

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
15	11/12/12	Open	Action	11/05/12

Subject: Authorizing the General Manager/CEO to Execute a Memorandum of Understanding with the Parties to participate in and support the planning, development, and implementation of a Northern California Unified Rail Service Concept Plan.

ISSUE

Whether or not to enter into a Memorandum of Understanding (MOU) with the California High Speed Rail Authority (CHSRA), the California Department of Transportation (Caltrans), the Capitol Corridor Joint Powers Authority (CCJPA), and the San Joaquin Regional Rail Commission (SJRRC) – the “Parties” -- to jointly plan and develop a Northern California Unified Rail Service Concept Plan and support and pursue its implementation.

RECOMMENDED ACTION

Adopt Resolution No. 12-11-____, Delegating Authority to the General Manager/CEO to Execute a Memorandum of Understanding with the California High Speed Rail Authority, the California Department of Transportation, the Capitol Corridor Joint Powers Authority, and the San Joaquin Regional Rail Commission to Participate in the Joint Planning and Development, Support, and Pursuit of the Implementation of a Northern California Unified Rail Service Concept Plan.

FISCAL IMPACT

None as a result of this action

DISCUSSION

In 2008, California voters approved Proposition 1A, the Safe, Reliable High Speed Passenger Train Bond Act which authorizes the state to sell \$9.95 billion in general obligation bonds to fund: 1) pre-construction activities and construction of a high-speed passenger train system in California, and 2) capital improvements to passenger rail systems that expand capacity, improve safety, and/or enable riders to connect to the higher-speed train system. On April 12, 2012, the CHSRA approved the *High Speed Rail Program 2012 Business Plan*. The *2012 Business Plan* identified two key strategies for the cost-effective and timely implementation of a statewide high speed rail system:

1. Dividing the high speed rail (HSR) program into a series of smaller, discrete projects that build upon each other but also can stand alone to provide viable higher speed rail service; and
2. Make advance investments in regional and local passenger rail systems to leverage existing infrastructure and benefit travelers by providing interconnected “blended” services.

Towards achieving these goals, efforts have been underway in both northern and southern California to develop separate MOUs that will help to facilitate the coordination and integration of

Approved:

Presented:

Final 11/6/12

General Manager/CEO

Principal Planner

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
15	11/12/12	Open	Action	11/05/12

Subject: Authorizing the General Manager/CEO to Execute a Memorandum of Understanding with the Parties to participate in and support the planning, development, and implementation of a Northern California Unified Rail Service Concept Plan.

projects, operational strategies, as well as the pursuit of funding to achieve the HSR vision articulated in the *2012 Business Plan*. The Northern California Unified Rail Service Concept Plan MOU is the northern California step towards this end.

The CHSRA is moving forward with the development of the Initial Operating Section First Construction (IOS – First Construction) in the Central Valley and the extension for an Initial Operating Segment (IOS) south over the Tehachapi Mountains to close the passenger rail gap between Northern and Southern California. The 130-mile IOS – First Construction extends from approximately Bakersfield north to approximately Madera and is anticipated to be completed by 2017 at a cost of \$6 billion (year of expenditure). The IOS – First Construction will be an achievement under the first implementation strategy noted above.

As part of the implementation of the IOS – First Construction in northern California, the parties to this proposed MOU have been meeting over the past six months to forge a coordinated position and approach towards achieving the second strategy of investments in “regional and local passenger rail systems to leverage existing infrastructure and benefit travelers by providing interconnected ‘blended’ services...” The outcome of this process will be, in addition to the MOU, the development and implementation of a Northern California Unified Rail Service Concept Plan, to pivot off and compliment the IOS – First Construction and improve passenger rail services through faster speeds and greater interconnectedness throughout northern California.

This MOU for the development and implementation of the Northern California Unified Rail Service Concept Plan (Attachment 1) has identified the following conditions/actions/key issues to be addressed:

1. Jointly support and pursue a “phased and blended” approach as outlined in the *2012 Business Plan*.
2. Jointly support and pursue funding and implementation of an identified set of projects and operating plans to support the IOS – First Construction which is the second strategy of the *2012 Business Plan*. An “Illustrative List” of un-prioritized projects has been developed between the MOU partners. Regional Transit, the Sacramento Area Council of Governments (SACOG), and the cities of Sacramento and Elk Grove have identified and included in the “Illustrative List” concept-level improvements to the Sacramento Intermodal Facility, development of University/65th Street and Elk Grove Stations, RT’s Gold & Blue Line Service Improvements and Sacramento to Stockton “Fresno Sub” (UPRR Mainline) track and associated improvements.
3. Conduct and complete by spring 2013 an analysis of the 20-year freight projections and to determine its effect and how to accommodate increased rail passenger services.

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
15	11/12/12	Open	Action	11/05/12

Subject: Authorizing the General Manager/CEO to Execute a Memorandum of Understanding with the Parties to participate in and support the planning, development, and implementation of a Northern California Unified Rail Service Concept Plan.

4. Establish a framework for the recommendation of candidate regional and local passenger rail improvement projects for funding and implementation to support build upon the IOS – First Construction.
5. Using the framework noted above, develop a prioritization of the “Illustrative List” of projects for funding and implementation.
6. Secure up to \$1.4B in unallocated Proposition 1A funding from the CHSRA toward funding the Northern California Unified Rail Service Concept Plan prioritized improvements.
7. Work together and collaboratively to pursue local/regional/state/federal funds to match the CHSRA commitment to the Northern California Unified Rail Service Concept Plan.
8. Collaboratively improve and increase community outreach in northern California to improve community understanding of and support for the *2012 Business Plan* and the proposed projects in northern California.
9. Work with the southern California MOU entities and the Caltrain/Metropolitan Transportation Commission MOU stakeholders on the San Francisco Peninsula to provide for a seamless rail system.
10. Coordinate with other local transit providers to enhance the “last miles” connection from rail passenger termini to passengers final destinations.
11. Coordinate on funding-related issues.
12. Any non-CHSRA Party to the MOU may withdraw from the MOU at any time by giving written notice at least thirty (30) calendar days before the effective date of withdrawal.

RT has been engaged in the discussion on this MOU development since spring of 2012. A key issue in which RT, representing the Sacramento region including SACOG and the City of Sacramento, has been successful in defining in the MOU has been the stated opposition to the expanded use of the Western Pacific (WP and also known as the “Sacramento Sub”) rail line for future increased passenger rail service between Sacramento and Stockton. The WP line is presently used sporadically for freight rail services, initial discussions between the freight rail providers and the CHSRA suggested that additional passenger rail services would be feasible -- at a potential cost of at least \$100M dollars of necessary improvements. However, the use of the WP for passenger rail service is inconsistent with SACOG’s regional planning goals, City of Sacramento planning, and RT’s long-range plan, TransitAction. Apprised of this situation, RT worked with our transportation partners to re-focus future passenger service away from the WP.

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
15	11/12/12	Open	Action	11/05/12

Subject: Authorizing the General Manager/CEO to Execute a Memorandum of Understanding with the Parties to participate in and support the planning, development, and implementation of a Northern California Unified Rail Service Concept Plan.

As an alternative, RT and our partners were successful in redefining the guidance language for the Northern California Unified Rail Service Concept Plan to focus on the UPRR mainline for future passenger rail service expansion between Sacramento and Stockton/south. In the near-term, increased dedicated feeder bus service will be pursued. In the longer-term, the MOU acknowledges that all rail improvements should be focused on the UPRR corridor either directly adjacent to the right-of-way or in some operational concept that accommodates future High Speed Rail.

If the RT Board concurs with the recommendation and authorizes the General Manger/CEO to execute the MOU, the MOU will be presented to the CHSRA Board on December 6, 2012 with a request to approve the MOU. It is anticipated the CHSRA Board will approve the MOU on December 6th assuming the RT Board concurs and approves this MOU prior to the December CHSRA Board meeting.

RT staff will keep the Board apprised and updated on the MOU status and with development of the Northern California Unified Rail Service Concept Plan as necessary and/or requested.

NORTHERN CALIFORNIA

MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN

CALIFORNIA HIGH-SPEED RAIL AUTHORITY (CHSRA);
CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
CAPITOL CORRIDOR JOINT POWERS AUTHORITY (CCJPA)
SACRAMENTO REGIONAL TRANSIT (SacRT), and
SAN JOAQUIN REGIONAL RAIL COMMISSION (SJRRC)

COLLECTIVELY REFERRED TO HEREIN AS THE "PARTIES",
FOR THE STUDY, DESIGN, CONSTRUCTION AND INTEGRATION OF A
NORTHERN CALIFORNIA UNIFIED RAIL SERVICE NETWORK TO SUPPORT
THE EARLY UTILIZATION OF THE CALIFORNIA HIGH SPEED RAIL
INITIAL OPERATING SECTION FIRST CONSTRUCTION AND CONNECT TO
THE INITIAL HIGH SPEED RAIL OPERATING SECTION

RECITALS:

Whereas, the California High-speed Rail Authority (CHSRA) is responsible for planning, building and maintaining an 800-mile statewide high-speed rail system, and improving statewide mobility through the development of safe, clean, reliable rail technology; and

Whereas, the California Department of Transportation (Caltrans) plans, improves and administers the San Joaquin and Pacific Surfliner routes; and

Whereas, the Capitol Corridor Joint Powers Authority (CCJPA) contracts and provides funds for the operation and capital improvements of the Capitol Corridor intercity passenger trains between Auburn and San Jose on rights of way owned by the Union Pacific Railroad and the Caltrain/Peninsula Joint Powers Board; and

Whereas, Sacramento Regional Transit (SacRT) provides regional mobility within the Sacramento region and is a member of the CCJPA; and

Whereas, the San Joaquin Regional Rail Commission (SJRRC) plans, improves and administers the Altamont Commuter Express and participates in passenger rail service planning efforts which affect San Joaquin County; and

Whereas, in the development and operation of the high-speed train (HST) network, the CHSRA is charged with accepting grants, fees and allocations from the state, from

political subdivisions of the state, from the federal government, foreign governments, and private sources; and

Whereas, CHSRA, in partnership with the Federal Railroad Administration (FRA) has completed and certified a Program EIR/EIS for the HST, linking major metropolitan areas of the State of California, and the system approved by the CHSRA includes corridors into and through Southern, Central, and Northern California; and

Whereas, the CHSRA 2012 Business Plan proposes to incrementally develop the HST network utilizing a phased and blended system approach that will coordinate the development and operations of HST with existing passenger rail systems, which will improve, enhance and expand the integration of HST with intercity, regional and local rail transport systems; and

Whereas, this phased and blended approach requires a series of incremental investments in regional and intercity rail corridors to prepare for integrated service and operations; and

Whereas, CHSRA recognizes the need for a collaborative effort with regional and state agencies to identify early investment projects along existing rail corridors, that increase speed, improve safety and efficiency, and create seamless, coordinated linkages between HST, intercity, regional and local passenger rail service; and

Whereas, the Parties recognize the need for a collaborative effort with the freight railroads to provide for increased passenger service on these corridors with the understanding that such increases not impinge upon the Railroads' ability to provide quality, competitive freight service in and through the state; and

Whereas, the 2012 Business Plan prioritizes the Initial Operating Section- First Construction (IOS – First Construction) in the Central Valley and the extension for an Initial Operating Section (IOS) south over the Tehachapi Mountains to close the passenger rail gap between Northern and Southern California; and

Whereas, the build-out of the IOS will create increased passenger demand to and from the northern terminus of the HST network where existing passenger rail services currently provide capacity; and

Whereas, CHSRA already has MOUs in place with Caltrans and SJRRC, that guide participation in the collaborative development of technical studies, sharing of technical information, and regional outreach coordination on passenger rail corridors between the Central Valley and Sacramento and the Bay Area; and

Whereas, all Parties are involved in the planning, funding, construction and/or operation of conventional passenger rail and light rail services between the IOS – First Construction and the major metropolitan areas of Northern California, and have been

working with CHSRA on a Northern California Unified Rail Service Concept to support the HST service; and

Whereas, some stakeholders from the Sacramento Region have stated their opposition to the use of the current Western Pacific Rail Corridor in the Northern California Unified Rail Service Concept due to its inconsistency with regional planning goals and objectives; and

Whereas, stakeholders from the Sacramento Region will actively support dedicated connecting feeder bus service to Sacramento from the IOS – First Construction until such time as the ultimate HST service is developed or earlier phased rail service is in a corridor consistent with the regional planning goals and objectives; and

Whereas, the Parties are committed to identifying funding for project development efforts and improvements of rail station(s) that would support existing train service levels or such levels authorized by the Host Railroad(s); and.

Whereas, SacRT is committed to identifying funding for improvements along the Union Pacific mainline between Sacramento and Stockton (Fresno Sub) that will support future increases in both passenger and freight rail services; and

Whereas, those agencies who are party to the UP MOU and Implementing Agreement (July 11, 2012) (CHSRA, CCJPA, SJRRC, Caltrans) will not pursue study of mainline improvements on the Fresno Sub at this time consistent with the UP MOU; and

Whereas, Caltrans is currently developing a California State Rail Plan which complies with state and federal law and serves as the basis for future federal funding for intercity and high speed rail; and

Whereas, Caltrans must include the study of various rail route alignments for additional rail service to Sacramento for the purposes of environmental study, ridership and capital project development to conform with state and federal planning and environmental requirements so as not to endanger the potential for future funding for intercity rail to Sacramento; and

Whereas, the Northern California Unified Rail Service Concept seeks to provide optimal one-seat ride options for the passenger from Northern to Southern California through collaboration by the Parties and sharing of equipment, interlining trains, joint (or “shared”) track capacity, common ticketing and public information services, and leveraging funding resources; and

Whereas, transportation improvement projects, are required to be included in the California State Rail Plan and Regional Transportation Plans (RTP) and the Metropolitan Transportation Commission (MTC), the Sacramento Area Council of Governments (SACOG), the San Joaquin Council of Governments (SJCOG), the Stanislaus Council of

Governments (StanCOG), and the Merced County Association of Governments (MCAG) are each charged with developing a RTP every four years for their respective regions to provide guidance for transportation investments within each region, and development of regional transportation strategies to address the regions' mobility needs; and

Whereas, the State and each of the Regional Transportation Planning Agencies listed above have adopted their respective plans that include many of the projects necessary for the Northern California Unified Rail Services Plan, and have a defined process for adding projects that may be prioritized through the collaboration with CHSRA; and

Whereas, the Parties will communicate and coordinate with other rail agencies in Northern California, such as Caltrain and other operating contractors such as Amtrak and Herzog, in the development and implementation of rail improvements and enhancements; and

Whereas, the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Statutes of 2008) requires a plan to include Sustainable Communities Strategy (SCS), showing evidence of integrated planning, goals that establish and strengthen the crucial linkages between the economy, land use development and regional transportation system to improve access to jobs, education, healthcare, and regional amenities in ways that improve the overall quality of life in the region, and the Northern California Unified Rail Services concept is consistent with achieving SB 375 goals to reduce greenhouse gas emissions;

Now, THEREFORE, it is mutually understood and agreed to by the Parties as follows:

1. To jointly support and pursue the implementation of the California HST system that utilizes a phased and blended approach as described in Chapter 2 of the CHSRA 2012 Business Plan.
2. To jointly identify and pursue a defined set of early, integrated projects and operating plans for the Northern California Unified Rail Services Concept which would make the IOS- First Construction segment available for passenger service as soon as practicable. These improvements may include, but are not limited to, public safety, high quality passenger rail services, equipment, facilities and amenities, system capacity, consistent service reliability (on-time performance), connectivity to local/regional public transport services, dedicated feeder bus services integrated operations, and improved train speeds, while preserving freight rail capacity to accommodate existing and future goods movement demand.

3. To undertake an analysis with the freight railroads to determine how to accommodate increased passenger service demand, while protecting the existing corridor capacity, whether used or unused, for future freight growth. The analysis will assume a projection of freight rail growth for a period up to 20-years.
4. To establish a framework for the recommendation of the candidate improvement projects for funding and implementation. The framework would include the application of criteria to prioritize candidate projects to meet projected future ridership demand for service on the IOS – First Construction, address capacity issues on the existing freight lines select projects for funding consideration and a process for the Parties to achieve consensus on the projects to be recommended to CHSRA or other agencies for funding. A subsequent project level MOU (or other agreement(s)) may be developed to specify the details of approved projects that implement the goals of this MOU.
5. An illustrative list of candidate rail improvement projects is set forth in Attachment A. This current list of draft projects will be further refined according to their compliance with agreed to criteria, including but not limited to, environmental clearance and Prop 1A connectivity required to support the operation of a blended HST system.
6. The Parties have identified approximately \$1.4 billion in capital improvements to the Parties' rail systems that would contribute to an integrated passenger rail system for the benefit of Northern California rail passengers and support the 2018 Northern California HST Blended Service Plan for the utilization and expanded success of the IOS/First Construction Section. The Parties will work to identify and secure project funding from federal, state, regional and local resources, including eligible unallocated Prop 1A funds (as authorized by the CHSRA) to advance the illustrative list of candidate capital improvements in Attachment A.
7. To jointly support planning and early project development efforts of rail station improvements that would support existing train service levels or such levels authorized by the Host Railroad(s).
8. To pursue federal/state/regional/local funds to match any authorized CHSRA funds allocated to the Northern California rail projects. Real property or in-kind resources may be offered as a match where appropriate. The Parties agree to work together to identify and pursue appropriate amounts and types of federal/state/regional/local resources that may be used to support a specific project.
9. To collaboratively improve and increase community outreach in Northern California to better community understanding and support of the CHSRA 2012 Business Plan and the proposed projects in Northern California.
10. To communicate and coordinate with the Southern California and MTC/Caltrain MOU stakeholders to ensure continuity for the traveling public when moving between the "Bookends", the California Unified Rail Service network, and the HST service.

11. To further communicate and coordinate with other rail and transit operators where significant passenger transfers are necessary to reach further destinations, such as the Peninsula Corridor Joint Powers Board (Caltrain), Valley Transportation Authority (VTA), the San Francisco Bay Area Rapid Transit District (BART), and local bus providers.
12. To notify each other in a timely manner in the event that funding for the HST program is constrained by statute, rescission of existing law, change in funding requirements or eligibility, reduction in funding level or availability.
13. To permit any non-CHSRA Party may withdraw from this MOU at any time by giving written notice to the other Parties of such withdrawal at least thirty (30) calendar days before the effective date. The MOU between the remaining Parties shall remain in effect.

This Memorandum of Understanding (MOU) is entered into this ___day of December, 2012 by and among the Parties.

STATE OF CALIFORNIA DEPARTMENT
OF TRANSPORTATION

CALIFORNIA HIGH-SPEED RAIL
AUTHORITY

By: _____

By: _____

William D. Bronte

Jeff Morales

Chief, Division of Rail

Chief Executive Officer

Approved as to form:

Approved as to form:

By: _____

By: _____

Name: _____

Thomas Fellenz

Title: _____

Chief Counsel

CAPITOL CORRIDOR JOINT POWERS
AUTHORITY

SAN JOAQUIN REGIONAL RAIL
COMMISSION

By: _____

David B. Kutrosky
Managing Director

By: _____

Stacey L. Mortensen
Executive Director

Approved as to form:

Approved as to form:

By: _____

Name: _____

Title: _____

By: _____

Name: Thomas J. Shephard, Jr.

Title: Legal Counsel, SJRRC

SACRAMENTO REGIONAL TRANSIT
DISTRICT

By: _____

Michael R. Wiley
General Manager/CEO

Approved as to form:

By: _____

Name: _____

Title: _____

RESOLUTION NO. 12-11-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

November 12, 2012

DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA HIGH SPEED RAIL AUTHORITY, THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, THE CAPITOL CORRIDOR JOINT POWERS AUTHORITY, AND THE SAN JOAQUIN REGIONAL RAIL COMMISSION TO PARTICIPATE IN THE JOINT PLANNING AND DEVELOPMENT, SUPPORT, AND PURSUIT OF THE IMPLEMENTATION OF A NORTHERN CALIFORNIA UNIFIED RAIL SERVICE CONCEPT PLAN.

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Board hereby delegates authority to the General Manager/CEO to execute the Memorandum of Understanding with the California High Speed Rail Authority, the California Department of Transportation, the Capitol Corridor Joint Powers Authority, and the San Joaquin Regional Rail Commission to participate in the joint planning and development, support, and pursuit of the implementation of a Northern California Unified Rail Service Concept Plan.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary