

# **Federal Railroad Administration**

## **Office of Passenger and Freight Programs**

### **California High-Speed Train Program**

**FR-HSR-0009**

# **Grant Update & Status Briefing**

**March 2016**



FRA - Office of Communications & Legislative Affairs

## Program Overview

### Federal Funding

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

### Scope of Work

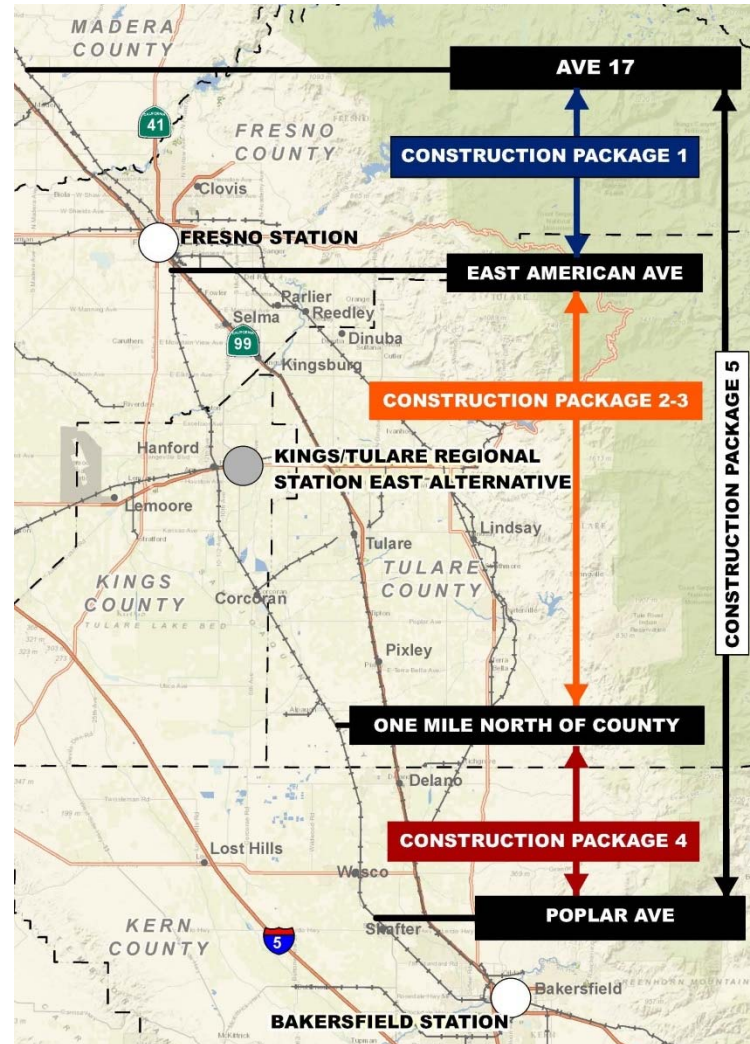
Phase 1 of the HST program (520 miles)

- 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: \$10.6B+

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

- **Prop 1A**  
**\$5.784B appropriated + \$4.166B available**
  - \$2.609B in Construction/ROW appropriated plus \$4.166B in additional bond availability
  - \$1.1B in Phase 1 Blended appropriated
  - \$950M in Planning appropriated
  - \$1.125B 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; Draft 2016 Business Plan 2/18/16



## Business Plan

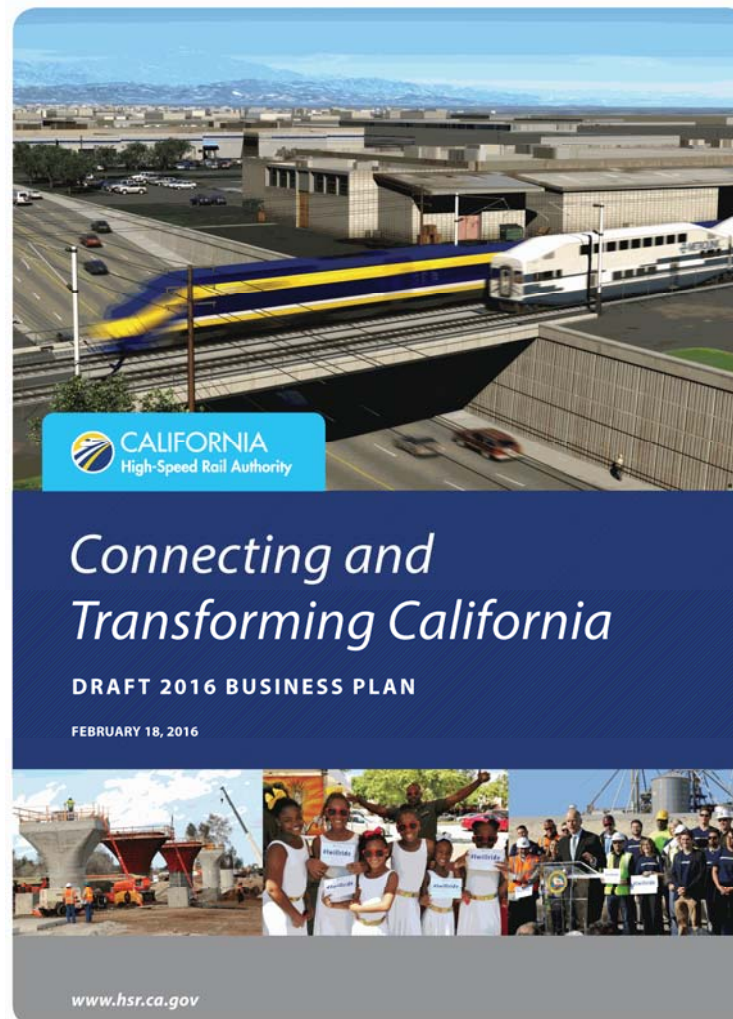
### 2016 Business Plan

- **February 18, 2016:** Draft 2016 Business Plan issued for public comment
- **April 18, 2016:** End of public comment period
- **May 1, 2016:** Final 2016 Business Plan will be issued (projected\*)

\* Per California Public Utilities Code § 85000-185038; § 185033

### 2014 Business Plan

- **February 7, 2014:** Draft 2014 Business Plan issued for public comment.
- **April 8, 2014:** End of public comment period
- **April 30, 2014:** Final 2014 Business Plan issued to State Legislature.



## Draft 2016 Business Plan

### Draft 2016 Business Plan Highlights:

- Silicon Valley to Central Valley Line:** The Initial Operating Section will be “Silicon Valley to Central Valley” (San Jose-Bakersfield) instead of “Merced to San Fernando Valley” (Merced-Burbank).
- Burbank to Anaheim Corridor Improvements:** CHSRA reports that costs have decreased from \$67.6B to \$64.2B, and proposes to invest \$2.1B of that “savings” into key improvements between Burbank-Anaheim.
- Silicon Valley to Central Valley Extension:** An additional \$2.9B will be needed to extend further north to San Francisco and further south into downtown Bakersfield.



Source: Draft 2016 Business Plan 2/18/16





## Environmental Status – March 2016

### Within FCS Limits:

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

### Beyond FCS Limits:

- |                                    |                                |
|------------------------------------|--------------------------------|
| • San Francisco – San Jose EIS     | Anticipated ROD: November 2017 |
| • San Jose – Merced EIS            | Anticipated ROD: November 2017 |
| • M-F/Central Valley Wye Supp. EIS | Anticipated ROD: October 2017  |
| • Bakersfield Supplemental EIS     | Anticipated ROD: October 2016  |
| • Bakersfield – Palmdale EIS       | Anticipated ROD: November 2017 |
| • Palmdale – Burbank EIS           | Anticipated ROD: November 2017 |
| • Burbank – Los Angeles EIS        | Anticipated ROD: November 2017 |
| • Los Angeles – Anaheim EIS        | Anticipated ROD: November 2017 |

Source: CHSRA February 2016 Operations Report pg. 27 Environmental Milestone Schedule



## Real Estate Status – March 2016

### Right-of-Way Acquisition Status:

Section	# of Parcels	Delivered to DB	Remaining Balance
CP1AB	550 parcels	350 parcels	200 parcels
CP1C	184 parcels	94 parcels	90 parcels
CP2-3	545 parcels	172 parcels	373 parcels
CP4A	191 parcels	0 parcels	191 parcels
CP4B	35 parcels	0 parcels	35 parcels
<b>TOTAL</b>	<b>1505 parcels</b>	<b>616 parcels</b>	<b>889 parcels</b>

Source: ROW Status Executive Summary 2/26/16



FRA - Office of Communications & Legislative Affairs



## Utility Agreement Status – March 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 3<sup>rd</sup> Party Weekly Status Update 11/5/15



FRA - Office of Communications & Legislative Affairs



U.S. Department  
of Transportation  
Federal Railroad  
Administration



## Third Party Agreement Status – March 2016

### Railroad Agreements:

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

### Other Third Party Agreements:

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

Source: CHSRA CP1 Status Report 11/15/15, CHSRA PCM Coordination Meeting 10/28/15, TPZP 3<sup>rd</sup> Party Weekly Status Update 2/18/16



## FCS Status – March 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 Ongoing Activities: ROW acquisition; hazardous material abatement; building demolition; utility design and relocation; design of Fresno and Madera county bridges and roadway packages; Fresno River Bridge and Fresno Trench construction, Tuolumne Street demolition.

Upcoming Construction Activities: Construction at Downtown Fresno Viaduct; clear and grub at Avenue 12; survey and mobilization at SJRV.



## FCS Status – March 2016

### CP 1 Focus Areas for Major Construction

Structure	Anticipated Start
Fresno River Viaduct	Construction Ongoing
Fresno Trench	Construction Ongoing
Tuolumne Street Overhead	Demolition in Progress
Downtown Fresno Viaduct	March 2016
SR 180	March 2016
Avenue 12	April 2016
San Joaquin River Viaduct	April 2016

Source: CHSRA Owners Meeting 2/18/2016, 2/25/2016



FRA - Office of Communications & Legislative Affairs



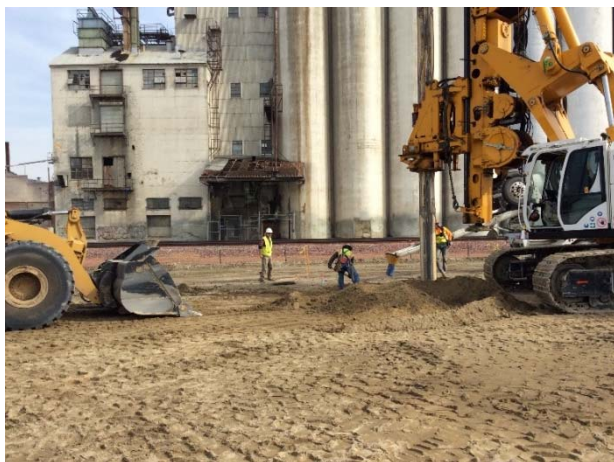
## FCS Status – March 2016: CP 1 Field Activity Photos



H Street and Tuolumne Street – utility relocation.



Downtown Fresno Viaduct – construction entrance.



Fresno Trench – paleontologist checking spoils.



Fresno River Viaduct – view of bents looking north.

Source: 2/11/16 TranSystems Site Visit



## FCS Status – March 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

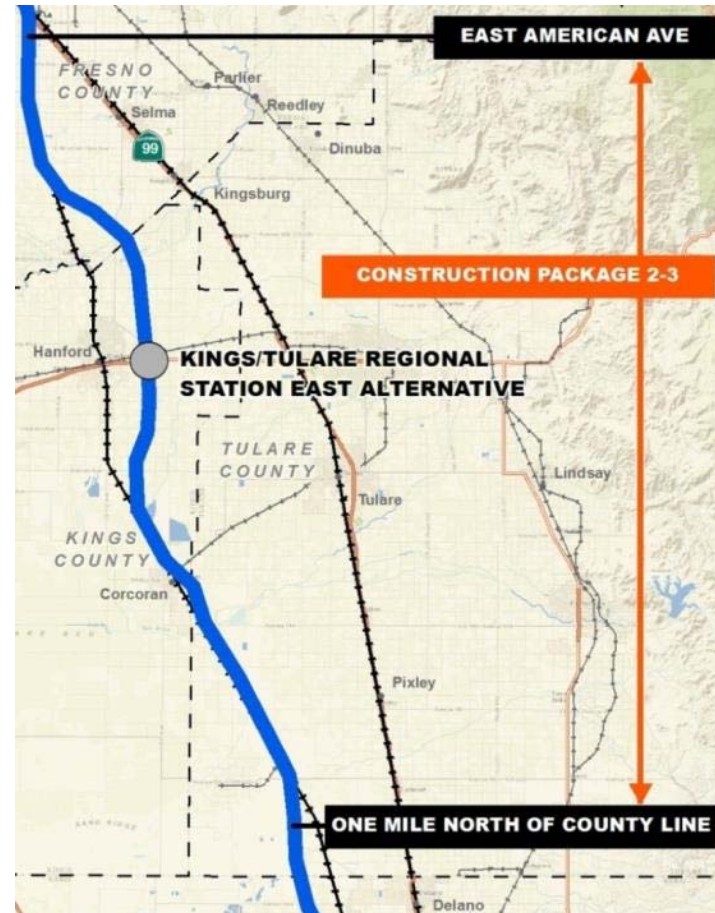
Contract Amount: \$1,365,335,890

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 – March 2016

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

DB Contract Award:

Board Approval: January 12, 2016

NTP: February 2016 (projected)

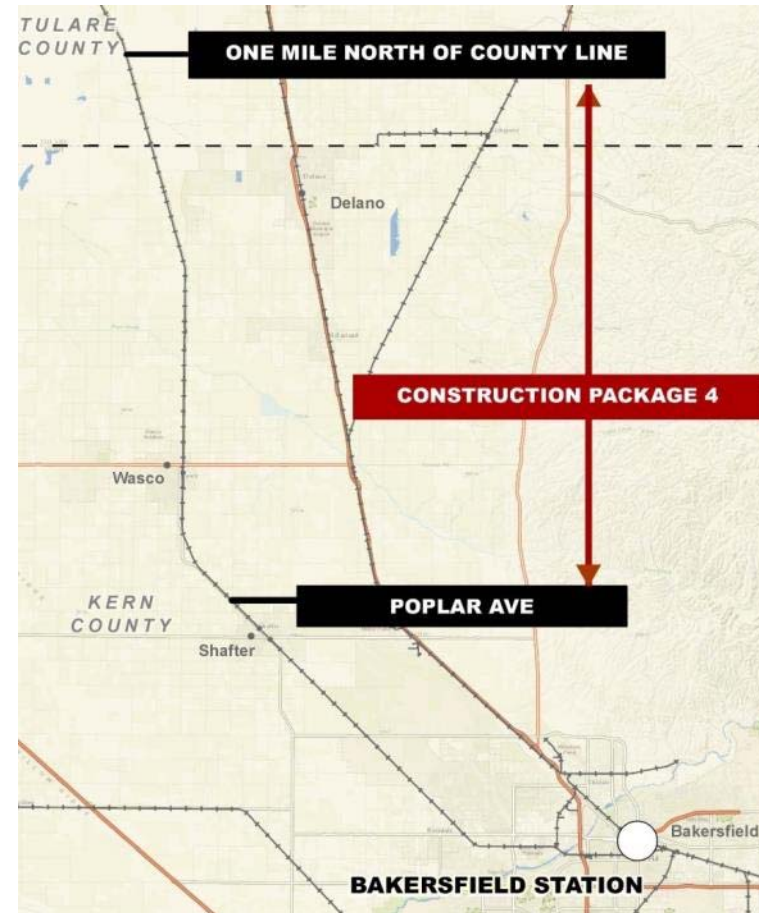
Design-Build Contractor:

California Rail Builders

Contract Amount: \$444,247,000

Statement of Work:

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





## FCS Status – March 2016

### CP 5: Track Work for Full FCS

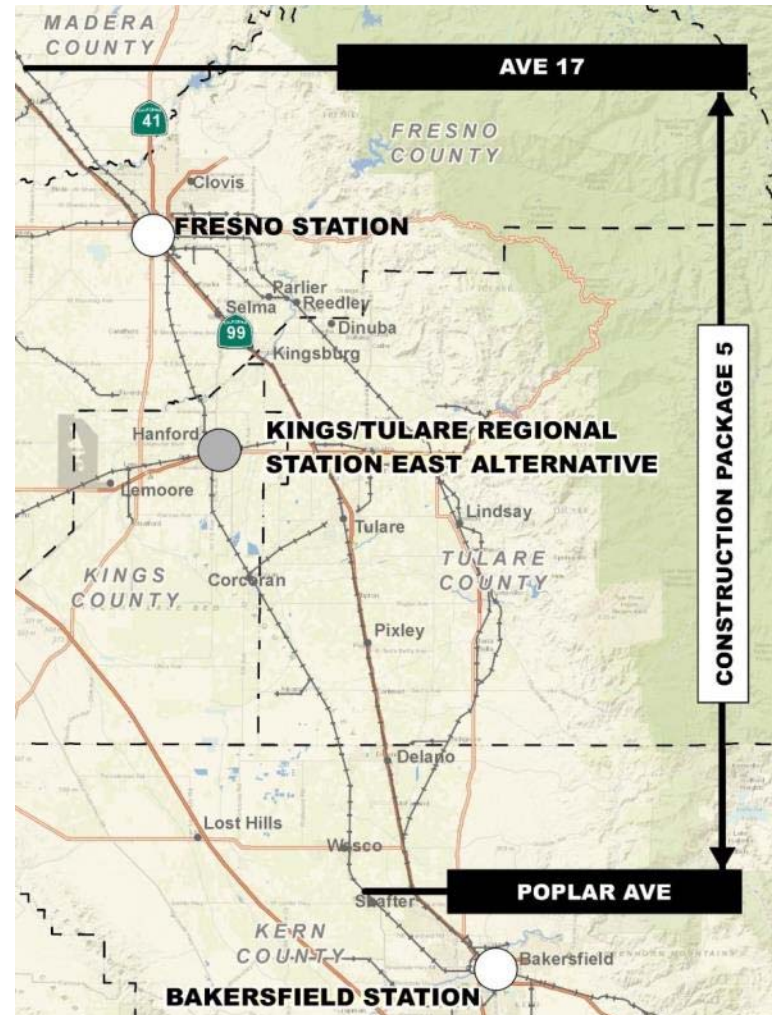
Estimate: \$650M

#### Statement of Work:

High-speed rail track within the project limits.

#### Current Activities:

Procurement strategy and timing to be developed early 2016.



## 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 early 2016.

## FCS Status – March 2016

### 4-Week Look Ahead Schedule:

#### CP 1 Activities:

- Hazard abatement
- Building demolition
- 90% and RFC (Ready for Construction) design packages underway
- Utility design, approvals, and relocation
- Fresno River Viaduct Bridge construction
- Fresno Trench construction
- Tuolumne Street Overcrossing demolition
- Avenue 12 clear and grub
- Downtown Fresno Viaduct construction
- San Joaquin River Viaduct survey and mobilization

Source: TPZP JV Four Week Look Ahead Schedule 2/18/16; Owner's Meeting 2/25/16



## Federal Expenditures to Date – March 2016

**Federal Expenditures:** \$947,096,066 (approved invoices as of 2/25/16)

**Invoices Approved After 12/24/2015:** \$92,235,248

Invoice	Amount	Paid by FRA	Activities Supported
15-032	\$ 2,209,893	1/8/2016	Real estate acquisition
15-033	\$ 1,619,377	1/13/2016	Environmental, planning, DB program mgmt
15-034	\$ 10,642,268	1/13/2016	Design-build construction contract work
15-035	\$ 5,177,855	1/13/2016	Real estate acquisition
15-036	\$ 13,512,299	1/13/2016	Environmental, planning, DB program mgmt
15-037	\$ 44,691,210	2/4/2016	Design-build construction contract work
15-038	\$ 2,475,037	2/3/2016	Environmental, planning, DB program mgmt
15-039	\$ 1,675,407	2/3/2016	Environmental, planning, DB program mgmt
15-040	\$ 8,691,525	2/3/2016	Real estate acquisition
15-041	\$ 1,540,377	2/3/2016	Real estate acquisition

Source: PMT 2/25/16



FRA - Office of Communications & Legislative Affairs

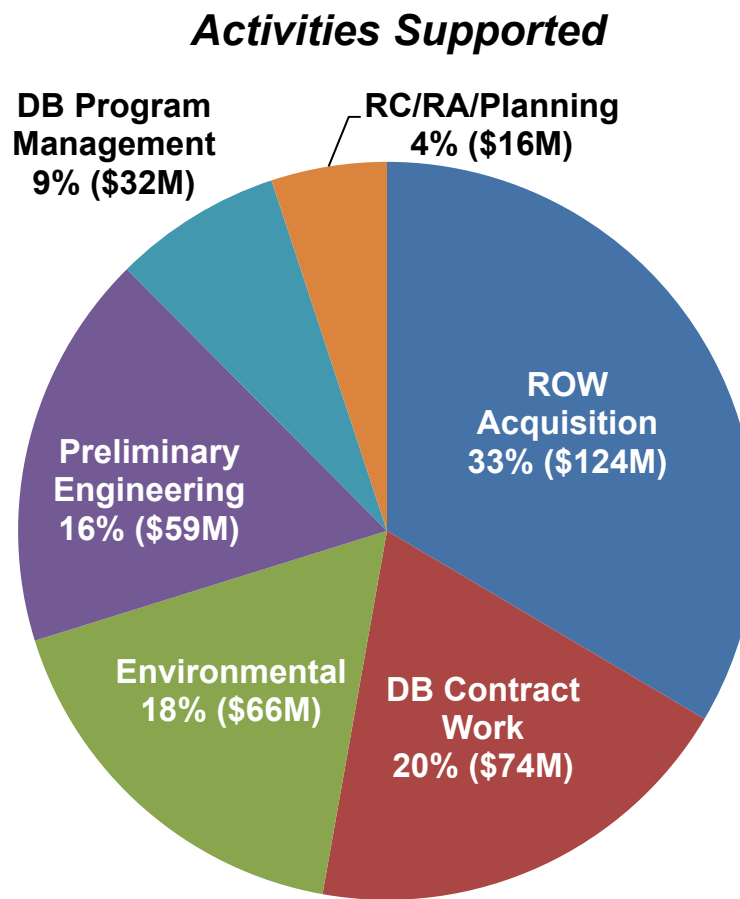


U.S. Department  
of Transportation  
**Federal Railroad  
Administration**

## State Expenditures to Date – March 2016

### Distribution of State Expenditures:

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



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



## Forecasted Expenditures

### Forecasted Monthly Expenditures:

Month	Federal	State and Local
March 2016	\$ 51,733,000	\$ 7,848,000
April 2016	\$ 125,414,000	\$ 7,550,000
May 2016	\$ 71,843,000	\$ 7,699,000
June 2016	\$ 68,390,000	\$ 7,699,000
July 2016	\$ 122,817,000	\$ 5,766,000
August 2016	\$ 90,492,000	\$ 5,847,000
September 2016	\$ 79,155,000	\$ 5,806,000
October 2016	\$ 100,247,000	\$ 5,767,000
November 2016	\$ 84,319,000	\$ 5,806,000
December 2016	\$ 113,597,000	\$ 5,806,000
January 2017	\$ 98,533,000	\$ 5,663,000
February 2017	\$ 89,492,000	\$ 1,582,000

Source: CHSRA FCP December 2015 Revised [vf2] received 2/22/16



FRA - Office of Communications & Legislative Affairs





## Legal Status – March 2016

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

#### Summary

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

#### Developments

- **March 2014:** The Superior Court ordered a trial on the 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.
- **February 2016:** A merits hearing was held on February 11, 2016. The judge will issue a ruling by May 11, 2016 (i.e. within 90 days of the hearing date).

## Legal Status – March 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 – March 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 later this year.

## Legal Status – March 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 9<sup>th</sup> Circuit. The DC Federal Appellate Circuit dismissed that appeal; the 9th Circuit has not acted. Federal appeals are now expected to proceed.
- **October 2015:** The Authority filed 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.
- **Next steps:** Last brief for federal appeals of the STB Declaratory Order are required by April 4, 2016. Hearing date not yet set.

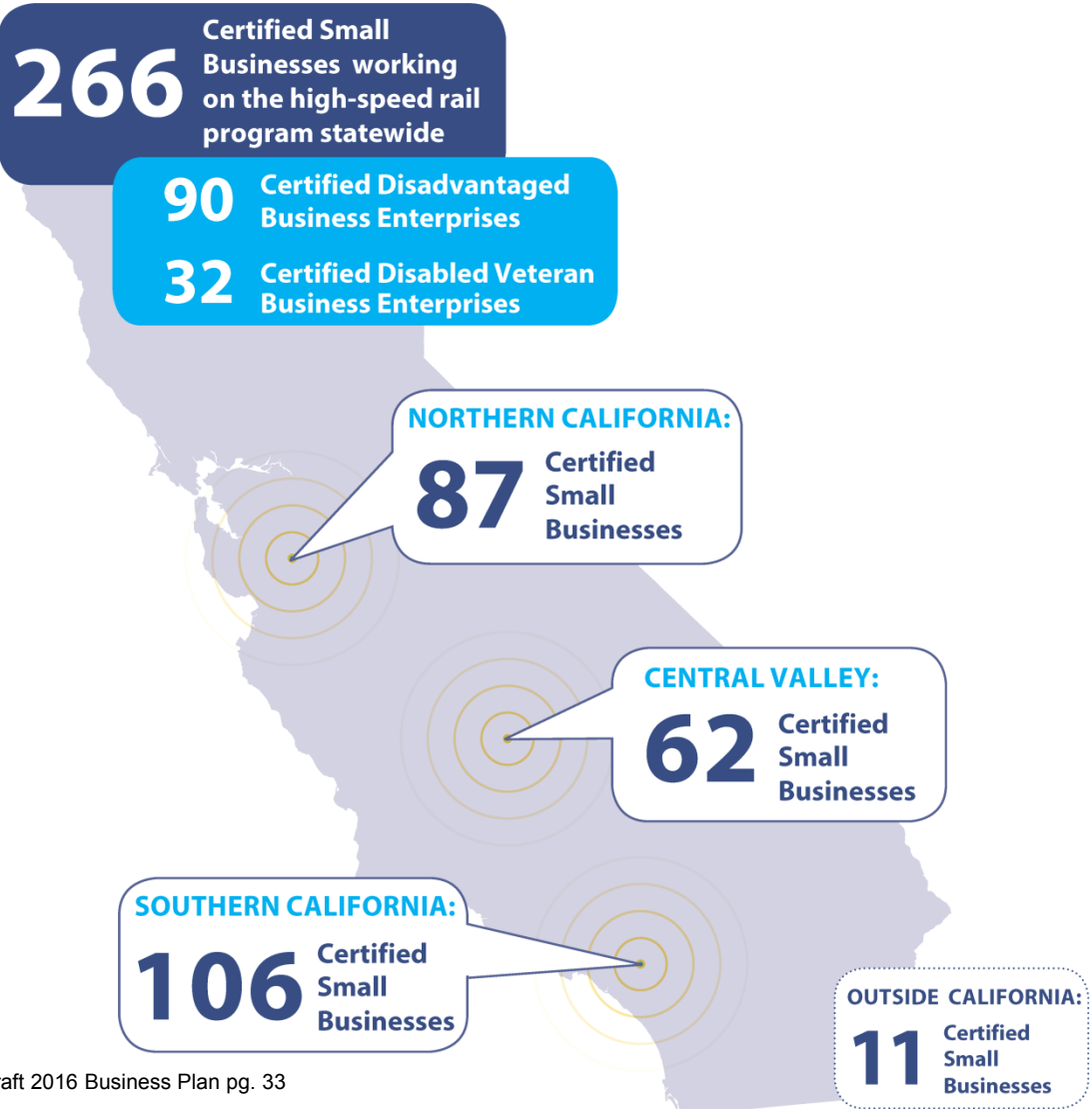


## Small Business Participation and Employment

CP1 amount committed/  
awarded as of 2/18/2016:

**\$303M** is contracted to  
Small Businesses, of which:  
**30.34%**, meeting goal of 30%

- **\$193M** is contracted to DBE (Disadvantaged Business Enterprises) **19.31%**, exceeding goal of 10%
- **\$59M** is contracted to DVBE (Disabled Veteran Business Enterprises) **5.93%**, exceeding goal of 3%



Source: TPZP Small Business Weekly Update 2/18/2016, CHSRA Draft 2016 Business Plan pg. 33





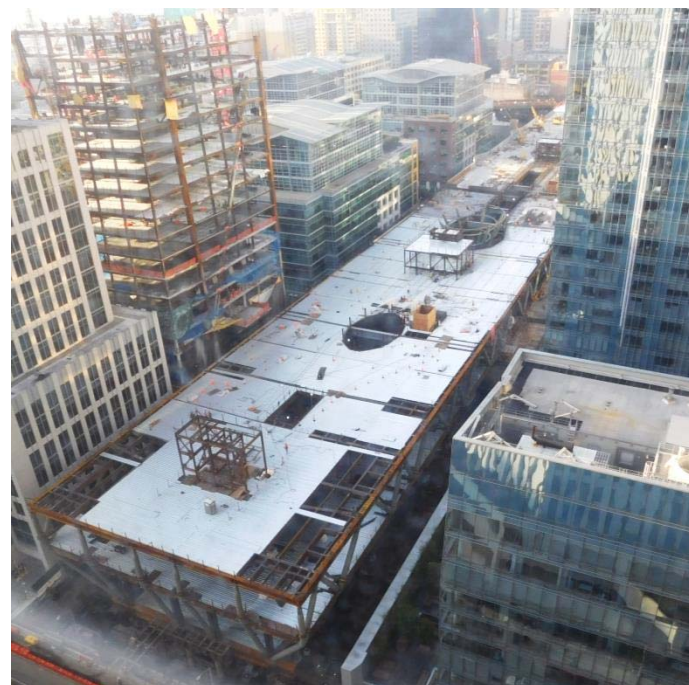
## Transbay Transit Center, San Francisco, California

### 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”; 98.7% of FRA funds expended

### Schedule

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



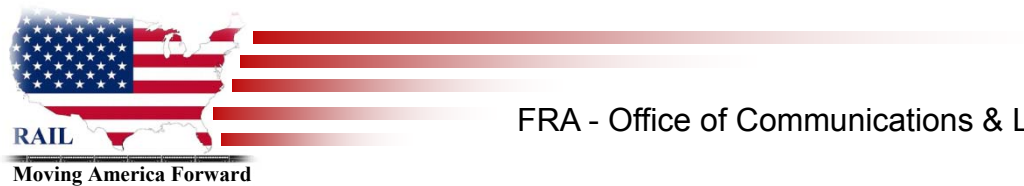


# **RAIL – *Moving America Forward***

*Visit us at:*  
***www.fra.dot.gov***



Connect with us **USDOTFRA**



FRA - Office of Communications & Legislative Affairs



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