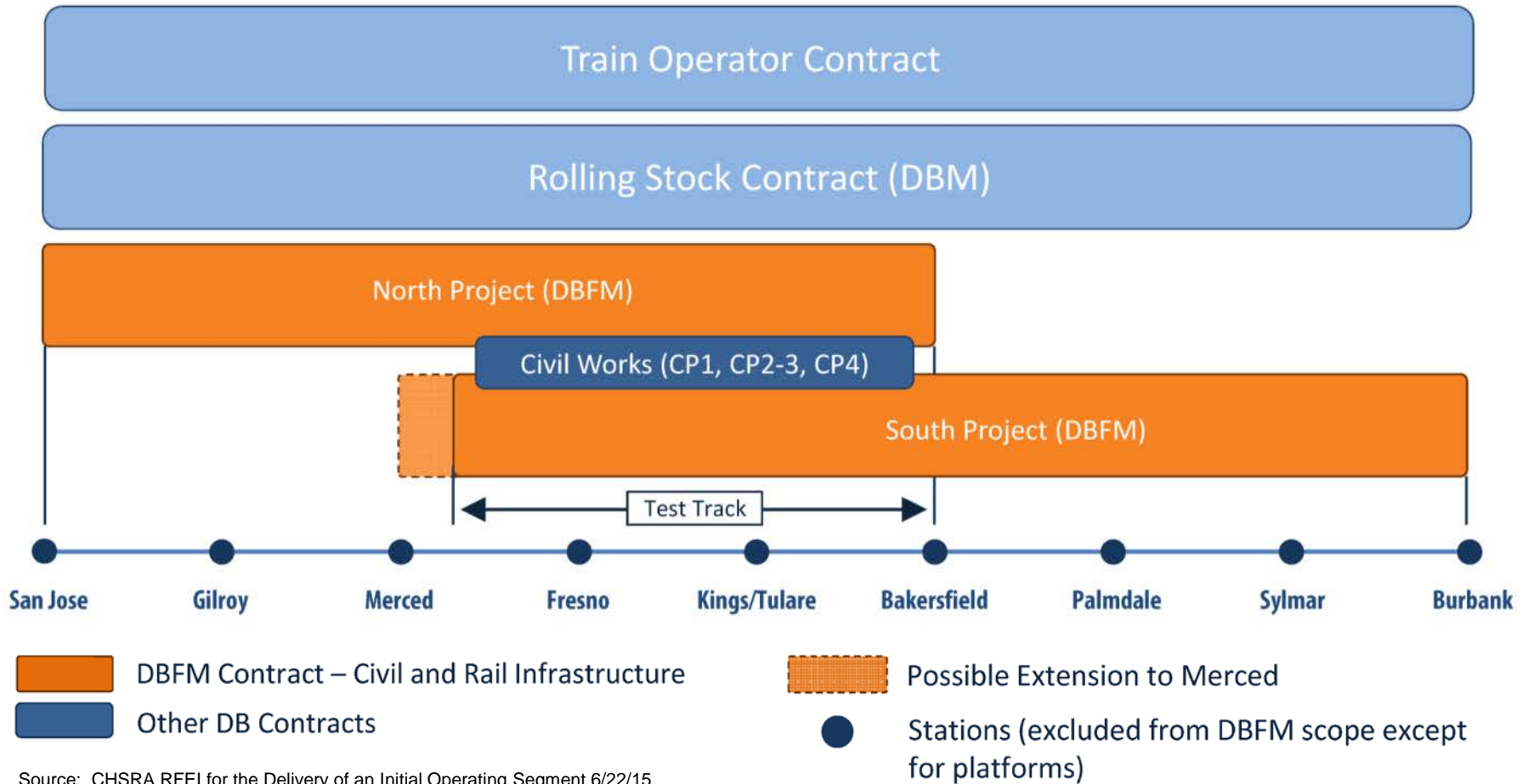


LEGEND	
	The North Project
	By Caltrain
	The South Project
	Possible Extension of Merced

Source: CHSRA Request for Expressions of Interest for the Delivery of an Initial Operating Segment 6/22/15

CHSRA Program Delivery Strategy

Potential Program Delivery Strategy



Source: CHSRA RFEI for the Delivery of an Initial Operating Segment 6/22/15

FCS Status – January 2016

4-Week Look Ahead Schedule:

CP 1 Activities:

- Hazard abatement
- Building demolition
- PG&E relocation
- 90% design work underway
- Utility design, approvals, and relocation
- Fresno River Viaduct Bridge construction
- Avenue 12 clear and grub
- Tuolumne Street Overcrossing demolition

Source: TPZP JV Four Week Look Ahead Schedule 12/17/15

Federal Expenditures to Date – January 2016

Federal Expenditures: \$854,860,818 (approved invoices as of 12/29/15)

Invoices Approved After 11/15/2015: \$175,417,929

Invoice	Amount	Paid by FRA	Activities Supported
15-014	\$15,360,740	11/18/15	Design-build construction contract work
15-017	\$3,698,017	11/20/15	Environmental, planning, DB program management
15-018	\$55,848	11/20/15	Environmental, planning, DB program management
15-019	\$4,000,000	11/25/15	Design-build construction contract work
15-020	\$12,371,061	11/30/15	Environmental, planning, DB program management
15-021	\$6,081,533	12/4/15	Environmental, planning, DB program management
15-022	\$17,934,051	12/7/15	Design-build construction contract work
15-023	\$27,602,850	12/17/15	Real estate acquisition
15-024	\$8,610,071	12/21/15	Environmental, planning, DB program management
15-025	\$1,526,725	12/22/15	Environmental, planning, DB program management
15-026	\$35,326,560	12/22/15	Design-build construction contract work
15-027	\$12,870,206	12/22/15	Real estate acquisition
15-028	\$6,512,221	12/24/15	Design-build construction contract work
15-029	\$5,743,103	12/24/15	Environmental, planning, DB program management
15-030	\$7,416,290	12/24/15	Environmental, planning, DB program management
15-031	\$10,371,655	12/24/15	Real estate acquisition

Source: PMT 12/29/15



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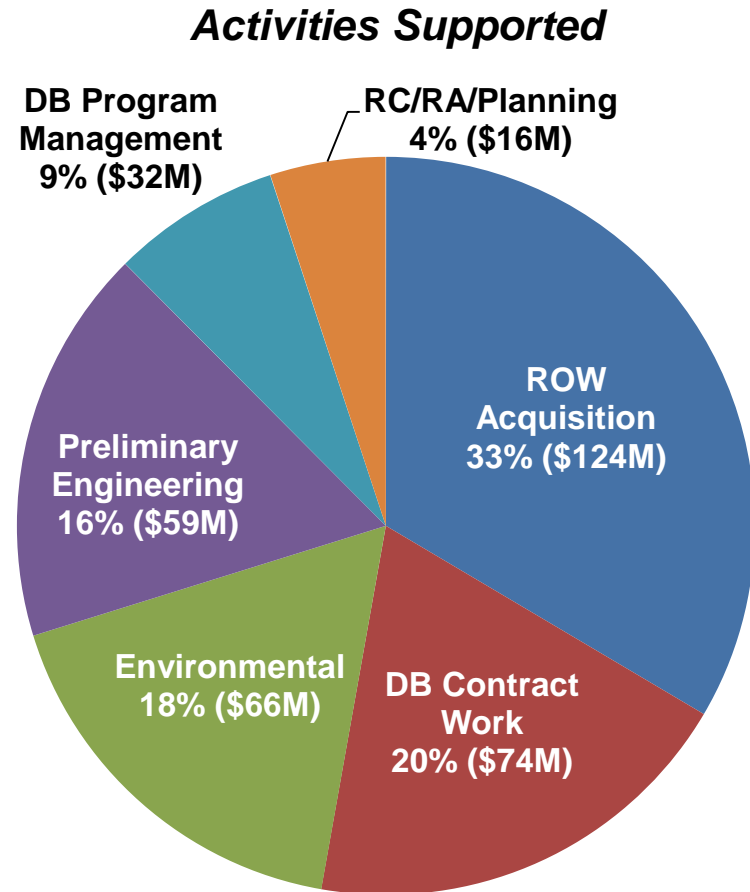


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State Expenditures to Date – January 2016

Distribution of State Expenditures:

<i>State Funding Source</i>
Prop 1A Expenditure \$102,056,503
+
Cap & Trade Expenditure \$269,213,756
=
Total State Expenditure \$371,270,259 (through 8/31/2015)



Source: August 2015 CT Expenditure Report ARRA Final 8/31/15

Forecasted Expenditures

Forecasted Monthly Expenditures:

Month	Federal	State and Local
January 2016	\$ 71,396,000	\$ 6,042,000
February 2016	\$ 96,393,000	\$ 6,042,000
March 2016	\$ 88,148,000	\$ 6,340,000
April 2016	\$ 103,589,000	\$ 6,042,000
May 2016	\$ 97,243,000	\$ 6,191,000
June 2016	\$ 95,700,000	\$ 6,191,000
July 2016	\$ 149,219,000	\$ 3,970,000
August 2016	\$ 141,989,000	\$ 4,051,000
September 2016	\$ 134,147,000	\$ 4,010,000
October 2016	\$ 167,054,000	\$ 3,970,000
November 2016	\$ 163,117,000	\$ 2,410,000
December 2016	\$ 154,575,000	\$55,160,000

Source: CHSRA FCP September 2015 v1.5



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Legal Status – January 2016

CHSRA et al. v. the Superior Court of Sacramento County (Tos Lawsuit):

Summary

- Kings County and 2 private citizens allege that the project as designed is not financially viable and will require an operating subsidy, and that it cannot meet Prop 1A travel time requirements between SF and LA.

Developments

- **January 2014:** CHSRA requested that the taxpayer claims be dismissed.
- **March 2014:** Superior Court denied CHSRA's request and ordered a trial on taxpayer claims.
- **July 2014:** The Court granted the Authority's Motion to Limit Evidence to the Administrative Record.
- **March 2015:** Plaintiffs filed a Motion to Augment the Administrative Record.
- **August 2015:** The Court partially granted the Plaintiffs' Motion to Augment the Administrative Record, but denied the part of the Motion that the Authority strongly opposed.
- **Next Steps:** A trial is set for February 11, 2016.

Legal Status – January 2016

TRANSDEF v. California ARB, State Controller, and CHSRA:

Summary:

- This litigation challenges the Air Resource Board (ARB)'s approval of a 2014 Scoping Plan update to the 2012 Scoping Plan. The 2012 Scoping Plan and the 2014 update included HSR as a project that would reduce greenhouse gas (GHG) emissions. **This litigation seeks to block the flow of GHG/cap-and-trade funding towards construction of the HSR project.** These funds are currently being used to match the federal funding.
- The Attorney General's office represents CHSRA and ARB in this lawsuit.

Developments:

- **November 12, 2014:** This action was transferred from the Fresno Superior Court to Sacramento Superior Court.
- **December 10, 2014:** CHSRA filed a Notice of Appearance.
- **July 9, 2015:** Stipulation Regarding Record of Proceedings and Order was filed by the parties.
- **Next steps:** Merits hearing is anticipated late Spring or Summer 2016.

Legal Status – January 2016

CEQA Challenges Filed on Fresno to Bakersfield EIR/EIS:

Summary: CEQA challenges were been filed against the CHSRA regarding the Fresno to Bakersfield EIR/EIS. Alleged CEQA violations include a legally inadequate Environmental Impact Report, and inadequate CEQA required findings. Challenges were filed in June 2014 by:

- Coffee-Brimhall LLC
- County of Kings
- First Free Baptist Church of Bakersfield
- Dignity Health
- County of Kern
- City of Shafter
- City of Bakersfield

Developments:

- **January 2015 to February 2015:** Settlements were reached with the City of Bakersfield and Coffee-Brimhall LLC.
- **May 15, 2015:** Order granting stay filed for the remaining cases.
- **Next Steps:** Awaiting the outcome of a relevant case – *Eel River v. NCRA* – in which the CA Supreme Court will decide whether CEQA is preempted for a publically owned railroad that is under the jurisdiction of the STB. A decision is not expected until 2016.

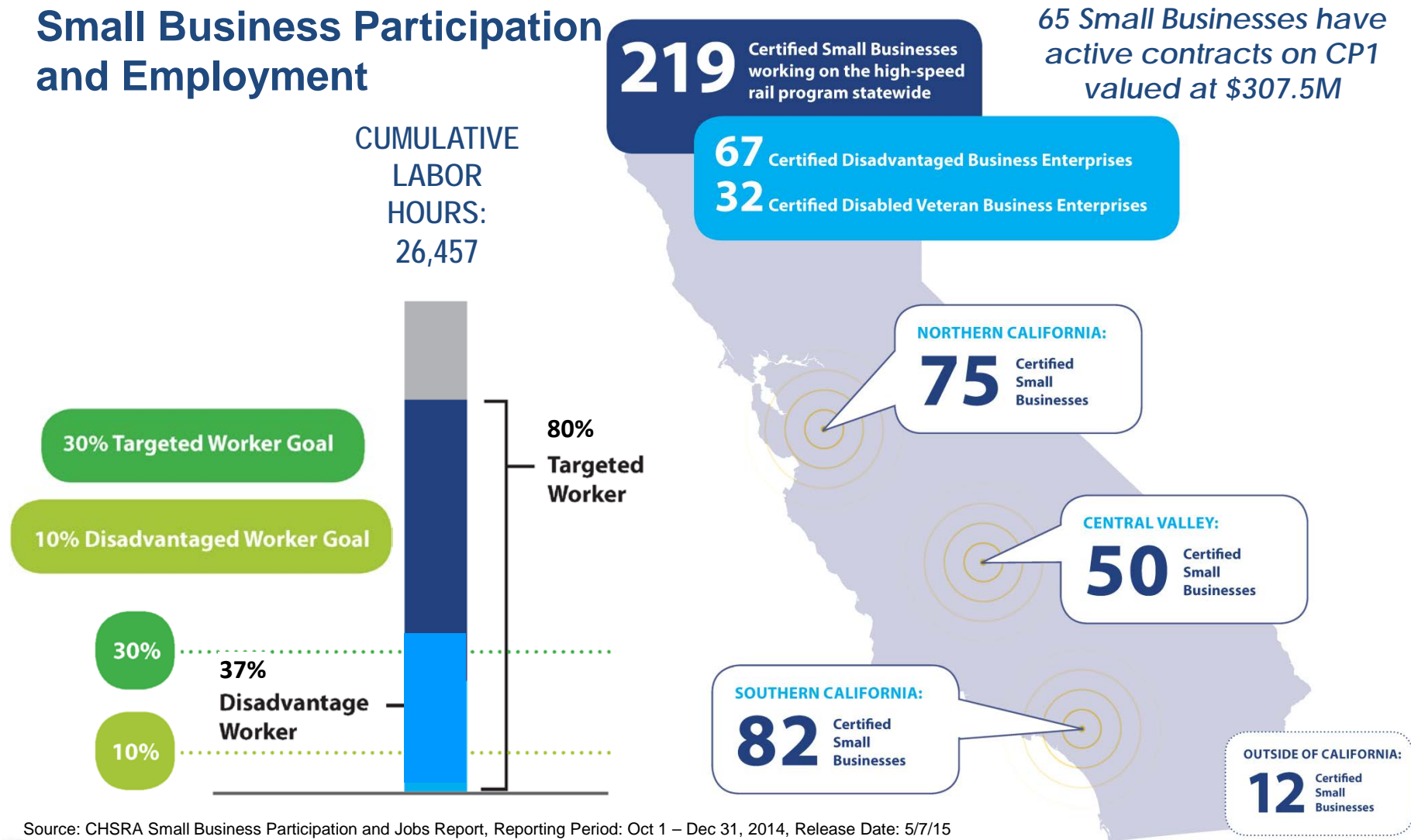
Legal Status – January 2016

Surface Transportation Board:

Summary: Finance Docket No. 35861

- **October 2014 to December 2014:** The Authority filed a petition for declaratory order with the Surface Transportation Board (STB) regarding whether the ICCTA preempted CEQA remedies that would stop STB-authorized construction. The STB concluded that 49 U.S.C. § 10501(b) preempts CEQA, allowing construction of Fresno-Bakersfield to proceed.
- **December 2014 to May 2015:** Two Petitions for Reconsideration were filed. STB denied the Petitions for Reconsideration. Appeals to the STB declaratory order were filed in the DC Federal Appellate Circuit and the 9th Circuit. The DC Federal Appellate Circuit dismissed that appeal; the 9th Circuit has not acted. Federal appeals are now expected to proceed.
- **August 2015:** The California Supreme Court granted the Authority's request to file an amicus brief in the *Eel River v. NCRA* case, in which the Supreme Court will decide whether federal STB jurisdiction over a railroad project in California preempts CEQA.
- **October 2015:** Eel River amicus brief complete. 2016 hearing date not yet set.

Small Business Participation and Employment



Source: CHSRA Small Business Participation and Jobs Report, Reporting Period: Oct 1 – Dec 31, 2014, Release Date: 5/7/15

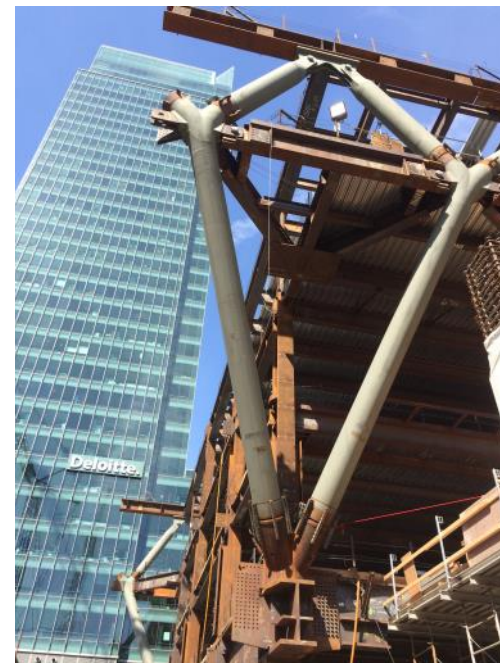
Transbay Transit Center, San Francisco, California

Project Budget and Status

- \$1.899 Billion multi-modal center for CHSR, Caltrain and 9 other Bay Area transit systems, linking 8 Bay Area counties
- FRA funding: \$400 Million “Trainbox”; 98.5% of FRA funds expended

Schedule

- “Trainbox” completion: December 2016
- Total project completion: Fall 2017



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