



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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AGENDA WITH ANALYSIS

**NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Wednesday, January 4, 2017**

**The STATE PUBLIC WORKS BOARD will meet on
Wednesday, January 4, 2017, at 10:00 a.m. in
Room 113,
State Capitol, Sacramento, California.**

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Patrice Coleman at (916) 445-9694 or e-mail to patrice.coleman@dof.ca.gov five days prior to the meeting.

STATE PUBLIC WORKS BOARD

Wednesday
January 4, 2017
10:00 a.m.
Room 113

State Capitol
Sacramento, California

I.	Roll Call		
II.	Action Items	Page	3
III.	Other Business	Page	5
IV.	Reportables	Page	5

ACTION ITEMS

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
MADERA COUNTY**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15853 of the Government Code*

Consider authorizing acquisition for the following properties and property rights:

- **Quad 7, L.P. Property**
Authority Parcel Numbers: MF-20-0935-1, MF-20-0935-2, MF-20-0935-3, MF-20-0935-4, MF-20-0935-5, and MF-20-1039-1
Assessor Parcel Number: 047-080-001
- **41MB 8ME All Rights, Title and Interest**
Authority Parcel Numbers: MF-20-0935-1, MF-20-0935-2, MF-20-0935-3, MF-20-0935-4, and MF-20-1039-1
Assessor Parcel Number: 047-080-001
- **Everspring Alliance Property**
Authority Parcel Numbers: MF-20-0933-1, MF-20-0933-2, MF-20-0933-3, and MF-20-0933-01-01
Assessor Parcel Numbers: 047-070-007

ACTION ITEMS

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Madera County

Action Requested

If approved, the requested action would authorize acquisition of three properties and property rights for the High Speed Rail project.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,300 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1.

CEQA

In order to choose the HSTS preferred alignment and identify the parcels to be acquired, the Authority, in accordance with CEQA and the National Environmental Protection Act (NEPA), has completed and certified both a Program level and Project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The parcels subject to this Easement Acquisition Agreement are within either the Merced to Fresno or Fresno to Bakersfield design segment. For these two design segments, the CEQA and NEPA processes were completed in 2012 and 2014, respectively.

Contracts Requiring Board Approval

The Board has adopted a resolution delegating acquisition authority to designated staff for certain HSTS acquisitions that conform to a Board-approved standard contract. The Right-of-Way contracts for the adjacent properties and property rights that are listed below are interrelated agreements that fall outside the scope of this delegation because they contain non-standard clauses substantively different from the standard contract. Therefore, Board approval is required for the acquisitions.

- **Quad 7, L.P. Property:**
The requested action will authorize the acquisition of an easement and a portion of Quad 7, L.P.'s property. This property is intended to be used for the HST corridor and an overpass over Avenue 12. This acquisition will create a land locked parcel on a remainder of Quad 7, L.P.'s property (approximately 6.963 acres). As a result, under this Right-of-Way contract the High Speed Rail Authority (HSRA) will provide Quad 7, L.P. with an access easement over adjacent property owned by Everspring Alliance or will purchase the land locked remainder. The access easement will be secured through the 41MB 8ME and Everspring Alliance Right-of-Way contracts. Approval of this Right-of-Way contract, in conjunction with the 41MB 8ME contract will result in the dismissal of the pending eminent domain action related to the Quad 7, L.P. property.
- **41MB 8ME All Rights, Title and Interest:**
The requested action will authorize the acquisition of 41MB 8ME's rights to an easement over the portion of the Quad 7, L.P. property being acquired by the State intended to be used for the HST corridor and an overpass over Avenue 12. In exchange, HSRA will grant a license and encroachment agreement to 41MB 8ME over the same portion of the Quad 7, L.P. property on which the easement was located and to construct a conduit crossing. In addition, this agreement will secure

41MB 8ME's consent to the acquisition of the Everspring Alliance Property by HSRA and to the access easement to Quad 7. This consent is necessary because 41MB 8ME has an easement over the same portion of the Everspring Alliance property that is necessary to provide Quad 7, L.P. the access easement described above. The easement granted to 41MB 8ME by Everspring Alliance prohibits Everspring Alliance from conveying its Property to HSRA without 41MB 8ME's consent. Approval of this Right-of-Way contract will also result in the dismissal of the eminent domain actions related to the Quad 7, L.P. property and the Everspring Alliance property.

- **Everspring Alliance Property:**

The requested action will authorize the acquisition of an easement and a portion of Everspring Alliance's property. This property is intended for the HSTS "S" Line and for the Avenue 12 road widening necessary to construct a bridge over the proposed HST corridor. The acquisition includes the rights necessary to provide the access easement to Quad 7, L.P. to its land locked remainder. Approval of this Right-of-Way contract will result in the dismissal of the eminent domain action related to the Everspring Alliance Property.

Staff Recommendation: Authorize Acquisition.

OTHER BUSINESS

NONE

REPORTABLES

NONE