

Senate Information Hearing on High Speed Rail in California

CA Senate Transportation & Housing Committee – March 17, 2009.

Provided by Rita Wespi on behalf of CARRD.

NOTE: All text in “quotes” is verbatim. The rest of this transcript is either verbatim, close to verbatim, or paraphrased. Use the video link to verify before quoting passages where exact accuracy matters. Time markers are included for your convenience. This is a partial transcript; some sections of the hearing are omitted.

Video: <http://www.calchannel.com/channel/viewvideo/176>

Lowenthal: SB455 establishes criteria for HSR investments; ensures funds can be used for local rail services while HSR is being developed. Questions are should some of the funds be used to hire staff to provide these services; should Caltrans provide these services. These are questions that haven't been answered. 55M passengers in the old business plan; now CHSRA is asking for an additional \$2M for their new patronage forecast; this will be the 3rd patronage forecast in 10 years. Why do we need another? Was there some problem with the forecast from last year? Finally, the authority is requesting \$2M for financial plan, yet we'll hear from financial analysts that the bus plan we received has some holes in it and is inadequate. Sen. Simitian and Sen. Huff and I serve on the subcommittee and we're going to pursue some of these questions.

Simitian: 17:00 Highlight a concern I hope the authority can address. Address the legitimate concerns that folks along the ROW have, which have been raised in my district but are certainly not limited to my district & other parts of bay area and the state. One of the things that is exacerbating the level of concern and the anxiety that's being created is the lack of clarity of what the future holds for the people along the ROW. Until and unless we get clarity around those issues, people will be understandably and appropriately concerned. And while I'd like to make the case that we ought to be responsive to those concerns, if only because they are legitimate, let me say to the folks from HSR that There will be a price to be paid if people are not responsive to those concerns. So even if you don't want to do the right things for the right reasons, getting those issues addressed at the earliest possible opportunity, addressing legitimate concerns, articulating which of those concerns have no basis in fact – if in fact that is the case, that all is necessary to see the project move forward in a timely and expeditious way. So both for reasons of good public process and what I would describe as enlightened self interest I would hope folks from HSR would address those concerns today but also in the work they do going forward from today's hearing.

Bob Huff: Biggest concern being expressed is whether it's going to live within its means. That we're off to a good start, and to be good stewards of the money and that it's spent wisely.

Dana Curry & Eric Thompson: LAO presentation. See their report.

http://www.lao.ca.gov/handouts/transportation/2009/High_Speed_Rail_Authority_03_17_09.pdf

Simitian: It's part of our obligation to make sure the money is spent wisely. I can understand that the folks at CHSRA on the natural would like to work without anybody looking over your shoulder. Both of us would like to work that way if we could. The fact of the matter is that an enlightened self-interest ought

to lead the folks at hsr to conclude that they can move further faster and with more success if there is a high degree of public confidence in what they are doing, and that high degree of public confidence in what they are doing will be the result of having that oversight so we can say not just to the folks at the authority themselves but others who have taken the steps necessary to make sure the money is being well and wisely spent . So again I may or may not be successful in this effort but I'm hoping we can persuade CHSRA that this is in their interest and in moving their mission along farther faster and successfully.

Lowenthal acknowledged LAO's report was well received. (Find it! Ask for it!) They'll be amending SB450.

Mr. Bill Brocke will assist Will Kempton, CA Dept of Transportation, with technical aspects of his presentation.

Kempton: gives his report including stimulus package, grant applications, etc.

Simitian 44:25: Mr. Kempton, do you have any thoughts on my earlier point?

Kempton: Your point was very well made. The staff of CHSRA is aware, too. On the highways, we were very mindful of cities and that was good. It was only when we opened up that it went well. I expect CHSRA will conduct their business in a similar way. We stand to help in any way.

Lowenthal: do we have 90mph trains that we can bring up to the 110 mph that defines HSR?

Kempton: I don't think we'll get much above 110 speed with equip we have. We do have some, but they are limited because they're sharing tracks with freight, or the condition of the tracks themselves. Parts of the corridor are at 80mph. The definition I hear the most is the cutoff is about 110 mph for Acela type service. We can upgrade significant parts of our system to that speed.

Lowenthal: In CA, most of us are acutely aware that most of our rails are freight, rather than passenger. HSR is trying to work out with Union Pacific ROW issues. Trying to use the same tracks.

Kempton: Don't think they proposing to use same tracks as freight, it's the same ROW. Mr. Morshed will explain where we're at. If we're successful in doing that gives benefit for grade separation, too.

Lowenthal: Fran Flores is pinch hitting for Kopp.

Flores: Vice Chair of CHSRA. Entered into multi-year contracts with major consulting firms across the country. Major barriers: inadequate funding more than once over past 10 years. Now we are facing another cash flow crisis. Consultants have continued to work with no promise for compensation. If the investment board doesn't provide funding on Wednesday when they meet, we will have to close our operations.

Morshed 58:00: was Exec director until Jan 19, is on an extended furlough. Listening to Simitian's etc. comments, I agree with everything all of you said. I have absolutely no disagreement with any single item that was said today. In responding to questions raised in your staff report, situation they find themselves in is peculiar and difficult. You have, through the budget last year, given us \$46M to continue our work. Due to constraints on State's cash flow situation and that they're bond funded, they've only received so far \$4M total to spend. They have \$4M outstanding debt to contractors that they can't pay. As of tomorrow (March 18), if they don't receive funding from Pullman Investment, they will have to tell their contractors to stop work. They cannot pay them. Responsible thing to do is shut down operations. Current staff is 5.5 people on board. They can't continue the consultant's work themselves. We have endeavored to provide you and the public with as much information as we have. We did our best to provide the bus plan. We acknowledge Business Plan was 2.5 months late; they apologize but it was beyond his or his board's power to do any more than that. Items they don't have and can't give is: Expected level of service – page 5-10 they talk about ridership & revenue; that's all the info they have and they can't give more. Assumed capacity of train: 450 passengers, approx. -- Page 21 of report. How were riderships prepared. Page 1-11 lays this out.

Lowenthal: Question about that ridership & revenue. You presented to us a business plan in November 2008. It talks about 2030 SF-LA ridership/revenue forecast, given certain scenarios. The most optimistic

was 54.6 million passengers; in earlier 2002 ridership estimates were 30 million. Flores just said 100M – we keep hearing these vast numbers – we don't know where they come from. It's a tremendous difference that we keep hearing, and there's no justification of the wildly different numbers at diff times – it's just confusing.

Morshed: Previous was prepared in the 1990's and was for 2020. The second ridership/revenue not by us or paid by us. Was produced by Met. Trans. Commission. They contracted to do a ridership/revenue analysis. We are using numbers produced by Hendrix prepared for MTC.

When preparing for revenue, be conservative. When doing environment work, do maximum number scenarios. Must use worst-case scenarios for different issues. To be consistent with other agencies, they are now using 2035.

Lowenthal: we keep getting these wildly different numbers without understanding them without having you around to explain them. Who's watching the store with all these contracts out there and you furloughed and (?) stepping in.

Morshed: We've operated with staff of 2-3 and contracts of \$1-2M and we've been able to follow them. As we move into \$50M+, we don't have that staff. The authority cannot manage the project with the current staff we have unless we get some significant help.

Lowenthal: These are very difficult issues.

1:15:45 Simitian: Tie these comments back that we get the best info we have...the next step the LAO is encouraging you to take is mitigation measures if the estimates are incorrect. We need to build in protections so that if the projections are off we have a plan b and c. Recalled his years in school board 25 years ago. They had the good sense to plan for keeping schools if the demographer's numbers were wrong. Build a safety net.

Morshed: You're absolutely correct. We're doing that to the best of our ability. Most of our focus today is essentially on the infrastructure: tracks, electrification. Those are what we need for a high speed train. We cannot do anything less than 2 tracks exclusively. With 30M to 100M we need 2 tracks. Needing to know 30 vs 100 is when we are ready to purchase the trains. That's in about 10 years from now.

Lowenthal: We have a letter from the northern CA delegation: Sen Yee, Amiano, Corbett, Leno, Mah, Hiashi, Skinner: strongly urging support for Transbay center. It's not the intention to go to the Transbay Center. Are you saying that's not part of the first phase? Different messages coming.

Morshed: Our EIR identifies the SF Transbay Terminal as the station. That is still it; until we complete the project level EIR, there may be changes at that time.

1:30: Talks about SF TBT trainbox size – can only handle 4 trains per hour but they're building rest of operation to handle 12 tph.

Lowenthal: That 12 tph is quite a number. The only trains that do 12 is Japan. London 3 tph during peak. Gives other examples. We're not here to solve that. But I will tell you that this leads to a great deal of angst among the legislators. What is going on? It was part of the initiative, part of AB3034. I would STRONGLY advise us to get on the same page. Comments from Sen Feinstein office that we don't need more than 15 tph. I am reflecting again that we're getting multiple messages and they have far-reaching consequences.

Morshed: I agree with you. You hit the point. I encourage you to hold a hearing. This is going to be a \$64K question. Increase TBT is about \$2B. LA to Anaheim \$2B. Same amount of money, and we'll need some guidance as to where the money should go.

Lowenthal: I think we'll move on.

Morshed: Want to add a few comments. We welcome an audit either by attorney general or by ourselves.

1:35 Maria Ayerdi Exec Director of Transbay Joint Powers Authority: Joined by Amelio Cruz. Transbay Terminal. Law in 1999 and again as Prop 1A that the Transbay Terminal would be the terminus for the

HSR. If you change that, it has to go to the voters of California in order to be changed. Gave description and video of TBT plans. . . .

1:41: Total project cost is \$4.2B, we have raised \$2B to date. Phased the project to meet their currently available funding. Phase 1 is \$1.89B for above ground portion of station. We expect to have the station completed in 2014 *for the buses*. We're trying to identify money for rail box as part of the first phase because it'll save us \$100M. We'd like to complete it as part of phase 1 because it has utility in that it serves Caltrain as well. In all of our funding to date, the primary funder is state; out of the \$2B we raised, federal gov has funded only \$64M, so there's a lot of work in raising local monies for the project. Cost for building currently designed trainbox is \$390M, which is what we'd be seeking from the fed stimulus money.

Amelio Cruz: 1:47 On Jan 30 they received verbal request from CHSRA 400meter platform; all trains entering Bay Area will terminate at TTC. Train turn-around times scheduled 40 minutes per train with a 30 minute minimum dwell time. TCC shall accommodate 12 tph. TTC shall provide 8-10 platform tracks for HSR.

In their EIR they said 30 min train time and 20 min dwell time. In order to accommodate their requests we had to go down a level. We first looked at going wider and it wasn't feasible. Cost to go deeper is additional \$500M. Total program cost increase of \$1B.

Where else in world operates 12 tph? ONLY Japan, and they do it on 6 tracks. Each train = 1,000 seats, 6 peak hours, 144,000 total in/outbound seats in the peak alone. What CHSRA is requesting is excessive. We can accommodate 6 tph on 4 platform tracks; 40 min scheduled 30 min dwell times, 400 meter platforms. Additional trains could be accommodated by decreasing dwell time.

1:55 Caltrain dedicated tracks on a single platform are at a different height.

(Senate "Audience" was reduced to 4 at this point in the meeting.)

Sen Mark DeSaulnier's spokesperson: Can we ask the authority that The (HSR) Authority reports to whether we can revisit the EIR?

Amelio Cruz: We'll look into that.

Maria: CHSRA wants a 100 year project; we can do that with our plan and accomplish it incrementally. She's concerned with the budget overruns if CHSRA saddles the tax payer with such upgrades at this time.

Lowenthal: Do you know if they've asked LA to handle 12 tph?

Amelio: We don't have information on where else they asked that request.

Lowenthal: If we're doing 12 on one side.....can anyone here answer that question? Anaheim or Los Angeles?

Daryl Johnson, Orange County rep: We're having a similar discussion with CHSRA but not as far along as SF in our level of details. We currently have a 6-track alignment. But it's slightly different – through station for Amtrak and Metro Service, too. As of now CHSRA hasn't given us an operating plan with track layout of whether we're asked to handle 12 tph. The track layout is very similar but different from SF.

Lowenthal & others: SF currently is designed for 4 HSR and 2 Caltrain (3 platforms).

Amelio: SF configuration between Caltrain & HSR is different in that the Caltrain platforms are a different height. The *operation* is significantly different as well. Caltrain will be doing 31,025 passengers per day. It's a number comparable to HSR. In fact, Cambridge Systematics report HSR will operate 26,000 passengers per day to Transbay; Caltrain actually be doing *more* passengers than CHSRA. They can do that on fewer tracks because of the diff in operations, specifically of the shorter dwell time, which is one of the things we'd love to talk some more about because the dwell time in San Jose is 3 minutes; SF is 40 minutes. If we could reduce the dwell time we could handle the 8 tph.

Lowenthal: How do we get from BART to Transbay Terminal?

Maria: There will be an underground people mover that connects to BART Montgomery or Powell stations.

Senator: How are you going to handle the issue with CHSRA?

Amelio: “There seems to be a disconnect between the number of passengers and the number of trains.” We planned for the maximum – the 12.7 million, not the 9 million. If we can better understand why they need 144,000 seats during peak hour, we can respond better. Another significant deviation from their plan which they presented publically, they didn’t say that all trains would go to SF. They’ve deviated from plan where now they say EVERY train must go to SF; earlier they said some will end at Millbrae & SJ. They’re now telling us we must accommodate all trains which will go into SF, regardless of ridership. If we were to look at our plan today with their 40 min dwell time, we could do a max of 6 trains per hour, which is a max of 12,000 seats in & out each hour. That meets the 35,000 passengers a day max. and certainly meets the 36,000 a day projection with the Cambridge numbers they presented last week. If we’re able to reduce dwell times we can jump to 8 tph and get as many as 50% more seats in the station each hour.

Senator: No one from CHSRA is present to answer the questions. [Morshed had left the meeting.]

Senator: This underscores the need for better coordination between CHSRA, legislature and other state agencies.