

Amendment 1
Memorandum of Agreement
Among the
Federal Transit Administration, Federal Railroad Administration, and the
California State Historic Preservation Officer
For the
Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project
in San Francisco County, California

Whereas, Section 106 of the National Historic Preservation Act, 16 USC 470 *et seq.* requires Federal Agencies to take into account the effects of their undertakings on historic properties; and

Whereas, the Federal Transit Administration (FTA) may assist the Transbay Joint Powers Authority (TJPA), the City and County of San Francisco (CCSF), the Peninsula Corridor Joint Powers Board (JPB), and the San Francisco Redevelopment Agency (SFRA) with construction of the proposed federally assisted undertaking is the a new multi-modal Terminal (Terminal) on the site of the present Transbay Transit Terminal (TTT), extension of the Peninsula Corridor Service (Caltrain) from its current San Francisco terminus at Fourth and Townsend Streets to a new underground terminus beneath the new Terminal, which will also accommodate high-speed rail service, and establishment of a Redevelopment Area Plan with related development projects, including transit-oriented development on publicly-owned land in the vicinity of the new multi-modal Terminal; and

Whereas, WHEREAS, on June 12, 2004, FTA, SHPO, TJPA, CCSF, JPB and SFRA entered into a Memorandum of Agreement (MOA) regarding the Undertaking; and

Whereas, the Federal Railroad Administration (FRA) has reserved funds through the High-Speed Intercity Passenger Rail (HSIPR) Program, to fund certain rail facilities of the Terminal; and

Whereas, in order to consider providing financial participation in the Federal Transit Administration undertaking, the FRA wishes to adopt the provisions of the MOA by becoming an additional signatory to the MOA; and

Whereas, Stipulation VII of the current MOA allows for a process to make amendments to the MOA; and

Now Therefore, FTA and the SHPO and the other parties hereto agree to the addition of the FRA as a signatory to the Memorandum of Agreement with the following stipulations:

Now Therefore, in accordance with the requirements of Stipulation VI, FTA, SHPO, and the other parties hereto agree to amend the MOA to add both FRA and TJPA as signatories with the following stipulations:

Stipulations

- I. TJPA commits to implement all of the stipulations in the original MOA that are the responsibility of TJPA; and
- II. FRA shall act as co-lead Federal agency with FTA for the Section 106 process and will ensure, along with FTA, that TJPA implements the stipulations of the MOA for which FTA and FRA are each responsible for as it relates to their oversight roles consistent with the requirements of the MOA;
- III. By executing this Amendment, FRA and TJPA agree to the terms of the MOA.

Signatory Parties:

FEDERAL TRANSIT ADMINISTRATION
BY: *Mike O. Lewis* DATE: July 1, 2010
TITLE: Regional Administrator

FEDERAL RAILROAD ADMINISTRATION
BY: *Joseph C. Azito* DATE: 8/4/10
TITLE: _____

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
BY: *Michael Wayne Duda* DATE: 23 JUL 2010
TITLE: _____

TRANSBAY JOINT POWERS AUTHORITY
BY: *[Signature]* DATE: 7/1/10
TITLE: Executive Director

Concurring Signatories:

CITY AND COUNTY OF SAN FRANCISCO
BY: *[Signature]* DATE: 22 JULY 2010
TITLE: Environmental Review Officer

PENINSULA CORRIDOR JOINT POWERS
BOARD

BY: *MJ Scanlon* DATE: 7/26/2010
TITLE: EXECUTIVE DIRECTOR

CALIFORNIA DEPARTMENT OF
TRANSPORTATION

BY: *S. J. Galt* DATE: 7-27-10
TITLE: DISTRICT DIRECTOR